

## INTRODUCTION

The twentieth *Annual Report* of the Network of Concerned Historians (NCH) contains news about the domain where history and human rights intersect, especially about the censorship of history and the persecution of historians, archivists and archaeologists around the globe, as reported by various human rights organizations and other sources. It mainly covers events and developments of 2013 and 2014.

*Disclaimer.* The fact that NCH presents this news does *not* imply that it shares the views and beliefs of the historians and others mentioned in it.

The complete set of *Annual Reports* (1995–2014) was compiled by Antoon De Baets. Please send any comments to: <[antoondebaets@concernedhistorians.org](mailto:antoondebaets@concernedhistorians.org)>.

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## AFGHANISTAN

Previous *Annual Report* entries: 2000–2013.

Although praised globally as an effective human rights body, the Afghanistan Independent Human Rights Commission (AIHRC) was largely in limbo from December 2011 until June 2013 due to multiple commissioner vacancies that President Hamid Karzai did not fill for 1.5 years. However, after donors set a deadline for filling these positions as part of the follow-up to the 2012 Tokyo Conference, at which donors pledged US\$16 billion in development aid in return for commitments by the Afghan government including support for human rights, Karzai in June 2013 filled all vacant seats, albeit without the consultation with civil society that the 1993 Principles Relating to the Status of National Institutions (Paris Principles) requires. Several of the five new appointees had little or no experience in human rights or had expressed overt hostility to the concept of universal human rights. Abdul Rahman Hotak, a former member of the Taliban government, after his appointment publicly criticized the 2009 EVAW Law (Law on the Elimination of Violence against Women). In June 2013, the United Nations High Commissioner for Human Rights Navi Pillay took the unusual step of raising “serious concerns” about the appointments and called for the government “to reconsider the recent appointments and re-open the selection process.” One of the AIHRC’s key achievements in recent years was the completion of an 800-page report, *Conflict Mapping in Afghanistan Since 1978*, that mapped war crimes and crimes against humanity in Afghanistan since the communist era. Completed in December 2011, it would provide a foundation for future steps to prosecute those implicated in past abuses. However, at the end of 2013 there was no planned release date for the report: Karzai blocked the release with the encouragement of international donors including the United States and the United Kingdom, which argued that releasing the report could be destabilizing in the current tense security environment since it likely implicated a number of powerful figures. [See also *NCH Annual Report 2013*.]

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 289–290.]

See also Ukraine.

## ALBANIA

Previous *Annual Report* entries: 1996, 2012.

See Serbia / Kosovo.

## ALGERIA

Previous *Annual Report* entries: 1996, 2001–2013.

Security forces and armed groups continued to enjoy impunity for atrocities they committed during the civil war (1992–2000).

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 522.]

*See also* France.

## ANGOLA

Previous *Annual Report* entries: 2003, 2009.

## ARGENTINA

Previous *Annual Report* entries: 1997–2013.

On 26 November 1977, Laura Estela Carlotto ([1954]–1977), a history student at the Universidad Nacional de La Plata (National University of La Plata) and a member of the Juventud Universitaria Peronista (JUP, Peronist University Youth) was abducted together with her partner Walmir Óscar Montoya and transported to the clandestine prison of La Cacha in La Plata. Walmir was assassinated but Laura, being pregnant, was kept alive. She gave birth to her baby in the Hospital Militar (military hospital) in Buenos Aires on 26 June 1978. On 25 August 1978, she was murdered under the responsibility of General Carlos Guillermo Suárez Masón. Her body was given to her mother, Estela de Carlotto, the same day. On 27 August 1978, she was buried in La Plata. The baby, of Italian-Argentinian nationality, was named Guido (Montoya Carlotto) by the family. He was taken away and adopted by another family, received the name of Ignacio Hurban and became a musician. Uncertain about his origin, he took a DNA test in 2014, which proved his kinship with the Carlotto family. On 5 August 2014, judge María Servini de Cubría informed his grandmother, Estela de Carlotto, who was the president of the Abuelas de Plaza de Mayo (the Grandmothers of the Plaza de Mayo), about the DNA test result. This was the 114<sup>th</sup> case (out of possibly 500) of a baby stolen during the Dirty War (1976–1983) whose identity could be traced. In December 2000, Suárez Masón (1924–2005) was sentenced *in absentia* to life imprisonment in Italy.

[Sources: “Apareció Guido Carlotto,” *Abuelas Plaza de Mayo Website* (5 August 2014; [http://www.abuelas.org.ar/comunicados.php?comunicados=restituciones.php&der1=der1\\_varios.php&der2=der2\\_dif.php](http://www.abuelas.org.ar/comunicados.php?comunicados=restituciones.php&der1=der1_varios.php&der2=der2_dif.php)); “Conocé la historia de Laura, hija de Estela de Carlotto,” *Nuevo diario web* (5 August 2014; <http://www.nuevodiarioweb.com.ar/nota/pais/544666/conoce-historia-laura-hija-estela-carlotto.html>); Corte di assisi di Roma, Italy *versus* Carlos Guillermo Suárez Masón and Others: Judgment and Sentence (<http://www.concernedhistorians.org/le/356.pdf> and <http://www.concernedhistorians.org/le/357.pdf>; 2000); “Laura Estela Carlotto Detenida–Desaparecida en Noviembre 1977” (<http://www.desaparecidos.org/arg/victimas/carlotto>); *NRC Handelsblad* (7 August 2014), 13.]

Several cases of human rights violations committed during Argentina’s military dictatorship (1976–1983) were reopened in 2003 after Congress annulled existing amnesty laws. The Supreme Court subsequently ruled that the amnesty laws were unconstitutional, and federal judges struck down pardons favoring former officials convicted of, or facing trial for, human rights violations. By September 2013, out of 2,316 persons investigated by the courts for crimes against humanity, 416 had been convicted and 35 had been found not guilty, according to the Center of Legal and Social Studies (CELS). There were 11 ongoing oral trials involving multiple victims and suspects. In December 2012, for example, a federal court convicted Jaime Smart, a minister of Buenos Aires province during the dictatorship, for the torture and subsequent death of one individual, and the illegal detention and abuse of 43 others. The first civilian government official convicted for these crimes, Smart was given life imprisonment. The tribunal also convicted 22 security officials for the same abuses, and requested the investigation of a prosecutor, members of the judiciary, and the Catholic Church for their alleged involvement. Given the large number of victims, suspects, and cases, prosecutors and judges faced challenges bringing those responsible to justice while respecting the due process rights of the accused. [Source: Human Rights Watch, *World Report 2014* (Washington 2014), 206–207.]

At the end of 2013, no one had been convicted for the 1994 bombing of the Argentine Israelite Mutual Association (AMIA) in Buenos Aires that killed 85 people and injured over 300. Judicial corruption and political obstruction hindered criminal investigations and prosecutions from the investigation’s outset. Iran, which was suspected of ordering the attack, refused Argentina’s requests for the extradition of former Iranian President Ali Akbar Hashemi-Rafsanjani and seven Iranian officials suspected of participating in the crime. In January 2013, Argentina and Iran signed a memorandum of understanding that created an international commission of jurists with powers to review evidence against Iranians accused by Argentine judicial authorities of being responsible for the bombing, and to interrogate some of the suspects. Legislators from the party of President Cristina Fernández de Kirchner ratified the agreement in February. In Iran, it was ratified by the Council of Ministers, but it

was unclear from the agreement's vague terms whether it could be implemented without Iranian parliamentary approval, or if the Iranians' statements would be admissible as evidence in Argentine criminal proceedings. In September 2013, President Fernández called on Iran to ratify the agreement during her speech before the United Nations General Assembly. A legal challenge to the agreement filed in April by Jewish community leaders before Argentine courts remained pending at the end of 2013.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 206.]

*See also* Spain, Venezuela.

## **ARMENIA**

Previous *Annual Report* entries: 2005–2006, 2010.

In April 2014 Armenian National Archive director Amatuni Virabyan announced that the archive would draft a list of the names of victims of the 1915 genocide based on surviving records. According to the International Association of Genocide Scholars, more than a million were exterminated.

[Source: "Armenia Compiles List of 1915-1916 Victims as Anniversary Approaches," *Transitions Online* ([http://www.tol.org/client/article/24227-the-baltics-get-a-us-guarantee-poland-speeds-up-missile-defense.html?utm\\_source=TOL+mailing+list&utm\\_campaign=8204d5e55e-TOL\\_newsletter\\_27\\_8\\_2012&utm\\_medium=email&utm\\_term=0\\_35d0a711b5-8204d5e55e-298065710](http://www.tol.org/client/article/24227-the-baltics-get-a-us-guarantee-poland-speeds-up-missile-defense.html?utm_source=TOL+mailing+list&utm_campaign=8204d5e55e-TOL_newsletter_27_8_2012&utm_medium=email&utm_term=0_35d0a711b5-8204d5e55e-298065710)).]

*See also* Switzerland, Turkey.

## **AUSTRALIA**

Previous *Annual Report* entries: 1997, 2001, 2003, 2007–2009.

In October 2013, researchers Lynnette Silver and Di Elliot declared to the press that many World War II files appeared to have been censored over the past 20 years by the National Archives of Australia (NAA) for privacy reasons. The information withheld included names of collaborators, locations of graves of murdered civilians and details of torture and murder meted out to Australian soldiers. Among them were an investigation filed into the massacre of 160 Australian soldiers at the Tol

Plantation in New Guinea and the files of missing lieutenants Clifford Perske and John Sachs, murdered by the Japanese. NAA Director-General David Fricker denied the claims.

[*Source*: Rory Callinan, “WWII Files on Torture Censored: Researchers,” *Brisbane Times* (12 October 2013).]

On 2 April 2014, the Administrative Appeal Tribunal (AAT) confirmed an earlier decision of the National Archives of Australia (NAA) to deny Clinton Fernandes, a University of New South Wales associate professor in the International and Political Studies Program, access to parts of two Department of Foreign Affairs & Trade (DFAT) files containing Australian diplomatic papers and intelligence about East Timor. In 2012, the NAA had released the files, but denied access to 140 of the 600 pages on the grounds that they could damage Australia’s international relations (with Indonesia) or that they were provided in confidence by another government (the United States). The folders were part of a set of folders dating back to 1946 and entitled “Portuguese Timor—Political—General,” created and maintained by the DFAT in Canberra; specifically, they contained reports about a major Indonesian military offensive against the Fretilin-led resistance across East Timor in late 1981 and early 1982, known as *Operasi Keamanan*. In the operation, the Indonesian army used East Timorese civilians as human shields; it reportedly ended with a massacre of hundreds of people.

[*Sources*: Philip Dorling, “Australia Wins Legal Battle To Suppress Secret Papers on East Timor ‘for Fear of Upsetting Indonesia’,” *Sydney Morning Herald* (3 April 2014; <http://www.smh.com.au/federal-politics/political-news/australia-wins-legal-battle-to-suppress-secret-papers-on-east-timor-for-fear-of-upsetting-indonesia-20140403-zqq73.html>); “Keeping Secret (Some) Australian Government Archives,” *Timor Archives* (no date; <http://timorarchives.wordpress.com/2014/04/16/keeping-oz-archives-secret>).]

*See also* India.

## AUSTRIA

Previous *Annual Report* entries: 2000–2001, 2005–2007, 2009.

*See* Russia.

**AZERBAIJAN**

Previous *Annual Report* entries: 1995, 1997–1998, 2008–2013.

**BAHRAIN**

Previous *Annual Report* entries: 2004, 2008–2012.

**BANGLADESH**

Previous *Annual Report* entries: 1999, 2001, 2004–2006, 2008–2013.

After the Awami League came to power again in 2009, it established an International Crimes Tribunal (ICT) to try the crimes committed during the 1971 India-Pakistan war leading to the independence of Bangladesh. In 2011–2013, suspects from the Jamaat-e-Islami (the main Islamist party) and the Bangladesh Nationalist Party (BNP), charged with gross crimes for assisting the Pakistani army to commit genocide, were found guilty in controversial trials and received harsh punishments. The trials sparked protests from those who accused the government of pursuing a political vendetta on the one hand and from those who called on Jamaat-e-Islami leaders to face their crimes on the other. In clashes between both groups, more than a hundred people died. [See also *NCH Annual Report 2013*.] [Sources include: Amnesty International, *Report 2012* (London 2012), 75–76; Human Rights Watch, *World Report 2012* (Washington 2012), 297–298, *World Report 2013* (Washington 2013), 280, *World Report 2014* (Washington 2014), 298–300; Human Rights Watch, “Bangladesh: Post-Trial Amendments Taint War Crimes Process: Protesters, Security Forces Should Exercise Restraint” (14 February 2013); Human Rights Watch, “Crackdown on Bloggers, Editors in Bangladesh” (17 April 2013); *Index on Censorship*, 2014, no. 1, 119–122.]

In February 2013, Bangladesh was gripped by large-scale protests, political unrest, and violence after the International Crimes Tribunal (ICT) sentenced a leader of the Jamaat-e-Islami party, Abdul Qader Mollah, to life in prison instead of death for war crimes committed during the independence war of 1971. Hundreds of thousands of people throughout Bangladesh took to the streets in peaceful protests to demand that Mollah be hanged. The situation took a more violent turn after the ICT, on 28 February 2013, sentenced another Jamaat leader, Delwar Hossain Sayedee, to death for war crimes committed during the same war. Following this verdict, Jamaat supporters took to the streets and were responsible for a number of deaths, but the security forces killed many more with often indiscriminate attacks on protesters and bystanders. [See also *NCH Annual Report 2013*.]

At the end of 2013, the International Crimes Tribunal (ICT) had handed down eight convictions, five of which resulted in death sentences. While human rights organizations have long called for fair trials of those responsible, the trials fell short of international human rights standards. In December

2012, the *Economist* published damning evidence of collusion between judges, prosecutors, and the government showing that judges were instructing the prosecution on the conduct of the trials, the questioning of witnesses, and written submissions. The revelations led to the resignation of the ICT's chief judge, but defense motions for retrials were rejected. Although the ICT had the authority to order measures for victim and witness protection, it summarily dismissed credible claims of witness insecurity. In the Delwar Hossain Sayedee case, judges dismissed credible evidence that an important defense witness was abducted from the courthouse gates and did not order an independent investigation into the allegation. Contradictory statements by key prosecution witnesses were not taken into account in several cases, and judges severely limited the number of defense witnesses. The Appellate Division of the Supreme Court reversed the life sentence given to Abdur Qader Mollah and imposed the death penalty after the government pushed through retrospective amendments to the ICT Act, in clear violation of Bangladesh's obligations under article 15 of the International Covenant on Civil and Political Rights (the legality or non-retroactivity principle). The amendment allowed the prosecution to appeal against the life sentence handed down by the trial judges, which the ICT Act had not previously allowed. Human Rights Watch and the *Economist*, journalists and television show guests were issued orders by the ICT to show cause for contempt for critical remarks and reporting on the tribunal. [See also *NCH Annual Report 2013*.]

[Sources: Human Rights Watch, *World Report 2014* (Washington 2014), 298–300; “Trying War Crimes in Bangladesh,” *The Economist* (15 December 2012).]

In April 2013 two former leaders of Al Badr (Al Badar Razakar; an extreme right-wing Islamist militia group) were charged before the ICT with instructing the killing of eighteen intellectuals during the 1971 genocide (which led to the independence of East Pakistan, renamed Bangladesh; see above entries), including the following three historians assassinated on 13 December 1971 (days before the surrender of the Pakistani army):

- Ghyasuddin [Ghiasuddin] Ahmed (1933–1971) an assistant history professor at Dhaka University specialized in European and contemporary world history. During the war of liberation, he supported the cause of the freedom fighters by raising funds for injured freedom fighters and families of the fallen. In September and November 1971, the Pakistani army had twice picked him up for interrogation. On 4 January 1972, his mutilated body was identified in Mirpur area.
- Santosh Chandra Bhattacharya (1915–1971), a senior history lecturer specialized in Sanskrit literature and the ancient history of Bengal and India.
- Abul Khair [Khayer] (1929–1971), an associate history professor at Dhaka University specialized in the history of Indo-Pakistani relations and a supporter of the Bangladesh movement.

On 25 April 2013, Chowdhury Mueen Uddin and Ashrafuzzaman Khan were charged *in absentia* on 16 counts of war crimes before the ICT. According to one of the charges, a gang of five to six armed Al-Badr men led by them “abducted” Ahmed, Bhattacharyya, Khair and five other intellectuals on the university campus, brought them to the Mirpur killing field and killed them. After 16 December, the mutilated bodies were recovered and identified from a Mirpur mass grave. Ahmed was found listed as one of the targets of intellectual killing in a diary recovered from Ashrafuzzaman Khan’s house after independence. Al-Badr was provided with arms and support by the Pakistan army. The intent of the killings was reported as “to cripple the intelligentsia and eliminate the future leaders of the new nation.” 14 December is commemorated as Shaheed Buddhijibi Hatya Dibash (Martyred Intellectuals’ Day). In 1997, Ahmed’s sister Farida Banu, had filed a criminal case in Ramna against Chowdhury Mueen Uddin and Ashrafuzzaman Khan for the killing of her brother and seven others. On 20 August 2002, the investigator ruled that the trial had to be held under the International Crimes (Tribunals) Act of 1973. After formation of the ICT in March 2010, the investigation agency started to probe the alleged crimes of the duo on 25 September 2011 and submitted its report to the prosecution in October 2012.

[Sources: Kalyan Chaudhuri, *Genocide in Bangladesh* (Bombay 1972), 149–150; “Killing of Intellectuals,” *Banglapedia* ([http://www.bpedia.org/K\\_0261.php](http://www.bpedia.org/K_0261.php); 6 November 2013); “1971 Killing of Bengali Intellectuals,” *Wikipedia* (6 November 2013); “Mueen, Ashraf Indicted; Face 11 Charges for Killing Intellectuals in 1971,” *The Daily Star* (<http://www.thedailystar.net/beta2/news/mueen-ashraf-indicted-2/>; 26 June 2013).]

*See also* Pakistan.

## **BELARUS**

Previous *Annual Report* entries: 1996–2000, 2005–2007, 2009–2011, 2013.

In April 2013, police held four environmental activists in preventive custody to stop them from attending a march in Minsk to commemorate the 1986 Chernobyl nuclear disaster. Police severely beat a protester at the peaceful march and detained four journalists who covered it.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 421.]

In the summer of 2007, Pavel Tereshkovich (1958–), a historian and anthropologist at the anthropology department of Belarusian State University, Minsk (1991–2008), was forced to meet a KGB officer and then accused of collaboration with the European Humanities University-in-exile

(EHU) in Vilnius, Lithuania (founded in 1992 in Minsk; reopened in exile since 2005), which he indeed had joined in 2005. He had also refused to press students for early voting in the 2006 presidential elections. The same day, the police accused him of having stolen a mobile phone. After several months of intense psychological pressure on him, his relatives, and his collaborators, he resigned. In March 2008, he became a visiting professor of EHU and academic co-director of the Center for Advanced Studies and Education (CASE) in Lithuania and Belarus. In December 2008, he was appointed dean at the EHU Arts and History Department. He became chairman of EHU's Senate, in which capacity he criticized the EHU board over its appointment of top personnel in a conflict that had started in late 2012. On 5 February 2014, his contract as a professor was not renewed, a move against which the other Senate members and the EHU students' union protested.

[*Sources*: "Open Letter in Support of Pavel Tereshkovich" (<http://www.change.org/petitions>); Matthew Reisz, "No Imminent Return for Free Thinkers of Exiled Institution," *Times Higher Education* (7 February 2013); Scholars at Risk, *Summary Report of 2008 SAR/EHU Meeting & Symposium in Vilnius, Lithuania* (1 October 2008), 10; Pavel Tereshkovich, personal information (June & December 2008; 23 February 2014).]

In the summer of 2013, the History Department of Janka-Kupala State University (founded in 1954) ceased to exist as an independent entity. [See also *NCH Annual Report 2013*.]

[*Source*: Uladzimir Matskevich, "Belarus: Academic Freedom Persecuted" (29 November 2013; <http://www.indexonensorship.org/2013/11/belarus-academic-freedom-persecuted>).]

On 29 October 2013, Day of Remembrance of the Victims of Political Repressions, several journalists—including Natallia Valakida, Siarhei Krauchuk, Natallia Benitsevich, Dzianis Nosau and Aliaksandr Korsakau—were among a group of 20 persons detained by the police in Minsk while covering the Mourning Marathon, an unofficial event to commemorate victims of the repression under Stalin. The Mourning Marathon started from the Kalvaryja cemetery and followed a route of places of mass killings and burials of the victims. After a one-hour-and-a-half search and interrogation at the district police department, the detainees were released. On the Day of Remembrance of the Victims of Political Repressions, 29 October, more than 100 intellectuals were executed in Minsk NKVD prison in 1937.

[*Source*: Belarusian Association of Journalists, "Journalists Detained on the Day of Commemorating Victims of Stalinist Repressions" (<http://baj.by/en/node/22701>; 29 October 2013).]

**BELGIUM**

Previous *Annual Report* entries: 2002–2004, 2006, 2008, 2010–2012.

**BELIZE**

Previous *Annual Report* entries: —.

Around 10 May 2013, a construction company seeking gravel for road filler leveled the Noh Mul temple, located in northern Belize, estimated to be 2,300 years old and one of Belize's largest Mayan pyramids. The complex was located on private land, but under Belizean law any pre-Hispanic ruins came under government protection. Bulldozing Maya mounds was called an endemic problem in Belize. Prosecutors were considering bringing criminal charges against the company.

[*Sources: BBC News* (14 & 15 May 2013); *Keesings historisch archief* (2013), 341.]

**BOLIVIA**

Previous *Annual Report* entries: 2007, 2009–2013.

Bolivia made little progress investigating and prosecuting human rights violations committed under authoritarian governments between 1964 and 1982. A contributing factor was the unwillingness of the armed forces to provide information that might clarify the fate or whereabouts of people killed or disappeared during this period. Plans to create a truth commission announced by the Evo Morales administration in 2008 did not materialize. Bolivia also failed to fulfill commitments to compensate victims of political violence during that period. A 2004 law budgeted US\$3.6 million in government funds for this purpose, which would only cover about 20 percent of the proposed costs. The remaining funds were to be obtained from private donors, but were never raised. In April 2012, Congress passed a law announcing one-off payments equivalent to roughly 20 percent of the compensation amounts approved in 2004. As of December 2012, 1,418 of the 1,714 approved beneficiaries had received one of these reduced payments, according to the government. Many additional potential beneficiaries said they were rejected due to overly stringent documentary evidence required by the government commission appointed to review claims.

[*Source: Human Rights Watch, World Report 2014* (Washington 2014), 211.]

**BOSNIA and HERZEGOVINA**

Previous *Annual Report* entries: 2001–2013.

In February 2013, the new chief state prosecutor publicly committed to expedite some 600 pending war crime investigations and prepare for an increased caseload once the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) expired at the end of 2014. Implementation of the national war crimes strategy was hindered by insufficient capacity and funding, particularly at the local level. In March 2013 the Organization for Security and Co-operation in Europe (OSCE) launched a judicial capacity program that included district and cantonal courts. By November 2013, the War Crimes Chamber of the State Court of Bosnia and Herzegovina had reached verdicts in 25 cases, raising the number of completed cases to 199. The State Prosecutor's Office signed a cooperation agreement on the prosecution of war crimes, crimes against humanity, and genocide with its counterparts in Serbia and Croatia.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 426.]

In February 2013, the ICTY Appeals Chamber acquitted Momčilo Perišić, wartime chief of the General Staff of the Yugoslav Army, who had been convicted to 27 years in prison for aiding and abetting crimes against humanity and violations of the laws or customs of war. The Appeals Chamber found that the criterion of specific direction as an element of aiding and abetting liability was not proven beyond reasonable doubt. The ICTY trial of Bosnian Serb wartime General Ratko Mladić, charged with genocide, war crimes, and crimes against humanity—including the murder of at least 7,000 men and boys from Srebrenica in July 1995—continued, subject to repeated interruptions due to Mladić's ill-health. In the case of Bosnian Serb wartime president Radovan Karadžić, on trial at the ICTY for many of the same crimes as Mladić, a charge of genocide in seven Bosnian municipalities was reinstated in July 2013 by the ICTY Appeals Chamber, after being dropped in 2012 on the grounds of insufficient evidence. On 3 September 2013, Karadžić sought to have the decision overturned.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 426–427.]

In June 2013, the United Nations Human Rights Committee found several violations of the International Covenant on Civil and Political Rights in the case of five individuals who were tortured and then forcibly disappeared in 1992, marking the first time Bosnia and Herzegovina was held accountable for forced disappearances during the war (1992–1995). In July 2013, the European Court of Human Rights ruled that the application of the 2003 criminal code in two war crimes cases at the State Court of Bosnia and Herzegovina violated the right to protection from retroactive criminal law

under article 7 of the European Convention on Human Rights. In response, in October and November the State Court ordered the retrial of 12 convicted war criminals, including six involved in the 1995 Srebrenica massacre, and their release from custody pending retrial.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 427, 429.]

In September 2013, the Dutch Supreme Court found the Netherlands responsible for the death of three Bosnian Muslims during the 1995 Srebrenica genocide because Dutch peacekeepers had sent the men away from the United Nations (UN) compound. The decision was the first to hold a government liable for events occurring under a UN mandate, highlighting that principles of accountability also applied to peacekeeping missions.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 429.]

On 23 January 2014, the Bosnian Serb municipal authorities of Višegrad, backed up by police, entered the Straziste Muslim cemetery to remove the word “genocide” from a memorial to Bosniak war victims. The Bosnian Serb mayor, Slaviša Mišković, described it as an illegally erected monument and told the press that the word was offensive to local people because there “was no proof or verdict about genocide in Višegrad.” The wording on the memorial now reads: “To all killed and missing Bosniak men, women and child victims... in Višegrad.” The authorities previously attempted to remove the word from the memorial in December 2013, but this was postponed after protests by Bosniaks. One Bosniak war victim, Bakira Hasečić, said that the authorities defaced the memorial and added that the families of Bosniak victims used red lipstick to reinstate the word genocide on the memorial. So far, the International Criminal Tribunal for the Former Yugoslavia did not pass a genocide verdict for Višegrad, but several Bosnian Serbs were found guilty of crimes against humanity in the town during the 1992–1995 conflict.

[Source: Denis Dzidic, “Bosnian Serbs Delete ‘Genocide’ From Visegrad Memorial,” *Balkan Insight* (23 January 2014; <http://www.balkaninsight.com/en/article/visegrad-authorities-remove-genocide-from-monument>).]

On 7 February 2014, during large anti-government protests, a fire at the state archives of Bosnia and Herzegovina in Sarajevo destroyed mostly documents from 1878 to 1918 (when Bosnia was part of the Austro-Hungarian empire), but also material from the Ottoman period (1384–1878) and documents from the war crimes commission after World War II. Archive director Adamir Jerković condemned it as an “act of vandalism.”

[Source: Philip Oltermann, “Bosnia-Herzegovina Fire Feared to Have Destroyed Ottoman Archives,” (<http://www.theguardian.com/world/2014/feb/09/bosnia-herzegovina-fire-ottoman-archives>; 9 February 2014).]

*See also* Serbia / Kosovo.

## **BRAZIL**

Previous *Annual Report* entries: 1999, 2001–2003, 2005–2013.

Article 20 of the civil code, reformed in 2002, made it mandatory for biographical films and books to have prior authorization from the subject of the work before public release, which caused many authors to practice self-censorship. Several defamation cases took place as a result of the publication of unauthorized biographies, such as in the case of the relatives of footballer Manuel Francisco dos Santos Manuel Francisco dos Santos [“Garrincha”] (1933–1983) against journalist Ruy Castro in 1995 (before the reform); or the case of singer Roberto Carlos against historian and journalist Paulo César de Araújo in 2007 (after the reform; see below). *Di Glauber*, a highly acclaimed film from 1979 about the life of painter Di Cavalcanti was banned for 34 years for violating article 20. Family members also put a stop to already written biographies about football player Pelé, singer Vinicius de Moraes and gaúcho actor and singer Teixeirinha (the latter’s biography was written by journalist Daniel Feix). Legislative attempts to have the clause repealed failed in 2011–2013. In July 2012, the Associação Nacional dos Editores de Livros (ANEL; National Association of Book Publishers) filed a petition with the Federal Supreme Court to have the clause declared unconstitutional, arguing that it generated censorship. In April 2014, the Chamber of Deputies passed bill 393/2011 (the so called “biographies’ law”), allowing the disclosure of biographical information without prior authorization. A last-minute amendment was added, however, establishing that “the persons who [felt] affected in their honor, good reputation or respectability” could request the section offensive to them to be excluded in future reproductions of the work. If approved by the senate, the law would go to President Dilma Rousseff for approval and enter into force. The Order of Lawyers of Brazil, the Brazilian Historical and Geographical Institute, the Brazilian Academy of Letters and Article 19 Brazil all supported eliminating censorship of unauthorized biographies.

[*Sources: Index on Censorship*, 2013, no. 3, 133–135; Simone Marques, “Brazil’s Banned Biographies: When Public Figures Want to Control the Message,” *Index on Censorship* (16 July 2014; [https://www.ifex.org/brazil/2014/07/16/banned\\_biographies/?utm\\_source=whatcounts&utm\\_medium=email&utm\\_campaign=itw\\_16july2014](https://www.ifex.org/brazil/2014/07/16/banned_biographies/?utm_source=whatcounts&utm_medium=email&utm_campaign=itw_16july2014)).]

In February 2007, *Roberto Carlos em detalhes* (Planeta publishers, 2006), a best-selling unauthorized biography of the popular singer Roberto Carlos, written by historian and journalist Paulo César de Araújo after a decade of research, was banned because it contained sensitive passages about the

singer's relationships with women. During the trial, judge Maurício Chaves de Lima ruled that Carlos's reputation was harmed and his privacy invaded and that the book could only be published with the singer's previous agreement. The publisher was also requested to take back copies of the book already distributed to bookshops (47,000 copies were sold already). On the other hand, Carlos's request for an indemnity and the accusation of wrongdoing against his honor were withdrawn. On 15 May 2014, Carlos filed a petition to the Supreme Court to take part in the process of discussing publication of unauthorized biographies. He created the Instituto Amigo, to participate in the case as an *amicus curiae*. (See the entry above.) Meanwhile, Araújo wrote another book about Carlos, *O Réu e o Rei* (The Accused and the King). Launched on 22 May 2014, it discussed the lawsuit and contained new information on the singer. In the past, Carlos had also banned publication of a Master's degree thesis on *Jovem Guarda*, the musical movement in which he participated in the mid-1960s. In the 1980s, he had also obstructed the publication of magazine articles about him.

[Sources: Patrícia Araújo, "Editora aceita recolher livro de Roberto Carlos, que desiste de indenização," *Notícias da Globo* (7 April 2007); Pedro Caldas, personal communication (26 December 2010); *Index on Censorship*, 2013, no. 3, 133–135; Simone Marques, "Brazil's Banned Biographies: When Public Figures Want to Control the Message," *Index on Censorship* (16 July 2014; [https://www.ifex.org/brazil/2014/07/16/banned\\_biographies/?utm\\_source=whatcounts&utm\\_medium=email&utm\\_campaign=itw\\_16july2014](https://www.ifex.org/brazil/2014/07/16/banned_biographies/?utm_source=whatcounts&utm_medium=email&utm_campaign=itw_16july2014)).]

In May 2012, a national truth commission began investigating the systematic human rights violations that occurred during military rule (1964–1985), which included extrajudicial killings, forced disappearances, torture, arbitrary detention, and the curtailment of free expression. The perpetrators of these crimes had been shielded from justice by a 1979 amnesty law. In April 2010, the Brazilian Supreme Court reaffirmed the interpretation of lower courts that the amnesty barred most prosecutions of state agents for these cases. However, six months later, the Inter-American Court of Human Rights ruled that this interpretation violated Brazil's obligations under international law, and that the amnesty should not be an obstacle to prosecuting serious human rights violations committed under military rule.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 221.]

On 28 May 2013, historian Dulce Pandolfi (1949–) testified before the Rio de Janeiro branch of the National Truth Commission about her torture in 1970–1971. In 1968, Pandolfi, then a politically active student of social sciences at the Federal University of Pernambuco, Recife, joined the Ação Libertadora Nacional (ALN), a left-wing armed organization. In 1970 she was persecuted and fled to Rio de Janeiro, where on 20 August 1970, she was arrested. During her detention at the Destacamento de Operações de Informações–Centro de Operações de Defesa Interna (DOI-CODI; Department of

Information Operations–Center for Internal Defense Operations) in Rio, she was tortured for more than three months. In December 1970, she was transferred to Talavera Bruce prison, where she stayed for almost six months. Then she was transferred to a prison in Recife, where she was conditionally released on 14 December 1971. She became a historian specialized in Brazilian political history and political sociology. She was a researcher of the CPDOC (Centro de Pesquisa e Documentação de História Contemporânea do Brasil of the Fundação Getúlio Vargas) from 1978 to 2013. On 6 September 2013, the CPDOC director summarily dismissed her because she did not submit a report of her recent activities as she was to reach the retirement age a few months later.

[*Sources*: “Abaixo-assinado Carta de Solidariedade a Dulce Pandolfi e outros pesquisadores do CPDOC-FGV” (<http://www.peticaopublica.com.br/?pi=P2013N43949>; 6 September 2013); Dulce Pandolfi, “Íntegra do depoimento da historiadora Dulce Pandolfi à Comissão Estadual da Verdade do Rio de Janeiro” (30 May 2013; <http://racismoambiental.net.br/2013/05/integra-do-depoimento-da-historiadora-dulce-pandolfi-a-comissao-estadual-da-verdade-do-rio-de-janeiro/>).]

## **BULGARIA**

Previous *Annual Report* entries: 1995–1998, 2002, 2006, 2009, 2012.

In [August 2013], the government dismissed Martin Ivanov, director of the State Archives since 2011, and appointed Ivan Komitski, a retired official from the State Agency for National Security, in his place. In an open letter sent to Prime Minister Plamen Oresharski, 56 academics protested the reshuffle. Ivanov had started the digitization of records and uploaded Politburo files on to the internet as well as the police files of communist dictator Todor Zhivkov (1911–1998) and others. As an employee of the interior ministry archives service in 1990, Komitski had helped carry out orders to destroy the files from the communist-era secret State Security Service (DS; Darzhavna Sigurnost).

[*Source*: “Bulgarian Historians Protest State Archives Reshuffle,” *Sofia Globe* (<http://sofiaglobe.com/2013/09/02/bulgarian-historians-protest-state-archives-reshuffle>; 2 September 2013).]

In October 2013, the Bulgarian Socialist Party (BSP) and nationalist party Ataka submitted amendments to the Dossier Act so as to prevent the disclosure of DS records proving the collaboration with the DS of persons who had held senior positions in the civil and military intelligence services since 1991. The amendment aimed at restoring the provision preserving the DS records from disclosure by the Dossier Commission (the body established in 2006 to publicly disclose former DS members holding positions of influence), which had been revoked in late 2012 by the center-right

GERB (Citizens for European Development of Bulgaria) government (2009–2013). In March 2013, the Dossier Commission had uncovered a first set of names, among which the name of the current head of the National Intelligence Service, Dragomir Dimitrov. The military and civil intelligence services did not yet submit their full archives to the Dossier Commission. The BSP reportedly also had plans to move the Dossier Commission under the aegis of the State Archives (see entry above). On 1 February 2014, the Day of Recognition and Honoring of the Victims of the Communist Regime, President Rosen Plevneliev (GERB) called for full disclosure of the DS records and their transfer to the State Archives.

[*Sources*: “Bulgaria President Urges Opening of Communist-Era State Security Files,” *Novonite.com* (<http://www.novinite.com/articles/157791/Bulgaria+President+Urges+Opening+of+Communist-Era+State+Security+Files>); “Bulgaria to Reintroduce Ban on Disclosure of Communist-Era State Security Files of Senior Intelligence Officers,” *Sofia Globe* (6 October 2013); “Bulgarian Socialist Party MPs Mulling Moves to Muzzle Dossier Commission—Reports,” *Sofia Globe* (20 October 2013).]

## **BURKINA FASO**

Previous *Annual Report* entries: 2001, 2004, 2005, 2013.

*See* Guinea.

## **BURUNDI**

Previous *Annual Report* entries: 1999, 2001–2003, 2005–2013.

In late 2013, parliament had not yet adopted a draft law establishing a Truth and Reconciliation Commission to cover crimes committed since 1962, despite assurances by President Pierre Nkurunziza that the commission would be established by the end of 2012. The draft law did not provide for the establishment of a special tribunal to prosecute those accused of the most serious offenses. On 17 April 2014, the ruling CNDD-FDD (Conseil national pour la défense de la démocratie–Forces pour la défense de la démocratie; National Council for the Defense of Democracy–Forces for the Defense of Democracy) party voted to launch the commission and let Nkurunziza select its members. Opposition parties said that this would shield the CNDD-FDD from accountability for past crimes.

[*Sources*: Human Rights Watch, *World Report 2014* (Washington 2014), 88; Patrick Nduwimana, “Burundi Creates Reconciliation Body that Divides Public Opinion,” (18 April 2014; <http://www.reuters.com/article/2014/04/18/us-burundi-politics-idUSBREA3H0E020140418>).]

## CAMBODIA

Previous *Annual Report* entries: 1999–2013.

The United Nations-assisted Extraordinary Chambers in the Courts of Cambodia (ECCC) continued to suffer the long-term effects of government obstruction of, and non-cooperation with efforts to bring leaders of the Khmer Rouge to justice for genocide, crimes against humanity, and war crimes committed during their rule from 1975 to 1979. The ECCC had fully tried and convicted only one person since it was established in 2006, the head of the Tuol Sleng torture center, Deuch. It was currently trying two Khmer Rouge senior leaders, Nuon Chea and Khieu Samphan, both elderly and in ill-health, and only for a few of the crimes for which the ECCC originally indicted them in 2010. Another ECCC indictee, Leng Sary, died on 14 March 2013. Government non-cooperation slowed United Nations investigations into five other suspects begun in 2006, one of whom died in 2013. Popular interest and support for the ECCC had greatly waned. (On 7 August 2014, Nuon Chea and Khieu Samphan were convicted and sentenced to life imprisonment.)

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 317.]

On 7 June 2013, the National Assembly approved the Law Against Non-recognition of the Crimes Committed during the Democratic Kampuchea. “Non-recognition” included “downplaying,” “denying,” “disputing” or “lauding” the existence of these crimes. This “memory law,” which had still to be approved by the Senate, was first proposed by Prime Minister Hun Sen on 27 May 2013 after the president of the opposition party Cambodian National Rescue Party, Kem Sokha, allegedly claimed that Khmer Rouge atrocities were actually staged in Vietnam—an allegation the latter denied. The law was seen as a tool of the government to curb political opposition and thwart historical research contradicting official views. It was criticized for criminalizing the broad range of expressions considered as “public non-recognition of the crimes committed during the Democratic Kampuchea period” and for imposing a harsh regime of penalties.

[*Source*: Article 19, *Cambodia: Law Against Non-Recognition of the Crimes Committed during Democratic Kampuchea: Legal Analysis* (<http://www.concernedhistorians.org/to/318.pdf>; June 2013).]

*See also* Thailand.

## CAMEROON

Previous *Annual Report* entries: 2010, 2012–2013.

Sometime between 23 and 24 March 2013, unidentified men abducted filmmaker Richard Fouofie Djimeli from his home. On 3 April 2013, he was found alive, though one of his fingers was amputated. The director and actors from his film *139...Les derniers prédateurs* (139...The Last Predators) received death threats weeks before the film's launch. The film, about a 139-year-old totalitarian regime in an imaginary country named Chimpanz, satirized Paul Biya's regime, which had held power in Cameroon since 1982.

[Source: Article 19, *Artistic Censorship Report: Filmmaker Abducted, Street Artists Fined* ([http://www.ifex.org/international/2013/05/14/artistic\\_censorship](http://www.ifex.org/international/2013/05/14/artistic_censorship); 14 May 2013).]

## CANADA

Previous *Annual Report* entries: 1998, 2000, 2002–2003, 2005–2006, 2008–2009, 2012–2013.

In 2008, the government created a Truth and Reconciliation Commission (TRC) to investigate how between the 1870s and 1996 it removed about 150,000 indigenous children from their homes and sent them to church-run schools, where many suffered physical and sexual abuse and about 4,100 died. Its mandate included to hold public hearings where victims could tell their stories, collect records and establish a National Research Centre. The TRC sued the government of Prime Minister Stephen Harper because it transferred only part of the relevant material available in the Library and Archives Canada. On 30 January 2013, the court ordered the government to provide millions of school-related documents to the TRC. In early 2014, no steps were taken for the transfer, which imperiled the submission of the TRC report by June 2015.

In 2013, the federal government apologized for the residential school system of the 1800s and 1900s. Approximately 150,000 indigenous children had been removed from their families and communities and placed in the schools, where they had been forbidden to speak their own languages or practice their culture. Many had also suffered physical and sexual abuse. In 2013, information surfaced indicating that some children in residential schools in the 1940s and 1950s had been subjected to medical experimentation.

[Sources: Human Rights Watch, *World Report 2014* (Washington 2014), 639–640; Mark Kennedy (Postmedia News), “Documents Delay Hampers Truth, Reconciliation Process: Residential Schools Scandal; Approval Hasn't Been Granted for Estimated \$14-Million Retrieval Job,” *Montreal Gazette*

(<http://www.montrealgazette.com/news/Documents+delay+hampers+truth+reconciliation+process/9479485/story.html>; 7 February 2014).]

On 9 March 2014, historian Veronica Strong-Boag claimed that she was censored by the Canadian Museum for Human Rights in Winnipeg after her blog post on International Women's Day she was invited to write was first posted and then removed from the museum's website. The museum said that the blog post was politicized as it criticized the conservative's government "anti-woman" record rather than giving personal experiences. Strong-Boag posted her article on the website ActiveHistory.ca instead.

[Source: "Female Historian Says Human Rights Museum Censored Her," *CBC News*

(<http://www.cbc.ca/news/canada/manitoba/female-historian-says-human-rights-museum-censored-her-1.2565885>; 9 March 2014).]

*See also* India, Rwanda.

## **CENTRAL AFRICAN REPUBLIC**

Previous *Annual Report* entries: 2006–2009, 2011–2012.

The Central African Republic first accepted the jurisdiction of the International Criminal Court (ICC) in 2001, when it became a state party to the Rome Statute. On 22 December 2004, the government went one step further and referred the situation in the country to the ICC prosecutor, after a Bangui court of appeals ruled that domestic courts were unable to prosecute grave international crimes effectively. In 2007, the ICC opened an investigation into crimes committed during the 2002–2003 civil war. The investigation led so far to only one case, that of Jean-Pierre Bemba Gombo, a Congolese national and former vice-president of the Democratic Republic Congo. Bemba and his Mouvement pour la Libération du Congo (Movement for Liberation of Congo) forces were invited to the Central African Republic in 2002 by then-President Ange-Félix Patassé to support resistance of a coup attempt by François Bozizé. Bemba was currently on trial at the ICC for war crimes and crimes against humanity. ICC Prosecutor Fatou Bensouda continued to monitor developments in the country and indicated that she might exercise jurisdiction over more recent crimes. She issued public statements on 22 April and 7 August 2013, warning those responsible for recent abuses that their crimes may fall under the ICC's jurisdiction and that her office would investigate and prosecute those most responsible for committing serious crimes "if necessary."

On 22 May 2013, a presidential decree established a national commission of inquiry to investigate

human rights violations committed since 2002 and to identify the persons most responsible for these crimes. The commission, comprising judges, human rights defenders, and police officers, was also tasked with identifying individual victims and assessing levels of damage for eventual compensation. The commission was initially incapable of doing its work due to a lack of funding, but in September 2013 it received technical assistance and vehicles from the government to conduct investigations. Some civil society actors questioned the ability of a national commission to achieve results and called for the establishment of an international commission of inquiry.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 92, 94.]

## **CHAD**

Previous *Annual Report* entries: 2000–2012.

## **CHILE**

Previous *Annual Report* entries: 1998–2013.

In an interview prior to the 40th anniversary of the 11 September 1973 military coup, President Sebastián Piñera acknowledged civilian complicity in abuses under the dictatorship of General Augusto Pinochet (1973–1990), stating that “there are many who were passive accomplices [of human rights violations], who knew and did nothing, or did not want to know.” The National Association of Magistrates of the Judiciary made an apology for the action of its members under the military regime. The chief justice publicly acknowledged that the Supreme Court failed during the dictatorship to act against human rights violations and to protect victims. In September 2013, he announced that the appellate judges in Santiago who were responsible for trying perpetrators of abuses committed during the dictatorship would be ordered to dedicate themselves exclusively to these cases.

The chief justice had stated in March 2013 that 1,104 cases of human rights violations were under adjudication by the courts. According to the human rights program of the Ministry of the Interior, a party to 837 of these cases, as of September 2013 courts had convicted 355 perpetrators, 262 of whom had received a final sentence. Sixteen of those convicted had held the rank of general in the armed forces or police and 39 had been colonels before retirement. Sixty-six were serving sentences in prison. Nevertheless, as of July 2013, only 33 cases of torture—a systematic practice under Augusto Pinochet’s dictatorial regime—were under adjudication, according to the Human Rights Observatory

of Diego Portales University, which monitored the progress of trials for dictatorship-era abuses. In many cases, the Supreme Court used its discretionary powers to issue lenient sentences against officials who committed serious human rights abuses by arguing that significant time had elapsed since the criminal act. In other cases, the court commuted the sentences of others previously convicted for such crimes. These practices raised concerns about Chile's fulfillment of its obligation to hold accountable perpetrators of crimes against humanity by imposing appropriate punishments or sanctions.

[Sources: *BBC News* (4 September 2013); Human Rights Watch, *World Report 2014* (Washington 2014), 226–227.]

## CHINA

Previous *Annual Report* entries: 1995–2013.

According to many historians, China had gradually restricted scholarly access to its historical archives—including the Chinese Communist Party [CCP] archives, the Second Historical Archives of China in Nanjing (collecting official archives from the Republic of China period [1912–1949]), and the foreign ministry archives) since January 2013 with the excuse of having to digitize them. Some believed that the restrictions were related to heightened sensitivity over historical claims in the East China Sea: an article in a Japanese newspaper in December 2012 had quoted a 1950s document from the Chinese foreign ministry archives which apparently used the Japanese name Senkaku for the Diaoyu Islands, appearing to undermine China's historical claims. Others thought that it was due to control of the historical image of the CCP and to less tolerance for criticism of Mao Zedong's conduct.

[Source: Yojana Sharma, "China Restricts Academic Access to Historical Archives," *University World News* (<http://www.universityworldnews.com/article.php?story=20140311231740373>; 14 March 2014).]

2012 films like *Argo* (a film on the 1979 hostage crisis in Iran, see *NCH Annual Report 2013*) and *Zero Dark Thirty* (A chronicle of the hunt for al-Qaeda leader Osama bin Laden) were banned, the former because China maintained good relations with Iran, the latter because it was against the war in Iraq.

[Source: *NRC Handelsblad* (16 October 2013), C3.]

On 13 May 2013, the General Office of the Central Committee of the Chinese Communist Party

(CCP) issued a secret memorandum, “Concerning the Situation in the Ideological Sphere” (sometimes called Document no. 9), inspired by CCP Secretary-General Xi Jinping and presenting a “Seven Speak-Not” policy in the wake of, inter alia, the confrontation at the *Southern Weekly* [see *NCH Annual Report 2013*]. It banned teaching or discussing seven topics at universities, including “historical mistakes by the Communist Party” (such as the Cultural Revolution of 1966–1976 or the 1989 Tiananmen Square massacre). Other topics were Western constitutional democracy, universal values of human rights, freedom of the press, civil society, the privileged capitalist class, and judicial independence. While not overtly enforced, the topics created a chilling effect on campuses. The memo was also seen as an attempt to defend the legacy of Mao Zedong. [See also *NCH Annual Report 2013*.]

[Sources: Chris Buckley, “China Takes Aim at Western Ideas,” *New York Times* (19 August 2013; [http://www.nytimes.com/2013/08/20/world/asia/chinas-new-leadership-takes-hard-line-in-secret-memo.html?pagewanted=all&\\_r=2&](http://www.nytimes.com/2013/08/20/world/asia/chinas-new-leadership-takes-hard-line-in-secret-memo.html?pagewanted=all&_r=2&)); Oiwan Lam, “Chinese Government Bans Seven ‘Speak-Not’ Subjects,” *Global Voices* (<http://globalvoicesonline.org/2013/05/16/chinese-government-bans-seven-speak-not-school-subjects>; 16 May 2013); Nozomu Hayashi, “Chinese Authorities Ban Human Rights, Political Discussions at Universities,” *Asahi Shimbun* (<http://ajw.asahi.com/article/asia/china/AJ201305120046>; 12 May 2013); Yojana Sharma, “Crackdown on Academics in Ideology Campaign,” *University World News* (30 August 2013).]

In June 2013, Xia Yeliang, an economics professor at Beijing University since 2000 and one of the first *Charter '08* signatories, was told by a CCP official that he would face a faculty vote on whether he would be dismissed. No reason was mentioned but most thought it was linked to his liberal political views and his outspoken criticism of the government. Since 2009, he had made a series of remarks in favor of free speech and constitutional governance. In 2009 he had written an open letter to Liu Yunshan, the then director of the CCP propaganda department (and since 2012 a member of the Politburo Standing Committee), calling for an end to state censorship. The state-run *Global Times* newspaper published an editorial stating that Xia had failed to pass a teaching evaluation and that his liberal beliefs were “in conflict with mainstream values.” A visiting scholar at Stanford University in California, where he taught classes in American economic history and institutional economics, Xia said that he wanted to return to Beijing to fight the expulsion. In September 2013, more than hundred faculty members at Wellesley College, United States, urged Beijing University in an open letter not to expel Xia. In October 2013, Beijing University School of Economics voted to terminate Xia’s contract on 31 January 2014 in a 30–3 vote, with one abstention, officially for “poor teaching.” [See also *NCH Annual Report 2013*.]

[Sources: Patrick Boehler, “Liberal Peking University Professor Threatened with Expulsion,” *South China Morning Post* (8 July 2013); Ian Wilhelm, “Peking U. Fires Scholar, Threatening Academic

Freedom and Wellesley Ties,” *Chronicle of Higher Education* (18 October 2013); Amy Li, “Don’t Expel Liberal Professor, US Academics Urge Peking University,” *South China Morning Post* (12 September 2013); “Professor Says He May Be Fired in Political Crackdown,” *Chronicle of Higher Education* (14 September 2013); *South China Morning Post* (23 October 2013).]

In July 2013, Zhu Jianrong ([1957–]), a Chinese professor of international relations and history based at Toyo Gakuen University in Tokyo, was detained in Shanghai. He was released on 17 January 2014. He was questioned for months about materials he had gathered as a researcher of modern history and his role in promoting Japanese-Chinese relations (he was the chairman of the Society of Chinese Professors in Japan).

[Sources: “Chinese Scholar Detained in Home Country Returns to Japan,” *Asahi Shimbun* (1 March 2014; [http://ajw.asahi.com/article/behind\\_news/social\\_affairs/AJ201403010029](http://ajw.asahi.com/article/behind_news/social_affairs/AJ201403010029)); Jane Perlez, “China Is Said to Be Holding a Professor Based in Japan,” *New York Times* (1 October 2013; [http://www.nytimes.com/2013/10/02/world/asia/china-is-said-to-be-holding-professor-over-his-activities-in-japan.html?\\_r=2&](http://www.nytimes.com/2013/10/02/world/asia/china-is-said-to-be-holding-professor-over-his-activities-in-japan.html?_r=2&)); Yojana Sharma, “China Restricts Academic Access to Historical Archives,” *University World News* (14 March 2014; <http://www.universityworldnews.com/article.php?story=20140311231740373>).]

On 21 August 2013, the Public Security Ministry announced the detention of Yang Xiuyu, founder of the online promotion company Beijing Erma Interactive Marketing and Planning, employee Qin Zhihui and two others for slanderous Internet postings which questioned the frugality of the model soldier Lei Feng (1940–1962). Lei had been promoted as a model of humility and selflessness for the past four decades (including on a “Learn from Lei Feng” day).

[Source: “Questioning of Lei Feng’s Frugality Leads to Detention,” *Wall Street Journal* (21 August 2013; <http://blogs.wsj.com/chinarealtime/2013/08/21/four-detained-for-questioning-lei-fengs-frugality>).]

On 10 September 2013 (fifteen months before the end of his sentence), freelance journalist and poet Shi Tao ([1975–]) was released. [See *NCH Annual Reports 2005* and *2007*; <http://www.concernedhistorians.org/ca/56.pdf>.]

[Source: PEN, *News Release* (10 September 2013).]

On 26 October 2013, a 12-minute projection sequence depicting historical stages such as the Ming Dynasty (1368–1644), Qing Dynasty (1644–1911), the provisional Republic of China (1937–1940) and the Cultural Revolution (1966–1976), was cut from a production of the Hong Kong Ballet. The Ballet denied that the cuts were political self-censorship.

[Source: Article 19, *Artistic Freedom Report* (19 November 2013).]

On 13 November 2013, the blogs written by liberal historian Zhang Lifan (1950–) and containing critical remarks about the lack of political reform in China, were simultaneously removed from a number of large Chinese portals. In September 2013, a campaign had been initiated to punish the online posting of libelous messages, of which Zhang may have been the first victim. Zhang was educated at the Institute of Modern History of the Chinese Academy of Social Sciences (CASS).

[Sources: Chris Luo, “‘I Am like a Ghost Now,’ Says Censored Outspoken Scholar Zhang Lifan,” *South China Morning Post* (<http://www.scmp.com/news/china-insider/article/1355832/i-am-ghost-now-says-censored-outspoken-scholar-zhang-lifan>; 14 November 2013); *NRC Handelsblad* (13 November 2013); *Wikipedia* (7 December 2013).]

In December 2013, the Archives Action Group criticized Hong Kong’s inadequate arrangements for safeguarding public records in a complaint it submitted to the Ombudsman. It denounced the fact that no archives law existed and that records were destroyed at a massive rate.

[Sources: Don Brech, “Hong Kong’s Colonial Era Records Remain Intact,” *South China Morning Post* (8 December 2013); International Council on Archives Human Rights Working Group, *News of January 2014*, 4; Howard Winn, “Destruction of Archives Is One More Dirty Government Secret,” *South China Morning Post* (16 November 2013).]

In February 2014, Xu Yangsheng, the president of the Shenzhen branch of the Chinese University of Hong Kong to be opened in September 2014, said that academic discussion of the Tiananmen Square crackdown in 1989 would not be taboo. He pledged to defend the academic freedom of the new institution.

[Source: Johnny Tam, “Tiananmen Won’t Be Taboo at New CUHK-Shenzhen Campus, Says President,” *South China Morning Post* (<http://www.scmp.com/news/hong-kong/article/1422223/tiananmen-wont-be-taboo-new-cuhk-shenzhen-campus-says-president>; 7 February 2014).]

On 7 March 2014, the Japan-based Chinese-born historian and political philosopher Wang Ke ([1956–]), a specialist in the history of modern Chinese philosophy at the Graduate School of Intercultural Studies at Kobe University, Japan, was detained by police in Quanzhou, Fujian Province, during a trip to China to conduct interviews among Muslim minorities. He was released on 24 March 2014. In 1996, his book about the Uighur independence movement during the 1930s and 1940s had been awarded the Suntory Prize for Social Sciences and Humanities.

[Sources: “Kobe University Chinese Scholar Goes Missing in China,” *Asahi Shimbun* (22 March

2014; [http://ajw.asahi.com/article/behind\\_news/social\\_affairs/AJ201403220037](http://ajw.asahi.com/article/behind_news/social_affairs/AJ201403220037)); “Wang Ke,” *Scholars At Risk Academic Freedom Monitor Digest* (March-May 2014) (<http://monitoring.academicfreedom.info/reports/2014-03-07-university-kobe>).]

On 3 May 2014, at least 15 people—writers, scholars, activists—held a seminar at a private residence (the “2014 workshop on Beijing’s June 4”) in Beijing to commemorate the upcoming 25th anniversary of the 1989 Tiananmen massacre. In a statement released after the meeting, they called on the Chinese government to launch an official investigation into the events and to compensate the victims. On 4 and 5 May 2014, some of the participants were taken in for questioning by police. Most were released after interrogation, but at least five were criminally detained for “creating a disturbance in a public place, causing serious disorder.” They included university lecturer, political activist and dissident writer Hu Shigen [see *NCH Annual Reports 2008–2009*], Xu Youyu, a noted historian and research fellow of the CASS Institute of Philosophy, dissident blogger Liu Di [see *NCH Annual Reports 2003–2004*], Hao Jian, a professor at the Beijing Film Academy, and civil rights lawyer Pu Zhiqiang, who was one of the students protesting in Tiananmen Square in 1989. All but Pu were released on bail on 5 June 2014.

[*Sources*: International PEN, “China: Renewed Crackdown on Writers and Journalists ahead of 25th anniversary of Tiananmen Protests” (7 May 2014); Yojana Sharma, “25 years after Tiananmen, Scholars Protest Detentions,” *University World News* (23 May 2014; <http://www.universityworldnews.com/article.php?story=20140523131816311>).]

On 15 May 2014, Chow Po-chung, an associate professor at Chinese University’s department of government and public administration, Hong Kong, had his lecture on freedom and social justice at Sun Yat-sen University in Guangzhou canceled a day after he had shared on social media a photograph of a group of students staging a fast during the 1989 protests at Tiananmen Square in Beijing. The photo was deleted from Weibo, but remained on Chow’s Facebook page. On 23 May 2014, the microblog of Kong Qingdong, professor of Chinese studies at Peking University, was blocked, possibly in response to a comment he posted on the 1989 protests. Kong was a neo-Maoist and reportedly a 73rd-generation descendant of Confucius. A student at Peking University in 1989, he had been a member of his school’s organizing committee then. He was able to resume his academic career after the protests were suppressed.

[*Sources*: Austin Ramzy, “Tiananmen Comment Eyed after Professor’s Microblog Vanishes” (26 May 2014; <http://sinosphere.blogs.nytimes.com/2014/05/26/tiananmen-comment-eyed-after-professors-microblog-vanishes/>); Jennifer Ngo, “Academic’s Talk on Freedom Cancelled after Sharing Tiananmen Image Online,” *South China Morning Post* (15 May 2014; <http://www.scmp.com/news/hong-kong/article/1512794/academics-talk-freedom-cancelled-after->

sharing-tiananmen-image-online).]

On 4 June 2014, the 25th anniversary of the Tiananmen Square crackdown on democracy protests, the authorities imposed blanket security in mainland China to prevent attempts to mark the anniversary. On 3 June 2014, United Nations High Commissioner of Human Rights Navi Pillay had called on China to release dozens of activists detained ahead of the anniversary. As in previous years, internet searches related to the Tiananmen massacre were blocked. Some of the relatives of those killed during the massacre were allowed to visit the graves under police guard. In Hong Kong, a large vigil was held on 4 June 2014; it was attended by more than 100,000 mourners. On 26 April 2014, the world's first museum on the 1989 pro-democracy protests, the June 4 Memorial Museum, had opened its doors. By 4 June, it had attracted 7,000 visitors. The museum faced a lawsuit for violating the deeds of the building in which it was housed. Historian Wang Dan [see *NCH Annual Reports 1995–1998, 2000, 2009*] was forbidden entry in Hong Kong.

[Sources: AFP, “Beijing Targets Artists, Students on Tiananmen Anniversary,” *Radio Free Asia* (3 June 2014; <http://www.rfa.org/english/news/china/anniversary-06032014173537.html>); Amnesty International, “China’s Tiananmen Anniversary Blackout” (20 May 2014; <http://livewire.amnesty.org/2014/05/20/chinas-tiananmen-anniversary-blackout/>); “H.K. Turns Away Taiwanese Scholar Heading for June 4 Conference,” *Global Post* (30 May 2014; <http://www.globalpost.com/dispatch/news/kyodo-news-international/140530/hk-turns-away-taiwanese-scholar-heading-june-4-confere>); *NRC Handelsblad* (4 June 2014), 10–11; Marianna Tzabiras, “How the Chinese Are Taking on the Challenge of Talking about Tiananmen 25 Years Later,” *Ifex Alert* (4 June 2014; [https://www.ifex.org/china/2014/06/04/tiananmen\\_anniversary/](https://www.ifex.org/china/2014/06/04/tiananmen_anniversary/)); “Tiananmen Anniversary Marked at Huge Hong Kong Vigil,” *BBC News* (4 June 2014).]

In July 2014, Elliot Sperling, an American professor of Tibetan history, was denied entry at the airport in Beijing, although he held a one-year visa. Sperling believed that he was being punished for his support of Ilham Tohti, a politically moderate Uighur economics professor under arrest on charges of inciting separatism, but he was not informed why his visa was canceled.

[Source: “Blacklisting Scholars: Editorial,” *New York Times* (17 July 2014).]

On 7 July 2014, authorities in Hangzhou once more detained writer and human rights activist Lu (Lü) Gengsong (1956–) on suspicion of “incitement to subvert state power,” although according to his wife the real reason for his arrest was his advocacy work on behalf of ordinary people with grievances against the Chinese Communist Party. Others thought that his detention could be linked to recent posts he had made online regarding official corruption and to his reports about petitioners in Jiangsu province. Lu had been detained under similar charges in November 2013. He had been under 24-hour

surveillance since February 2014.

A history graduate from Zhejiang University, Hangzhou (1982), Lu taught at the Zhejiang Higher Professional School of Public Security (a police training academy) before being expelled in 1993 because of his pro-democracy activities. He went on to become a freelance writer and he published several books on political reform, including *A History of Corruption in the Community Party of China* (Hong Kong 2000). He was known for his reporting on human rights violations and his political commentaries published on the Internet. He was also an active member of the China Democracy Party (CDP; banned in 1998). He was imprisoned from 2007 until 2011.

[See also *NCH Annual Reports 2008* and *2012*; <http://www.concernedhistorians.org/ca/50.pdf>; <http://www.concernedhistorians.org/ca/50f1.pdf>; <http://www.concernedhistorians.org/ca/56.pdf>.]

[*Source*: Gao Shan & Grace Kei Lai-see, “Veteran Chinese Opposition Activist Held on Subversion Charges,” *Radio Free Asia* (10 July 2014; <http://www.rfa.org/english/news/china/activist-07102014111324.html>).]

*See also* India, Japan.

## COLOMBIA

Previous *Annual Report* entries: 1997–1998, 2000, 2004, 2006–2013.

During 2012, two history professors from the Universidad Pedagógica Nacional (National Pedagogic University), Bogotá, were intimidated by means of leaflets containing death threats anonymously distributed on campus and issued by the paramilitary groups “Águilas Negras” (Black Eagles) and the “Bloque Capital de las Autodefensas.” (Self-defense Bloc from the Capital). They were accused of supporting insurgents and encouraging the radical and violent thought of subversive groups from their professorial chairs. One of them, Renán Vega Cantor, left the country in August 2012, the other, Adolfo Atehortúa, dean of the humanities faculty, stayed. A list with “terrorist” students also circulated. Vega Cantor wrote the four-volume *Gente muy rebelde: Protesta popular y modernización capitalista en Colombia (1909–1929)* (Very Rebellious People: Popular Protest and Capitalist Modernization in Colombia (1909–1929)); Atehortúa wrote *Estado y fuerzas armadas en Colombia: 1886–1953* (1994; State and Army in Colombia: 1886–1953), *El poder y la sangre: Las historias de Trujillo (Valle)* (1995; Power and Blood: The Histories of Trujillo [Valle]) and *Sueños de inclusión: Las violencias en Cali, años 80* (1998; Dreams of Inclusion: Violence in Cali, 1980s).

[*Sources*: César Augusto Duque Sánchez, personal communication (February 2014); “Universidad Pedagógica: en medio de panfletos y amenazas,” *Semana* (29 November 2012);

<http://www.semana.com/nacion/articulo/universidad-pedagogica-medio-panfletos-amenazas/268589-3>.)]

The administration of President Juan Manuel Santos promoted constitutional changes concerning transitional justice and the military justice system that threatened to ensure impunity for egregious abuses by guerrillas, paramilitaries, and the military. In proceedings before the Inter-American Court of Human Rights, the government denied the military's participation in atrocities for which military members had already been convicted in national courts. The Colombian government and Revolutionary Armed Forces of Colombia (FARC) guerrillas had been engaged in peace talks in Cuba since 2012. Colombia's internal armed conflict had taken approximately 220,000 lives since 1958, 81.5 percent of whom were civilians, according to a report published in 2013 by the government-created National Center for Historical Memory.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 230.]

Colombia's internal armed conflict (1958–) continued to result in serious abuses by irregular armed groups in 2013, including guerrillas and successor groups to paramilitaries. More than 5 million Colombians were internally displaced, and upward of 150,000 continue to flee their homes each year, generating the world's second largest population of internally displaced persons (IDPs).

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 230.]

## **CONGO (Democratic Republic)**

Previous *Annual Report* entries: 1998–2000, 2003–2013.

In December 2012, the International Criminal Court (ICC) acquitted and released Mathieu Ngudjolo Chui, who had been charged with crimes against humanity and war crimes allegedly committed in northeastern Congo in 2003. The trial of Ngudjolo's co-accused, Germain Katanga, continued. On 18 March 2013, Bosco Ntaganda turned himself in to the United States embassy in Kigali, Rwanda, and was flown to The Hague, where he faced charges of war crimes and crimes against humanity at the International Criminal Court (ICC). Sylvestre Mudacumura, the military commander of the Democratic Forces for the Liberation of Rwanda (FDLR), sought on an arrest warrant from the ICC for war crimes, remained at large in late 2013. The Congolese government issued arrest warrants for several leaders of the M23 rebel group. Government officials stated clearly that they would neither provide an amnesty nor integrate into the army those allegedly responsible for war crimes.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 106–107.]

*See also* Central African Republic, Rwanda, United States.

### **CONGO (Republic)**

Previous *Annual Report* entries: 2004–2006, 2008, 2010–2012.

### **COSTA RICA**

Previous *Annual Report* entries: 2010.

### **CÔTE D'IVOIRE**

*See* Ivory Coast.

### **CROATIA**

Previous *Annual Report* entries: 1995–2001, 2003–2013.

*See* Bosnia and Herzegovina, France.

### **CUBA**

Previous *Annual Report* entries: 1997–2002, 2006, 2010–2012.

*See* Colombia.

### **CYPRUS**

Previous *Annual Report* entries: 2002, 2005, 2008–2011, 2013.

## CZECH REPUBLIC

Previous *Annual Report* entries: 1997–1998, 2000, 2010, 2013.

In mid-May 2013, President Miloš Zeman refused to confer the title of professor upon Martin Putna ([1967–]), a literary historian and scholar of the Catholic church at Charles University, Prague, because he disliked the latter's social activism for gay rights. After a wave of criticism from students and academics, Zeman abandoned his opposition. Putna had openly criticized Zeman before his election as president in January 2013.

[*Sources*: Blade, "Czech President in University Row over Gay Rights Activist," *France 24* (<http://www.france24.com/en/20130521-czech-president-university-row-over-gay-rights-activist>; 21 May 2013); Sean Carney, "Czech President Yields to Pressure, Faces Ire of Cardinal," *Wall Street Journal* (22 May 2013); Nick DeSantis, "Yielding to Critics, Czech President Won't Block Professor's Appointment," *Chronicle of Higher Education* (<http://chronicle.com/blogs/ticker/jp/yielding-to-critics-czech-president-wont-block-professors-appointment>; 22 May 2013).]

On or about 31 January 2014, Jiří Fiedler (1935–2014) and his wife Dagmar (1939–2014) were murdered in their apartment in Prague. A non-Jewish translator and copy editor at Albatros (a publisher of children's literature), Fiedler documented the local heritage and history of Jews in the Czech lands. From the 1970s onward, he worked mostly alone, unpaid and anonymous in his spare time. His work aroused the suspicion of the authorities, and he was regularly called in by the secret police. Fiedler repeatedly tried to gain access to the archive of the Jewish Museum in Prague, but it was closely watched by the secret police. Academics researching Jews in Renaissance Prague were able to do their work, but applications by individuals researching more recent history were closely tracked and reported. In 1996, Fiedler became a research director at the Jewish Museum in Prague (1996–2012). He published *Židovské památky v Čechách a na Moravě* (1992; Jewish Sights of Bohemia and Moravia) and worked on an electronic "Encyclopedia of Jewish Communities in the Czech Republic." The dead bodies were not discovered until two weeks after the murder. The apartment was not forced open and nothing was stolen. The police had no suspect and no motive. An announcement posted on the website of the Jewish Museum of Prague read: "The circumstances of his death have not yet been fully clarified." The funeral was held on 3 March 2014.

[*Sources*: Helen Epstein, "Eulogy for a Source," *New York Times* (8 March 2014; [http://www.nytimes.com/2014/03/09/opinion/sunday/eulogy-for-a-source.html?\\_r=1](http://www.nytimes.com/2014/03/09/opinion/sunday/eulogy-for-a-source.html?_r=1)); "Jiří Fiedler (1935–2014)," <http://www.jewishmuseum.cz/aindex.php>; JTA, "Murder of Jiri Fielder, Researcher of Jewish Heritage, Being Probed in Prague" (9 March 2014;

opinion/world/murder-of-jiri-fielder-jewish-heritage-researcher-being-probed-in-prague).]

*See also* Russia, Slovakia.

## **DENMARK**

Previous *Annual Report* entries: 2006–2007, 2013.

*See* Rwanda.

## **DJIBOUTI**

Previous *Annual Report* entries: 2008.

## **DOMINICAN REPUBLIC**

Previous *Annual Report* entries: 2013.

## ECUADOR

Previous *Annual Report* entries: 2005–2007, 2009–2013.

Efforts to hold accountable those responsible for human rights violations committed by governments from 1984 to 2008 made significant progress in 2013. In 2010, a special prosecutorial unit was formed to investigate 118 cases involving 456 victims (including 68 victims of extrajudicial execution and 17 of enforced disappearance), which had been documented by a truth commission created by the administration of President Rafael Correa. In 2012, the number of cases under investigation rose to 138. In October 2013, two former government defense ministers and eight retired military and police officers were charged with enforced disappearance and torture in connection with the illegal arrest in 1985 and torture of three people linked to a guerrilla group. As of October 2013, work by a human rights investigative unit attached to the Attorney General's Office had led to charges being filed against 36 government agents in three other cases from the period covered by the truth commission report.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 246.]

## EGYPT

Previous *Annual Report* entries: 1996–2001, 2003, 2006–2007, 2010–2013.

In February 2012, a court in Assiut (Upper Egypt) sentenced Makarem Diab, a Christian school teacher, to six years' imprisonment on charges of defaming Islam brought by Islamist colleagues who accused him of mocking the Prophet Mohammed.

In late September 2012, Nevine Gad, a Coptic social studies teacher at a preparatory school in Manfalout, Assiut province, was suspended from teaching, arrested and charged with contempt of religion and insulting the Prophet Mohammed after a pupil, the latter's Salafist father and some colleagues complained about one of her lessons on Islamic history (taught on 26 September 2012) with a section on Mohammed's life. On 3 October 2012, she was released and reinstated because of lack of evidence. All charges were dropped.

[Sources: Sherry El-Gergawi, "Saga of Coptic teacher 'maliciously' accused of insulting Islam ends," *Ahram Online* (<http://english.ahram.org/News/54832.aspx>; 5 October 2012); Global Coalition to Protect Education from Attack, *Education under Attack 2014* (New York 2014), 135.]

There was no effort to account for the crimes of the Hosni Mubarak era (1981–2011) or those killed

by the police and military during and after the January–February 2011 uprising. In January 2013, President Mohamed Morsy received a report by a fact-finding committee he had set up on police and military abuses against protesters, but refused to make its findings or recommendations public. The interim government that took power after the 3 July 2013 coup established a Ministry for Transitional Justice but it took no steps towards accountability. The government failed to set up a fact-finding committee to look into the mass killing of protesters, despite Interim President Adly Mansour's 8 July 2013 promise to do so.

In a rare case of police accountability, a court in March 2013 sentenced one officer to three years imprisonment for shooting protesters during the protests in Mohamed Mahmoud Street in Cairo in November 2011. Only 5 of the 38 trials of middle and low-ranking police officers accused of killing protesters in January 2011 resulted in prison sentences. Two of them were suspended, so that only two officers served actual prison time. In January 2013, the Court of Cassation overturned the conviction of former president Hosni Mubarak. His retrial opened in May and was ongoing at the end of 2013.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 533–534.]

In 2013, in a very controversial move, Iman Ezzeldin, director of the National Library, and Abdel-Wahed, Sabry El-Daly and Nevine, employees of the Egyptian National Archives (ENA), were dismissed on accusations of corruption. The new ENA director Khaled Fahmy, who announced himself publicly as a Muslim Brotherhood member (and not to be confused with Khaled Fahmy, the head of the history department at the American University in Cairo), defended the dismissal. Employees had claimed that El-Daly had been involved in the theft of documents and Abdel-Wahed (former ENA head) never promoted or fairly rewarded the hard-working employees. Some expressed fears that the Muslim Brotherhood wanted to destroy or confiscate some sensitive archives (like those about the Brotherhood itself). After the coup of 3 July 2013, Ezzeldin and most others got their job back.

[Sources: Joshua Hersh, "The Battle of the Archives: What Egypt's Intellectuals Lost," *New Yorker* (4 September 2013; <http://www.newyorker.com/news/news-desk/the-battle-of-the-archives-what-egypts-intellectuals-lost>); Mary Mourad, "Historian Fahmy Argues for Easing Access to Egyptian National Archives," *Ahram Online* (<http://english.ahram.org.eg/NewsContentP/18/74745/Books/Historian-Fahmy-argues-for-easing-access-to-Egypti.aspx>; 24 June 2013).]

In [June] 2013, Monica Hanna ([1983–]), a post-doctoral student of archaeology at Humboldt University, Berlin, was threatened by several men at an ancient burial site because of her campaign to expose the looting of Egyptian antiquities. Antiquity looting had exploded since the 2011 revolution: 2,000 art objects had been stolen, of which 1,000 were reported still missing in 2014. Together with three other women who remained anonymous, Hanna started Egypt's Heritage Task Force. She was

threatened regularly.

[*Sources*: Betsy Hiel, “Egyptologist Risks Life, Career to Expose Looting,” *TribLive* (15 June 2013; <http://triblive.com/news/editorspicks/4198483-74/hanna-heritage-archaeological#axzz2WZUhBSED>); “Monica Hanna to Receive 2014 SAFE Beacon Award” (<http://www.savingantiquities.org/2014-beacon-award>; 8 December 2013); *NRC Handelsblad* (30 January 2014), C12.]

On 24 November 2013, Egyptian-German novelist and teacher of Islamic history Hamid Abdel Samad (1972–) was kidnapped. He reappeared on 26 November 2013. Once an Islamist himself, Samad became a staunch critic of Islamism in Germany (where he had lived since 1995), one of his novels bearing the title “Fall of the Islamic World.” He had been appointed body guards after he was threatened by Islamists in early June 2013. In the summer of 2013, he had held a lecture in Cairo about Islamic fascism, after which a *fatwa* to kill him had been issued.

[*Sources*: “Egyptian-German Novelist Hamid Abdel Samad Kidnapped in Cairo” (<http://www.expatcairo.com/egyptian-german-novelist-hamid-abdel-samad-kidnapped-in-cairo>; 25 November 2013); Sonja Zekri, “Hamed Abdel-Samad Verlag sorgt sich um Verbleib von Autor” (<http://www.sueddeutsche.de/kultur/hamed-abdel-samad-im-machtkampf-am-nil-angekommen-1.1828785>; 26 November 2013); *Trouw* (26 November 2013).]

*See also* Israel.

## EL SALVADOR

Previous *Annual Report* entries: 2001–2013.

On 30 September 2013, the archbishop of San Salvador, José Luis Escobar Alas, abruptly closed his legal office, Tutela Legal del Arzobispado (founded in 1982 as successor to Socorro Jurídico), leaving the status of its archives containing 50,000 files of documentation of crimes against humanity uncertain. Tutela Legal had brought some of these cases to the Inter-American Court of Human Rights, which in 2012 ruled that the 1993 amnesty law violated the international treaties, after which the Constitutional Chamber of the Supreme Court on 20 September 2013 agreed to hear arguments about the constitutionality of the amnesty law. The closure was widely criticized, including by President Mauricio Funes. Although the archbishop and the attorney general reached an agreement about the archives and the Supreme Court ruled that they would be retained by the archdiocese, their fate remained uncertain.

In October 2013, it was reported that the archives of the Co-Madres (Comité de Madres Monseñor

Romero; Mothers' Committee Archbishop Romero), a non-governmental association of mothers and relatives of those disappeared and/or killed during the military regime and the armed conflict (1979–1992), set up in 1977, had been stolen five times.

On 14 November 2013, armed men broke into the offices of Pro-Búsqueda (a non-governmental organization [founded in 1994] working to locate children missing from the armed conflict), stole its computers and set fire to its archives containing 1,200 cases. About 80% of the archives were destroyed. The government's special prosecutor for human rights condemned the attack.

The International Council on Archives wrote to archbishop Escobar Alas asking that the records of Tutela Legal be preserved and to the special prosecutor for human rights, urging that those who had destroyed the records of Pro-Búsqueda be held accountable.

[*Sources*: Frederick B. Mills, "El Salvador: Closure of Human Rights Office Threatens Vital Archives," *Latin American Bureau* (8 October 2013; <http://lab.org.uk/el-salvador-closure-of-human-rights-office-threatens-vital-archives>); International Council on Archives Human Rights Working Group, *News of October 2013*, 7; *News of November 2013*, 1, 9; *News of December 2013*, 2; International Center for Transitional Justice, "Twenty Years Later, A Chance for Accountability in El Salvador" (1 October 2013); Sarah Maslin, "El Salvador—Destruction of Historical Memory," *Latin American Bureau* (1 December 2013; <http://lab.org.uk/destruction-of-historical-and-human-rights-archives>).]

## **ERITREA**

Previous *Annual Report* entries: 2008.

## **ESTONIA**

Previous *Annual Report* entries: 2007, 2010.

## **ETHIOPIA**

Previous *Annual Report* entries: 1998–2011.

**FIJI**

Previous *Annual Report* entries: 2004, 2006, 2010.

**FINLAND**

Previous *Annual Report* entries: 2011–2012.

**FRANCE**

Previous *Annual Report* entries: 1996–1999, 2001–2009, 2011–2013.

In 2012, the project of a major exhibition about writer Albert Camus (1913–1960) in Aix-en-Provence was delayed because its curator, Benjamin Stora (1950–), a historian of colonial Algeria, was dismissed (after working on the exhibit since 2009) and his successor, philosopher Michel Onfray, a biographer of Camus, withdrew from the project in September 2012. Among the reasons mentioned for Stora's dismissal (brought about by the conservative mayor of Aix, Maryse Joissains-Masini) were his reported intention to emphasize Camus's problematic status as a "French" writer (being born on North African soil) and his identity as a pied-noir (a former settler in Algeria who had returned to France) who opposed both the Organisation de l'armée secrète (OAS; the terrorist Secret Army Organization) and the Algerian Front de Libération Nationale (FLN; National Liberation Front).

[*Sources*: Simon Buisson, "Camus Exhibit Sparks Controversy" (23 August 2012); *Le Monde* (15 & 17 September 2012); Delphine Munos, "Who's Afraid of Albert Camus? The Memorialization of French Algeria and the Controversy over Camus' Legacy" (<http://orbi.ulg.ac.be/handle/2268/150214>; 23 March 2013); *NRC Handelsblad* (8 November 2013).]

In August 2013, the Barreau de Paris (the association of lawyers) intervened to stop the sale by the Drouot auction house of the professional notes of Jacques Vergès (1925–2013), who had been the lawyer for Gestapo leader Klaus Barbie during the latter's war crimes trial in 1987. The lawyers argued that the principle of professional secret (lawyer-client confidentiality) made it unacceptable to sell the notes and said that the historically significant papers of attorneys could be stored properly in the association's museum.

[*Sources*: International Council on Archives Human Rights Working Group, *News of June 2014*, 5; "Procès Barbie: des avocats obtiennent le retrait de la vente d'archives de Jacques Vergès," *Le*

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*Progrès* (29 July 2014; <http://www.leprogres.fr/rhone/2014/06/19/proces-barbie-des-avocats-obtiennent-le-retrait-de-la-vente-d-archives-de-jacques-verges>.)]

In October 2013, following a complaint of the Council of Croats in France (CRICCF), United States singer and song writer Bob Dylan (1941–), who visited France to receive an award, was placed under judicial investigation on charges of “public injury” and “incitement to racial hatred” toward Croats. In September 2012, Dylan had given an interview to *Rolling Stone magazine*, in which he allegedly compared the relationship between Jews and Nazis to that of Serbs and Croats. He reportedly said: “Blacks know that some whites didn’t want to give up slavery—that if they had their way, they would still be under the yoke, and they can’t pretend they don’t know that. If you got a slave master or [Ku Klux] Klan in your blood, blacks can sense that. That stuff lingers to this day. Just like Jews can sense Nazi blood and the Serbs can sense Croatian blood.” The latter was interpreted as a reference to the crimes committed by the Ustasha Independent State of Croatia state (Nezavisna Drava Hrvatska or NDH; 1941–1945). Several Croatian radio stations stopped playing his songs in protest over his comments.

[*Sources*: Article 19, “France: Bob Dylan Charged with Incitement to Racial Hatred” ([https://www.ifex.org/international/2014/02/12/artist\\_alert/](https://www.ifex.org/international/2014/02/12/artist_alert/); London 12 February 2014); *BBC News* (2 December 2013).]

*See also* Rwanda, Saint Vincent, Switzerland.

## GEORGIA

Previous *Annual Report* entries: 1998, 2003, 2010–2012.

In response to over 20,000 complaints about alleged past abuses, the authorities charged 35 former officials from a variety of ministries with, inter alia, abuse of office, embezzlement, and false arrest; 14 of them were in custody at the end of 2013. The authorities did not explain the criteria they used to determine which cases of past abuses to investigate. While investigating past abuses prosecutors questioned over 6,000 persons.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 455.]

## GERMANY

Previous *Annual Report* entries: 1995, 1997–2000, 2003, 2006–2013.

*See* Egypt, France, Palestinian Authority, Poland, Russia.

## GHANA

Previous *Annual Report* entries: 2002, 2004–2008.

## GREECE

Previous *Annual Report* entries: 1995, 1999, 2004–2011, 2013.

When in June 2013, historian and history textbook author Maria Repousi (Repoussi), then a member of parliament for the Democratic Left, stated that “the Dance of Zalongo” was a national myth, she was attacked by composer Mikis Theodorakis, who called her viewpoint a form of “national nihilism.” The term Dance of Zalongo referred to an event in Greek history involving a mass suicide of women from Souli and their children during the Souliote War of 1803, near the village of Zalongo in Epirus. The name also referred to a popular dance-song commemorating the event. [See also *NCH Annual Reports 2007–2008*.]

[*Source*: Maria Korologou, “Theodorakis to Repousi: Leave If You Don’t Love Greece”

(greece.greekreporter.com/2013/06/03/theodorakis-to-repousi-leave-if-you-dont-love-greece; 3 June 2013).]

## **GRENADA**

Previous *Annual Report* entries: 2007.

## **GUATEMALA**

Previous *Annual Report* entries: 1995–2013.

In a landmark ruling, former head of state Efraín Ríos Montt was found guilty in May 2013 of genocide and crimes against humanity, and sentenced to 80 years' imprisonment. The retired general led a military regime from 1982 to 1983 that carried out hundreds of massacres of unarmed civilians. However, the verdict was overturned 10 days later, when the Constitutional Court ruled that all proceedings in the final three weeks of the trial had been invalid due to irregularities relating to an incident in March, when Ríos Montt was briefly without his own defense attorney. The case would likely have to be retried in full, with witnesses testifying once more before a different criminal court. Proceedings were scheduled to begin in January 2015. In November 2013, representatives of the victims filed a petition before the Inter-American Commission of Human Rights, accusing the Guatemalan state of failing to provide justice in the case. Ríos Montt's defense made repeated requests for the former leader to be protected from prosecution under amnesty legislation. In April 2013, while the genocide trial was ongoing, President Otto Pérez Molina expressed his support for a public letter signed by a group of prominent politicians that called genocide charges against members of the army a "fabrication," and said that the charges endangered peace.

Ríos Montt was also charged in a separate case involving a 1982 massacre in the town of Dos Erres, in the Petén region, in which soldiers murdered more than 250 people, including children. Proceedings, which were ongoing, were delayed by legal challenges from Ríos Montt's lawyers. Five former members of army special forces received lengthy prison sentences for their role in the Dos Erres massacre, while several high-level former members of the security forces were convicted in recent years of human rights crimes committed in previous decades. They included former National Police Chief Hector Bol de la Cruz, who received a 40-year sentence in September 2013 for ordering the disappearance of a student activist in 1984.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 249–250.]

## GUINEA

Previous *Annual Report* entries: 2007, 2009–2013.

The domestic investigation into members of the security forces implicated in the September 2009 massacre of some 150 people and the rape of over 100 women during the military regime of Moussa Dadis Camara had yet to conclude. In 2010, the then-government committed to bringing the perpetrators to justice, and a Guinean prosecutor appointed a panel of three judges to investigate the crimes. The panel made important strides, having interviewed more than 300 victims and charged at least eight suspects including several high-level members of the security forces. However, progress continued to be stymied by insufficient government support, including its failure to place high-level suspects on leave from their government posts pending investigation and to satisfactorily resolve the judges' outstanding request to question the former Guinean president, who was living in Burkina Faso. Some suspects had been in pretrial detention longer than the two years Guinean law permits.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 125.]

During 2013, the “Reflection Commission,” created by presidential decree in June 2011 to promote reconciliation, made no visible progress in fulfilling its mandate. The interim co-presidents appeared to limit its mandate to promoting reconciliation largely through prayer, while local human rights groups pushed for a commission that could meaningfully address impunity. Progress in setting up the independent human rights institution, as mandated by the 2010 constitution, was undermined by delays in holding legislative elections; the constitution stipulated that the institution could only be established through a law voted on by the national assembly. While the Ministry for Human Rights and Civil Liberties, newly created in 2012, lacked resources, the minister actively advocated for strengthening the judiciary, an end to impunity for abuses, and respect for freedom of the press.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 126.]

## GUINEA-BISSAU

Previous *Annual Report* entries: 1999, 2012.

**GUYANA**

Previous *Annual Report* entries: 1997.

*See* Saint Vincent.

## HAITI

Previous *Annual Report* entries: 1997, 2000–2003, 2006, 2008–2009, 2013.

Former President Jean-Claude Duvalier returned to Haiti in January 2011 after nearly 25 years in exile. He was charged with financial and human rights crimes allegedly committed during his 15-year tenure as president. From 1971 to 1986, Duvalier commanded a network of security forces that committed serious human rights violations, including arbitrary detentions, torture, disappearances, summary executions, and forced exile. In January 2012, the investigating judge in the case found, contrary to international standards, that the statute of limitations prevented prosecuting Duvalier for his human rights crimes. On 20 February 2014, however, the Court of Appeals ordered the reopening of the investigation into human rights abuses. It concluded that international law was part of Haitian domestic law, and that, therefore, statutory limitations did not apply to crimes against humanity. In May 2014, the Inter-American Commission on Human Rights called on the member states of the Organization of American States to open their archives on the human rights violations committed under Duvalier's regime so as to make possible the right of access to justice for his victims.

[*Sources*: Human Rights Watch, *World Report 2014* (Washington 2014), 256; Human Rights Watch, "Haiti: Duvalier Ruling Disappoints Justice" (31 January 2012); "Press Release: IACHR Calls on Member States to Open their Archives on the Human Rights Violations Committed under the Regime of Jean-Claude Duvalier" ([http://www.oas.org/en/iachr/media\\_center/PReleases/2014/048.asp](http://www.oas.org/en/iachr/media_center/PReleases/2014/048.asp); 5 May 2014).]

## HONDURAS

Previous *Annual Report* entries: 1995, 1998, 2001–2002, 2009–2013.

Following the June 2009 military coup, the *de facto* government (ruling from June 2009 to January 2010) suspended key civil liberties, including freedom of the press and assembly. In the ensuing days, security forces responded to generally peaceful demonstrations with excessive force and shut down opposition media outlets, which caused several deaths, scores of injuries, and thousands of arbitrary detentions. A truth commission established by President Porfirio Lobo (in power from January 2010 to January 2014) published a report in July 2011 that documented 20 cases of excessive use of force and killings by security forces. Honduras made very little progress prosecuting the abuses in 2013.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 261–262.]

In 2013, individuals working for the Ministry of Culture reportedly “denounced the theft of documents and cultural relics, as well as the censorship of [...] historical documents.”

[*Source*: International PEN, *Honduras: Journalism in the Shadow of Impunity* (London: International PEN, 2014), 55.]

In August 2013, the mayor of Danlí banned the installation of a statue made by sculptor Johnny Mac Donald in a public park because he deemed its subject—a depiction the Mayan corn goddess Yum Kaax—sacrilegious. He called it a diabolic figure.

[*Source*: International PEN, *Honduras: Journalism in the Shadow of Impunity* (London: International PEN, 2014), 54.]

## HONG KONG

Previous *Annual Report* entries: 1996. *See* China.

## HUNGARY

Previous *Annual Report* entries: 1995, 1997, 2004, 2007–2013.

In March 2013, the far-right political party Jobbik sued historian and Holocaust researcher László Karsai [see also *NCH Annual Report 2010*] for defamation because he had labeled Jobbik “neo-Nazi” in a television program. The Budapest District Court ruled that Jobbik did not hold Nazi views per se in historical terms, portraying itself not as neo-Nazi but rather as a national radical Christian conservative party. It found Karsai’s statement “gratuitously offensive.”

[*Source*: Tamás Szigeti, “Why Shouldn’t a Hungarian Historian Call Jobbik “Neo-Nazi”?” *Free Speech Debate* (18 July 2013).]

On 12 January 2014, the deputy leader of the governing allied Christian Democrats (KDNP), Bence Retvari, called on the opposition Socialist Party to transfer their communist-era documents (1944–1989), stored in the archives of the Institute of Political History (PTI; established by the Socialists), to the Hungarian National Archives. He said that the 2012 amendment to the archives law obliged the PTI to hand over the documents to the archives because it defined documents filed in 1944–1989 as state property. On 11 June 2014, the Supreme Court rejected the PTI appeal and ordered the transfer.

[*Sources*: MTI, “KDNP Calls on Socialists to Hand over Communist Era Files”

(<http://www.politics.hu/20140112/kdnp-calls-on-socialists-to-hand-over-communist-era-files/>; 12 January 2014); MTI, “Pre-1989 Communist Documents to Be Transferred to National Archives,” (<http://www.politics.hu/20140612/pre-1989-communist-documents-to-be-transferred-to-national-archives>; 12 June 2014).]

**INDIA**

Previous *Annual Report* entries: 1996–1997, 2000–2013.

In 2013, some Tamil Nadu politicians claimed that the Nadar community was depicted in a poor light in a social science textbook of the National Council for Educational Research and Training (NCERT) for Class IX, *India and the Contemporary World-1*. A chapter entitled “Clothing: A Social History” mentioned that the Nadars were “toddy-tappers” and had migrated to the southern Travancore state in the 19th century to work under Nair landlords. The recommendation of the NCERT’s textbook development committee (that had prepared the book) to delete these references was carried out.

[*Source*: Basant Kumar Mohanty, “Assam Boy Forces Textbook Revision,” *Telegraph* (5 February 2014; [http://www.telegraphindia.com/1140206/jsp/nation/story\\_17905703.jsp#.U5gLsShkzAB](http://www.telegraphindia.com/1140206/jsp/nation/story_17905703.jsp#.U5gLsShkzAB)).]

During the communal violence that erupted in Gujarat state after a train carrying Hindu pilgrims in 2002 caught fire, killing 59 passengers, 230 shrines, tombs and mosques were vandalized or destroyed, including the grave of poet Wali Muhammad (1667–1707) and the Dada Hari and Malik Asin mosques in Ahmedabad. Over 1000 people were killed. In a legal case before a court in Ahmedabad, Gujarat, in August 2013, a lawyer alleged that the Gujarat government had tampered with or destroyed many records about the violence shortly after the Supreme Court had appointed a Special Investigation Team to investigate it.

[*Sources*: Robert Bevan, *The Destruction of Memory: Architecture at War* (London 2006), 139; “SIT Overlooked How Modi Govt Destroyed Records, Says Zakia’s Lawyer,” *FirstPost* ([http://www.firstpost.com/india/sit-overlooked-how-modi-govt-destroyed-records-says-zakias-lawyer-1065097.html?utm\\_source=hp-footer](http://www.firstpost.com/india/sit-overlooked-how-modi-govt-destroyed-records-says-zakias-lawyer-1065097.html?utm_source=hp-footer); 27 August 2013).

On 3 March 2010, Dinanath Batra (1942–), national convener of the Hindu nationalist group Shiksha Bachao Aandolan Samiti (SBAS; Save Education Movement), sent a legal notice to Wendy Doniger, the Mircea Eliade distinguished service professor of the history of religions at the University of Chicago, and the Penguin Group with the request to withdraw certain passages of her book *The Hindus: An Alternative History* (New York: The Penguin Press, 2009). According to him, the book’s malicious intent was to ridicule, hurt and defame the Hindus, denigrate the Hindu traditions, create and spread pornographic and hate literature, and create disharmony and promote enmity among various religious sections of India. He also demanded that Doniger issue an apology. Seven petitioners brought a civil case in 2011 against Penguin India (on the basis of sections 153A, 298 and 295A of the Indian Penal Code allowing people to seek legal redress on grounds of their religious or ethnic sensibilities being offended) arguing that Doninger’s book was insulting to Hindus and

heretical. They said that Doniger was incorrect in describing the Rashtriya Swayamsevak Sangh (RSS) as the militant wing of the Bharatiya Janata Party (BJP) or that it was behind the assassination of Mahatma Gandhi (1869–1948; Gandhi was shot dead by a former RSS member). On 4 February 2014, after it reached an out-of-court settlement with SBAS, Penguin India decided to recall and pulp all copies of the book on Indian territory, saying that it had to respect the law and that it had a duty to protect its employees against threats. The decision was widely criticized. Within hours of being banned, Doniger's book came out online.

In March 2014, SBAS threatened to sue publisher Aleph Books if it did not withdraw Doniger's *On Hinduism* (a different book than *The Hindus*). Under pressure from Batra, publisher Orient Blackswan put several books "under review for comprehensive assessment" in May 2014, including *Communalism and Sexual Violence: Ahmedabad Since 1969*, a study by Megha Kumar of sexual violence perpetrated mostly on Muslim women during riots in Ahmedabad in 1969, 1985 and 2002, and *From Plassey to Partition: A History of Modern India* by Sekhar Bandyopadhyay (the latter because it allegedly included inflammatory passages about the RSS).

Doniger had also encountered difficulties in the past. After the 2002 publication of the online essay "Wendy's Child Syndrome," written by Rajiv Malhotra, an entrepreneur and activist living in New Jersey, United States, in which Doniger was criticized for her controversial Freudian interpretations of ancient Hindu texts, she received a dozen negative emails. In November 2003, she was thrown an egg at when giving a lecture on the Hindu *Ramayana* text at the University of London. As a result, she canceled a lecture in Bombay. In September 2002, her article on Hinduism for Microsoft's online *Encarta* encyclopedia was criticized for its "negative portrayal of Hinduism," especially when compared to the entries on other religions. Microsoft replaced the essay with one by Arvind Sharma, a McGill University professor of comparative religion.

[*Sources*: Article 19, "Satirist Returns to Egyptian TV, Film Banned in Malaysia and Other Artistic Freedom News" ([https://www.ifex.org/international/2014/03/17/artist\\_alert/](https://www.ifex.org/international/2014/03/17/artist_alert/); 17 March 2014); *BBC News* (14 February 2014); Amy Braverman, "The Interpretation of Gods," *University of Chicago Magazine* (December 2004); Faisal Devji, "What Really Threatens Free Expression in India," *Free Speech Debate* ([http://freespeechdebate.com/en/2014/02/what-really-threatens-free-expression-in-india/?utm\\_source=FSD+newsletter&utm\\_campaign=5c52af0465-Newsletter\\_21\\_06\\_13&utm\\_medium=email&utm\\_term=0\\_0cfc6f2a44-5c52af0465-304640457](http://freespeechdebate.com/en/2014/02/what-really-threatens-free-expression-in-india/?utm_source=FSD+newsletter&utm_campaign=5c52af0465-Newsletter_21_06_13&utm_medium=email&utm_term=0_0cfc6f2a44-5c52af0465-304640457); 6 March 2014); *Index on Censorship*, 2014, no 2, 123; Malini Nair, "Under Pressure, Publisher Puts Books under 'Review,'" *Times of India* (4 June 2014; <http://timesofindia.indiatimes.com/india/Under-pressure-publisher-puts-books-under-review/articleshow/36024216.cms>); Rama Lakshmi, "The 'Ban Man': India's Self-Appointed Book Censor Wields Real Clout," *Washington Post* (23 June 2014; [http://www.washingtonpost.com/world/asia\\_pacific/the-ban-man-indias-self-appointed-book-censor-wields-real-clout/2014/06/23/6f71eca2-b73f-4102-96e0-21d5a52e59a7\\_story.html](http://www.washingtonpost.com/world/asia_pacific/the-ban-man-indias-self-appointed-book-censor-wields-real-clout/2014/06/23/6f71eca2-b73f-4102-96e0-21d5a52e59a7_story.html)); *NRC*

*Handelsblad* (14 February 2014), 13; PEN International, *Rapid Action Network 05/14* (18 February 2014; <http://www.concernedhistorians.org/ca/73.pdf>); “Petitioning Members of Both Houses of the Indian Parliament, and the Honorable Law Minister, Government of India: Reconsider and Revise Sections 153 (A) and 295 (A) of the Indian Penal Code to Protect Freedom of Expression in India!” (<https://www.change.org/en-IN/petitions/members-of-both-houses-of-the-indian-parliament-and-the-honorable-law-minister-government-of-india-reconsider-and-revise-sections-153-a-and-295-a-of-the-indian-penal-code-to-protect-freedom-of-expression-in-india>); Reuters, “Publisher Penguin Warns of India’s Free Speech Curbs after Withdrawing Book on Hindus,” (14 February 2014; <http://www.reuters.com/article/2014/02/14/us-india-book-idUSBREA1D0TX20140214>); Supreme Court of India, *Dina Nath Batra’s Legal Notice to Wendy Doniger & Penguin Books* (<http://www.concernedhistorians.org/le/264.pdf>; 2010); Out-of-court settlement (<http://www.concernedhistorians.org/le/333.pdf>.)]

In March 2014, parts of the top-secret Henderson Brooks-P.S. Bhagat report (April 1963) were leaked online by Neville Maxwell, an Australian retired New Delhi correspondent of *The Times*. Maxwell, who always had had access to the report, decided to put parts of it in the public domain because of India’s unwillingness to release it. The report—of which only one copy existed which was kept under lock and key in the (Indian) Military Operations Directorate at Army Headquarters—contained a very critical internal review by the Indian army of its (lost) border war with China in 1962, about which Maxwell had written *India’s China War* (1970). In April 2010, Indian Defence Minister A.K. Antony had written to the lower house of Parliament that the contents of the report were “extremely sensitive” and “of current operational value.” The battlefield records on which the report was based (the so-called After Action Reports) had been destroyed, presumably to cover-up errors (flawed military plans, deficient army leadership, disastrous implementation of the “forward policy” of then Prime Minister Jawaharlal Nehru (1889–1964) [the policy of forward deployment in the high mountains]) leading to defeat. For hours, the leaked excerpts could not be accessed from India.

[*Sources*: Agence France-Presse, “1962 Sino-Indian War Still Stirs Bitter Controversy,” *South China Morning Post* (19 March 2014; <http://www.scmp.com/news/asia/article/1452590/1962-sino-indian-war-still-stirs-bitter-controversy>); Neeta Lal, “Revealing India’s Failures in 1962 War with China Can Help Clear the Air,” *South China Morning Post* (31 March 2014; <http://www.scmp.com/comment/insight-opinion/article/1461062/revealing-indias-failures-1962-war-china-can-help-clear-air>); Vishal Thapar, “1962 War Records Destroyed To Cover Up Lapses,” *Sunday Guardian* (22 March 2014; <http://www.sunday-guardian.com/news/1962-war-records-destroyed-to-cover-up-lapses>.)]

On 2 June 2014, a young Muslim information technology graduate, Mohsin Shaikh (–2014), lost his

life to an angry mob in Pune, Maharashtra, due to violence that erupted after offensive pictures of (probably) Shivaji (1627–1680) and Shiv Sena founder Bal Thackeray (1926–2012) appeared on Facebook and WhatsApp.

[*Sources*: Mahima Kaul, “India’s ‘Social Peace Force’: Reporting ‘Anti-Social’ Posts to Facebook,” *Index on Censorship*

([https://www.ifex.org/india/2014/07/02/social\\_media\\_peace\\_force/?utm\\_source=whatcounts&utm\\_medium=email&utm\\_campaign=itw\\_2july2014](https://www.ifex.org/india/2014/07/02/social_media_peace_force/?utm_source=whatcounts&utm_medium=email&utm_campaign=itw_2july2014); 2 July 2014); “Pune Techie Murder Case,” *Wikipedia* ([http://en.wikipedia.org/wiki/Pune\\_techie\\_murder\\_case](http://en.wikipedia.org/wiki/Pune_techie_murder_case); 6 August 2014).]

In June 2014, it was reported that the Ministry of Home Affairs had destroyed some 150,000 files (including about Lord Louis Mountbatten, Mahatma Gandhi and Rajendra Prasad) over the past month in a cleanliness drive instead of transferring them to the National Archives. The orders apparently came from the Office of Prime Minister Narendra Modi. Although no malicious intent was suspected, many criticized the new government’s gross negligence. On 11 July 2014, Home Minister Rajnath Singh declared in Parliament that 11,000 files had been destroyed between 5 June and 8 July 2014 but denied that any of them related to the three historical figures mentioned.

[*Sources*: “11,100 files Destroyed, Mahatma Gandhi Assassination Records Safe: MHA,” *IBN Live* (11 July 2014; <http://ibnlive.in.com/news/11100-files-destroyed-mahatma-gandhi-assassination-records-safe-mha/485293-37-64.html>); Jaideep Prabhu, “Why Historians Feel the Destruction of 1.5 Lakh Government Files Is Akin to the Taliban Destruction of the Bamiyan Buddha Statues,” *DNA India* (27 June 2014; <http://www.dnaindia.com/analysis/standpoint-why-historians-feel-the-destruction-of-15-lakh-government-files-is-akin-to-the-taliban-destruction-of-the-bamiyan-buddha-statues-1998173>).]

On 1 August 2014, Congress Party members in Vadodara, Gujarat, organized a demonstration against the inclusion of books written by Dinanath Batra (see entry above) in the school curriculum. They ended up burning the notification issued by the government for including the books in the curriculum and one of the books’ cover page, which carried photographs of well-known national leaders such as Mahatma Gandhi, Swami Vivekananda, Rabindranath Tagore, Sarvepalli Radhakrishnan, Maharshi Aurobindo and Vinoba Bhave. The governing Bharatiya Janata Party (BJP) accused Congress of insulting national leaders. In response, Congress said they were opposed to the government’s attempt to spread “RSS ideology” (“Rashtriya Swayamsevak Sangh ideology”) by introducing books that distorted historical and geographical facts in their favor.

[*Sources*: “Cong Burns Dinanath Batra’s Books,” *Times of India* (2 August 2014; <http://timesofindia.indiatimes.com/city/vadodara/Cong-burns-Dinanath-Batras-books/articleshow/39458264.cms>); “Cong, BJP Spar over Burning Copies of Batra’s Books,” *The*

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*Indian Express* (3 August 2014; <http://indianexpress.com/article/cities/ahmedabad/cong-bjp-spar-over-burning-copies-of-batras-books>.)]

*See also* Bangladesh, Pakistan.

## **INDONESIA**

Previous *Annual Report* entries: 1996, 1998, 2001–2002, 2004–2013.

*See* Australia, Netherlands.

## **IRAN**

Previous *Annual Report* entries: 1996–2013.

In 2012, women were barred from 77 courses in 36 universities across the country, including archaeology.

[*Source*: Amnesty International, *Silenced, Expelled, Imprisoned: Repression of Students and Academics in Iran* (London: AI, June 2014), 24.]

On 28 October 2013, the authorities shut down the reformist daily, *Bahar*, five days after it published a controversial article thought to question the historical veracity of events involving the first Shia imam Ali (600–661 CE).

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 542.]

*See also* Argentina, China.

## **IRAQ**

Previous *Annual Report* entries: 1998, 2000–2013.

Ten years after the 2003 United States (US)-led invasion of Iraq, the United States government turned a blind eye to serial human rights abuses. Accountability for abuses committed by Coalition Forces

remained almost non-existent.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 552.]

On 28 December 2013, according to a police source, historian and Islamic scholar Bashar Awad Marouf (–2013) was killed by unknown gunmen in the New Mosul neighborhood, (West-Mosul). Marouf wrote fifteen books and various other studies. In 2008, he gave a series of lectures at the Bibliotheca Alexandrina about the following topics: “Hadith and History: A Study of Methodological Influences,” “Approaches to Manuscript Authentication: Text Editing and Commentary Writing,” “The Historiography of Baghdad,” “Shamsul-Din al-Dhahabi,” and “Education in Baghdad until the End of the Abbasid Period: Means and Methodologies.”

[Sources: Bibliotheca Alexandrina, “Dr. Bashar Awad Marouf A Resident Scholar at the BA” (6 July 2008;

[http://www.bibalex.org/News/NewsDetails\\_EN.aspx?id=2196&Keywords=&fromDD=1&fromMM=7&fromYY=2008&toDD=31&toMM=7&toYY=2008&PageSize=5&searching=&Dir=7](http://www.bibalex.org/News/NewsDetails_EN.aspx?id=2196&Keywords=&fromDD=1&fromMM=7&fromYY=2008&toDD=31&toMM=7&toYY=2008&PageSize=5&searching=&Dir=7)); Scholars at Risk, “SAR Academic Freedom Monitor Digest (December 2013–February 2014)” (24 March 2014; <http://monitoring.academicfreedom.info/reports/2013-12-28-al-imam-al-aadam-college-iraq-mosul>).]

In June 2014, the Islamic State (IS; formerly Islamic State of Iraq and Syria, ISIS) destroyed a Shia mosque near Mosul. Later it destroyed three Husseiniyas (Shia ceremonial commemoration halls) in Bashir village, Kirkuk province. Not much was known yet about the destruction of cultural heritage by the IS.

On 17 July 2014, UNESCO held a consultation with Iraqi and international cultural heritage experts and agreed on an Emergency Response Action Plan to safeguard Iraq’s cultural heritage.

[*Sources*: “Are These the Photos Being Used to Further Terrify Christian Refugees from Mosul?” (<http://conflictantiquities.wordpress.com/2014/07/23/syria-iraq-mosul-burned-syriac-catholic-cathedral-source-photographs>); “Islamic State Urbicide in Iraq: Destruction of Shia Cultural Property and State Structures in Bashir (Kirkuk)” (<http://conflictantiquities.wordpress.com/2014/07/18/syria-iraq-kirkuk-bashir-urbicide-destruction-islamic-state>); UNESCO, “Emergency Response Action Plan to Safeguard Iraqi Heritage” (17 July 2014; <http://www.unesco.org/new/en/media-services/single-view/news/-a36765f929/back/9597/#.U-ti82MqaZF>).]

*See also* China.

**IRELAND**

Previous *Annual Report* entries: 2000, 2002, 2004, 2006, 2013.

*See* United Kingdom.

**ISRAEL**

Previous *Annual Report* entries: 1996, 1998, 2000–2003, 2008–2013.

In March and June 2013, veterans of the 1973 Yom Kippur War with Egypt demanded that closed state archival material relating to the war be opened to the public. Israel's State Archives had planned to release in September 2013 classified minutes of 1973 cabinet meetings and meetings of the Ministerial Committee on National Security Affairs relating to the war on its fortieth anniversary, but the office of Prime Minister Benjamin Netanyahu said that 50 years of classification was the term provided by law and that it would not use its legal privilege to deviate from the rule because of "historical, academic or public interest." Other archives released classified material on the war in advance of the anniversary: the Israel Defense Forces and Defense Establishment Archives published the full testimony of witnesses who appeared before the Agranat Commission, which had investigated the war after it ended.

[*Sources*: Ofer Aderet, "Forty Years On: State Blocking Publication of Yom Kippur Documents," *Haaretz* (11 September 2013); Ben Caspit, "Do the Right Thing: Open All the Archives!" *Jerusalem Post* (5 October 2013); International Council on Archives Human Rights Working Group, *Newsletter of September 2013* (October 2013), 9.]

*See also* Argentina, Czech Republic, Palestinian Authority, United States, Venezuela.

**ITALY**

Previous *Annual Report* entries: 1998, 2001, 2003, 2008, 2010, 2012.

*See* Argentina.

**IVORY COAST (Côte d'Ivoire)**

Previous *Annual Report* entries: 2004, 2006–2013.

In 2013, the Alassane Ouattara government failed to deliver on its promise to render fair and impartial justice for crimes committed during the 2010–2011 post-election crisis. This crisis was the culmination of a decade of political-ethnic conflict in which security forces, rebel forces, and allied militia groups regularly committed serious crimes with complete impunity. Ivorian authorities investigated and charged more than 150 civilian and military supporters of former President (and historian) Laurent Gbagbo for their role in the post-election violence. However, they failed to charge a single member of the pro-Ouattara Republican Forces for the serious crimes they committed during the crisis. Ongoing investigations also appear one-sided. A national commission of inquiry reported in August 2012 that both sides had committed hundreds of summary executions, yet the United Nations reported that, as of July 2013, only three of the 207 investigations subsequently opened related to perpetrators from pro-Ouattara forces. Military trials against several key military leaders under Gbagbo were set to start in late November 2013. In late 2013, civilian courts had yet to begin trials for post-election crimes, meaning that most pro-Gbagbo defendants had languished in pre-trial detention for 2.5 years, violating their right to a trial within a reasonable time. Ivorian authorities did provisionally release 14 pro-Gbagbo defendants in early August 2013.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 98.]

On 30 September 2013, the International Criminal Court (ICC) unsealed an arrest warrant against Charles Blé Goudé, the youth minister under former President Laurent Gbagbo, for four counts of crimes against humanity, following the unsealing in 2012 of arrest warrants against Laurent and Simone Gbagbo. Many Ivorians grew disenchanted with the lack of progress in the investigation of crimes by pro-Ouattara forces, although the Office of the Prosecutor stressed that its investigations would ultimately target both sides.

On 15 February 2013, Cote d'Ivoire (Ivory Coast) ratified the ICC Statute, taking a positive step in the fight against impunity. In October 2013, 18 months after the ICC issued an arrest warrant against Simone Gbagbo, the Ivorian government filed an admissibility challenge contesting her transfer on the grounds that national proceedings were ongoing for substantially the same crimes. The government had yet to respond to the warrant against Blé Goudé, raising further concerns about its intent to cooperate fully with the ICC. In June 2013, the ICC's Pre-Trial Chamber asked the prosecutor to consider providing additional evidence in the case against Laurent Gbagbo, as it decided whether to confirm charges for four counts of crimes against humanity.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 98–99.]

## JAPAN

Previous *Annual Report* entries: 1995–2013.

On 1 March 2007, then Prime Minister Shinzo Abe affirmed the existence of the comfort women system but also asserted that there was no evidence for the military's role in coercing or abducting the women, thus undercutting the 1993 Kono Declaration. On 17 April 2007, a group of historians, including Yoshiaki Yoshimi (an expert who in 1992 had provided the evidence which led to the Kono Declaration), said that there was ample evidence of coercion. On 30 July 2007, the United States Congress approved a resolution demanding that the Declaration be observed. On 4 November 2012, then opposition leader Abe was among signatories to a United States newspaper advertisement which denied that the Japanese Imperial Army forced women into military sexual slavery during World War II. In February 2014, Shinzo Abe (again Prime Minister since December 2012) again raised the possibility of revising the Kono Declaration—under protest from China and South Korea.

[*Sources*: Amnesty International, *Report 2013* (London 2013), 141; *BBC News* (27 January 2014; 28 February 2014; 1 March 2014); *Index on Censorship*, 2007, no. 2, 195, 198; *Keesings historisch archief* (2007), 471–472.]

On 26 August 2013, a school board in Matsue, south-west Japan decided to prevent pupils from viewing *Hadashi no Gen* (Barefoot Gen), a ten-volume *manga* series by Keiji Nakazawa (originally appearing from 1973 to 1985), depicting and explaining crimes committed during the Pacific War (1931–1945). Copies of the series were removed from all of the school libraries. The prohibition came after a citizen complained that the series “depicted actions that were not committed by Japanese troops during the war.” The removal was also due to the series's images of graphic violence.

[*Source*: Article 19, *Artist Alert* ([https://www.ifex.org/international/2013/10/22/artist\\_alert](https://www.ifex.org/international/2013/10/22/artist_alert)) (22 October 2013).]

On 8 December 2013, the Diet passed a controversial national security law of which its overbroad definition of “national security” (including a list of 23 vaguely worded categories of information which might be declared secret on national security grounds); its provision to grant too much power to officials to classify information as secret; its provision to provide prison terms of up to ten years for those divulging and publishing state secrets; and its stipulation that secrets were embargoed for sixty years, were severely criticized. The government said that the law was intended to bolster national security, protect diplomatic efforts, and fight terrorism and espionage. Japanese academics feared that it would threaten constitutional rights, academic freedom and the public's right to know, and prevent scrutiny of controversial policy issues. One of the organizers of the protest was historian Hiroaki

Ozawa from Chiba University.

[*Sources*: Centre for Law and Democracy, “Japan; Harsh Secrecy Law Fails to Respect International Standards” (5 December 2013); International Council on Archives Human Rights Working Group, *News of November 2013*, 9, 13–14 (“Emergency Statement by the Records Management Society of Japan concerning the Contentious State Secrets Bill Proposed for the National Diet of Japan: From the Perspective of Archives Management Rules and Human Rights”); *NRC Handelsblad* (26 November 2013), 13; “Over Scientists’ Objections, Japan Set to Adopt State Secrets Law,” *Science* (6 December 2013).]

*See also* Australia, China.

## **JORDAN**

Previous *Annual Report* entries: 2003–2004.

**KAZAKHSTAN**

Previous *Annual Report* entries: 1997, 1999–2001, 2007, 2012.

**KENYA**

Previous *Annual Report* entries: 1999–2000, 2002–2005, 2007, 2009–2013.

President Uhuru Kenyatta, his deputy William Ruto, and former radio journalist Joshua arap Sang faced charges of crimes against humanity at the International Criminal Court (ICC) for their alleged roles in the 2007–2008 post-election violence. Ruto and Sang’s trial began in September 2013, while Kenyatta’s trial was expected to start in February 2014. Kenya pledged to continue cooperating with the ICC, but since the March 2013 elections, the new government had actively campaigned at the United Nations and the African Union to have the cases dropped, deferred, or referred to a local justice mechanism. In September 2013, the National Assembly and the Senate approved a motion calling on the Kenyan government to withdraw from the Rome Statute, the treaty establishing the ICC, which Kenya signed in 2005. The government took no steps to act on that motion, and any prospective withdrawal from the Rome Statute would not affect the ongoing cases at the ICC. The ICC intervened in 2010 and summoned six people alleged to bear the greatest responsibility after parliament defeated a bill that would have established a domestic tribunal to try those responsible for the violence in 2007–2008. In 2012, a committee appointed by the director of public prosecutions said there was insufficient evidence in the 5,000 files it had reviewed, to proceed with criminal prosecutions. In 2012, the chief justice announced plans to set up an International Crimes Division to deal with post-election violence and other related cases in the future, but the Judicial Service Commission was still assessing the modalities of setting up the division. The ICC cases in Kenya were marred by withdrawals of prosecution witnesses, allegedly because of bribery and intimidation; the defendants also alleged evidence tampering or intimidation of witnesses. The ICC prosecutor described the level of witness tampering in the Kenyan cases as “unprecedented.”

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 129–130.]

On 21 May 2013, the official Truth, Justice and Reconciliation Commission (TJRC) released its four-volume report. It said that during the period it was mandated to investigate—from independence on 12 December 1963 until February 2008—the state adopted policies that resulted in the economic marginalization of five key regions in Kenya. It also confirmed the finding of a 2008 government commission that had said that historical injustices such as unequal land distribution were partly

responsible for the 2007–2008 post-election violence. Kenyan media reported that the TJRC had been under pressure from individuals in and out of government to edit out sections of the report implicating certain people on illegal land allocations. The international commissioners working for the TJRC allegedly said that the Office of the President forced the TJRC to submit to it an advance copy of the final report and then exerted pressure to make changes in the report's chapter on historical land injustices. University of Seattle Professor Ronald Slye, one of them, did not sign the chapter because he did not approve of the changes. Judge Gertrude Chawatama from Zambia, another international commissioner, also did not sign the chapter on land.

[*Sources*: International Council on Archives Human Rights Working Group, *News of June 2013*, 8; Tom Odula, "Kenya's Truth Report: Killings, Land Grabs, Graft" (Associated Press; 22 May 2013).]

## **KOREA, NORTH**

Previous *Annual Report* entries: 2001, 2006–2007, 2009–2011, 2013.

On 7 December 2013, North Korean state television removed images of Jang Song-thaek (1946–2013)— a powerful uncle, Politburo member and key aide to Kim Jong-un, North Korea's leader since December 2011— by adjusted focus and framing from a documentary about Kim, *The Great Comrade*, following Jang's dismissal on 3 December 2013. Despite his family ties to the leadership and senior status, Jang had been targeted by purges in the past: he had disappeared from public view in 2004 but two years later he had been reinstated. On 9 December 2013, Jang was arrested and on 12 December, summarily tried, found guilty of treason and executed. In the days before and after his execution, his image and name, as well as those of his wife (Kim Il-sung's daughter), were massively erased from photographs, footage, newspapers, press releases, and over 35,000 online articles. In addition to these original Korean language articles, translations into English, Spanish, Chinese and Japanese were also deleted from the archives, bringing the total to nearly 100,000 missing articles. Furthermore, 20,000 articles had been removed from the archives of *Rodong Sinmun*, North Korea's state newspaper. North Korean media web portal *Naenara* had reportedly deleted the digital archives of its monthly and quarterly Foreign Language Publishing house materials on previous occasions.

[*Sources*: *BBC News* (7 December 2013); Chad O'Carroll, "In 1984 Moment, N. Korea Deletes Near Entirety of News Archives (<http://www.nknews.org/2013/12/in-1984-moment-n-korea-deletes-near-entirety-of-news-archives>; 16 December 2013); Human Rights Council, *Report of the Detailed Findings of the Commission of Inquiry on Human Rights in the Democratic People's Republic of Korea* (A/HRC/25/CRP.1; 7 February 2014), paragraph 212; "KCNA Deleted, then Restored Old Reports on Jang" (11 December 2013; <http://www.northkoreatech.org/2013/12/11/kcna-deleted-then->

restored-old-reports-on-jang/); Sybil Jones (*Index on Censorship*), “North Korea Is Deleting History” (17 December 2013); Sybil Jones, “Real-Time News Slips out of North Korea,” *Index on Censorship*, 43 no. 2 (Summer 2014), 154; *NRC Handelsblad* (14–15 December 2013), 22–23.]

## **KOREA, SOUTH**

Previous *Annual Report* entries: 1995, 1998–2001, 2003, 2006, 2008–2010, 2012–2013.

*See* Japan.

## **KOSOVO**

*See* Serbia / Kosovo.

## **KUWAIT**

Previous *Annual Report* entries: 1999–2000, 2004–2005.

## **KYRGYZSTAN**

Previous *Annual Report* entries: 2010–2013.

**LATVIA**

Previous *Annual Report* entries: 1998, 2006, 2008.

**LEBANON**

Previous *Annual Report* entries: 2000–2003, 2006–2013.

In February 2012, the United Nations Special Tribunal for Lebanon announced that the *in absentia* trial of four indicted members of Hezbollah for the killing of former Prime Minister Rafik Hariri in 2005, would go forward. The trial was tentatively scheduled to begin on 13 January 2014.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 576.]

In October 2012, Justice Minister Shakib Qortbawi put forward a draft decree to the cabinet to establish a national commission to investigate the fate of Lebanese and other nationals who “disappeared” during and after the Lebanese civil war (1975–1990). The cabinet formed a ministerial committee to examine the draft, but no action was taken. In September 2013, a criminal case brought by Najat Hashisho against three members of the Lebanese Forces militia for “disappearing” her husband over 30 years ago was dismissed for lack of evidence. Hashisho and her attorney argued that there was significant evidence against the accused and planned to appeal the decision.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 576.]

On 3 January 2014, the Al-Saeh library, belonging to Greek Orthodox priest Ibrahim Sarrrouj and containing about 80,000 books and ancient manuscripts, was set ablaze by Islamists in Tripoli after the discovery of a pamphlet inside one of its books deemed insulting to Islam and the Prophet Mohammed. Two-thirds of the texts were destroyed. The next day, hundreds of local Muslims staged a demonstration against the act of arson.

[Sources: Jessica Elgot, “Lebanon Library Torched, 78,000 Books Burned By Islamists,” *The Huffington Post* (5 January 2014); “Religion, Libraries and War: The Acrid Smell of Burning Books,” *The Economist* (6 January 2014).]

## **LIBERIA**

Previous *Annual Report* entries: 2000–2001, 2004–2013.

In 2013, the government made some progress in implementing the recommendations the Truth and Reconciliation Commission had made since 2009. In June 2013, it released a plan for promoting national peacebuilding and reconciliation, and in October launched the National Palava Hut Program, envisioned to foster reconciliation through community and grassroots dialogue. The plan advocated for reparations, but ignored the commission's call for prosecutions of those responsible for war crimes committed during the armed conflict (1979–2003), for which there had still been no accountability.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 137.]

## **LIBYA**

Previous *Annual Report* entries: 2003, 2005–2013.

Some members of the General National Congress, Libya's first elected parliament, were removed due to a sweeping lustration law that banned from office persons who had held any office in the Muammar Gaddafi era (1969–2011). The interim government failed to demobilize militias or merge fighters who fought against Gaddafi's forces in the 2011 uprising into government forces with proper vetting procedures.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 577.]

At the end of 2013, the General National Congress had yet to pass the draft transitional justice law, which called for a commission to investigate abuses, refer perpetrators for prosecution, and compensate victims directly. It would cover abuses committed during the Gaddafi era (1969–2011) and during the transitional phase following the 2011 uprising.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 580.]

At the end of 2013, the general prosecutor had not concluded an investigation into the killing of Muammar Gaddafi (1942–2011) and his supporters in October 2011. On 19 September 2013, Libyan authorities started the pre-trial stage of domestic proceedings against one of Gaddafi's sons, Saif al-Islam Gaddafi, his intelligence chief, Abdullah Sanussi, and 36 other senior Gaddafi-era officials. They faced charges of murder, torture and indiscriminate killings committed during the 2011 uprising. The trials of these former officials were expected to start in December 2013.

Saif al-Islam Gaddafi and Abdullah Sanussi, who were also wanted by the International Criminal Court (ICC) for crimes against humanity, remained in Libyan custody, without access to lawyers. Libya filed a legal bid at the ICC to prosecute Gaddafi domestically in May 2012, and was told it could postpone surrendering him to the court until the ICC made its decision. In May 2013, the ICC judges rejected Libya's bid and reminded the Libyan authorities of their obligation to surrender him. Libya appealed the decision. On 11 October 2013, the ICC ruled Sanussi's case inadmissible thereby granting Libya the right to try him domestically. Sanussi's lawyers at the ICC appealed that decision. At the end of 2013, the ICC had yet to rule on the appeal.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 580–581.]

On 5 February 2014, the General National Congress amended Gaddafi-era article 195 of the penal code. Article 195 said: “Any person making what could be regarded as an attack on the Great Al-Fateh Revolution [of 1 September 1969] or its leader is liable to be punished with imprisonment. [...]” The penalty was three to fifteen years. It was changed into “[A]ny person stating something that is detrimental to the 17 February Revolution [of 2011] is liable to be punished with imprisonment [...]”

[See also *NCH Annual Report 2013*.]

[Source: Reporters without Borders, “Free Expression in New Libya Approached with Same Draconian Gaddafi-era Law” (19 February 2014).]

## LITHUANIA

Previous *Annual Report* entries: 2005, 2009.

See Belarus.

## MACEDONIA

Previous *Annual Report* entries: 1999, 2006–2008, 2010–2013.

On 31 July, Parliament elected a new Lustration Commission team. The old team had been criticized by the opposition for allegedly blacklisting suspected Communist-era collaborators for political reasons. Five members of the old team kept their positions, including lawyer Tome Adziev as the commission chairman. Among the six new members was historian Sasko Janev. Ever since the commission started work in 2009, it has been marred by controversy. The opposition argued that it has been misused to target government critics and in December 2012, it removed two of its members from the commission in protest. Parliament passed a first lustration law in 2008 and a second one in 2012 after the constitutional court scrapped many key provisions from the original legislation, narrowing its time span and the range of professions to be subjected to checks.

[*Source*: Sinisa Jakov Marusic, “New Macedonia Lustration Commission Resumes Collaborator Probe,” *Balkan Insight* (1 August 2104; [http://www.balkaninsight.com/en/article/old-head-to-lead-macedonia-s-lustration-commission?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=414d537400-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_561b9a25c3-414d537400-311109073](http://www.balkaninsight.com/en/article/old-head-to-lead-macedonia-s-lustration-commission?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=414d537400-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-414d537400-311109073)).]

## MALAYSIA

Previous *Annual Report* entries: 1996, 2002, 2007–2008, 2010–2011.

## MALAWI

Previous *Annual Report* entries: 2011–2012.

## MALDIVES

Previous *Annual Report* entries: 2002–2004, 2006, 2009–2010, 2013.

**MALI**

Previous *Annual Report* entries: 2011, 2013.

War crimes and other serious abuses were committed by all sides during Mali's recent armed conflict (2012–2013). These abuses included, among others, the destruction of religious and cultural shrines by armed Islamist groups [See *NCH Annual Report 2013*]. In July 2012, the government, a state party to the International Criminal Court (ICC), referred “the situation in Mali since January 2012” to the ICC prosecutor for investigation. On 16 January 2013, the ICC prosecutor formally opened an investigation into grave crimes allegedly committed in the northern three regions. At the end of 2013, no arrest warrants had been issued. The government and military high command gave mixed signals regarding abuses by Malian soldiers, at times flatly denying violations and at others promising to hold alleged perpetrators to account. While the authorities investigated a few incidents, numerous others had not been investigated, and no soldiers implicated in recent abuses had been put on trial.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 145.]

In March 2013, the interim government established the Commission for Dialogue and Reconciliation, but its efficacy was undermined by an unclear mandate and the hasty appointment of commissioners. In addition, the interim government failed to consult sufficiently with a wide variety of stakeholders. Because its mandate and powers appear limited to promoting reconciliation, some Malians pushed for a commission that could address impunity for abuses and recommend individuals for prosecution.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 146.]

**MALTA**

Previous *Annual Report* entries: 2012.

**MARSHALL ISLANDS**

Previous *Annual Report* entries: 2013.

## MAURITANIA

Previous *Annual Report* entries: 2001–2002, 2009, 2011.

## MAURITIUS

Previous *Annual Report* entries: 2012.

## MEXICO

Previous *Annual Report* entries: 1997, 1999, 2001–2013.

On 2 July 2013, (Óscar) Samuel Malpica Uribe ([1955]–2013), social anthropologist and historian, researcher at the Department of Historical Research into the Workers' Movement (DIHMO) of the Benemérita Universidad Autónoma de Puebla (BUAP; Distinguished Autonomous University of Puebla), and leftist activist, was shot dead by unidentified gunmen. He was a former rector of the BUAP (1987–1989). Investigators looked at a number of possible motives, including allegations made by Malpica about the existence of a corruption network at the BUAP. On 13 June 2013, he had filed an official request with the state comptroller's office for an investigation into the alleged irregularities. According to his widow, he was planning to stage a hunger strike to press for an investigation of the BUAP.

As the founder of the Ecomuseo de Metepec (ECUML) in Atlixco—in which the workers' patrimony of a textile factory was preserved—he received the National Prize Francisco de la Maza of the Instituto Nacional de Antropología e Historia (INAH) [Francisco de la Maza (1913–1972) was a Mexican historian of colonial art]. Malpica also investigated the astronomy and culture of the Mayas. He was unsuccessful in his attempt to become Puebla's mayor in 2008 for the Workers' Party and Party of the Democratic Revolution (PRD). In 1989, Malpica had been removed as rector, arrested on fraud charges in 1990 and in 1992–1993 imprisoned for one year during the administration of Governor Mariano Piña Olaya of the Institutional Revolutionary Party (PRI), but not convicted. He declared that he had been a political prisoner.

[*Sources*: “La Benemérita Universidad Autónoma de Puebla lamenta la muerte del ex Rector Samuel Malpica Uribe” (3 July 2013);

[http://www.buap.mx/portal\\_pprd/wb/comunic/la\\_benemerita\\_universidad\\_autonoma\\_de\\_puebla\\_lamen](http://www.buap.mx/portal_pprd/wb/comunic/la_benemerita_universidad_autonoma_de_puebla_lamen)); “Former University President Murdered in Mexico,” *Latin American Herald Tribune*

(<http://www.laht.com/>; EFE, 3 July 2013).]

*See also* United States.

## **MOLDOVA**

Previous *Annual Report* entries: 1999, 2003, 2010.

## **MONGOLIA**

Previous *Annual Report* entries: 2007, 2013.

## **MONTENEGRO**

Previous *Annual Report* entries: 2008–2009, 2011–2013.

## **MOROCCO / WESTERN SAHARA**

Previous *Annual Report* entries: 2000–2013.

## **MYANMAR (BURMA)**

Previous *Annual Report* entries: 1997–2001, 2003, 2005–2006, 2008–2013.

The Law on Peaceful Assembly and Peaceful Processions was applied haphazardly in 2013, with the authorities permitting some demonstrations and denying permission for others. They permitted a major gathering on 8 August 2013 to commemorate the 25th anniversary of the 1988 democratic uprising. After the 1988 military coup, cultural, historical, economic, or religious studies of ethnic minorities had been suppressed. Any discussion of the pro-democracy rebellion or the coup had been banned until 2013.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 308, 310.]

**NAMIBIA**

Previous *Annual Report* entries: 1995, 2006–2009, 2011.

**NEPAL**

Previous *Annual Report* entries: 2007–2013.

Instead of taking steps to ensure the prosecution of those responsible for the worst crimes committed during the country's civil war (1996–2006)—during which at least 13,000 people were killed and over 1,300 subjected to enforced disappearance—the cabinet pushed an ordinance that could lead to an amnesty for the perpetrators. Nepal's Truth, Reconciliation and Disappearance Ordinance, signed into law by President Ram Baran Yadav in March 2013, called for a high-level commission to investigate serious conflict-related violations. The law did not define which crimes were eligible for amnesty and which were excluded, giving commissioners potentially wide discretion to make determinations. As a result, some perpetrators of torture, war crimes, and crimes against humanity could win amnesties in contravention of international law. The high-level commission had yet to be formed, and in April the Supreme Court suspended the ordinance pending further review. About the amnesties, United Nations High Commissioner for Human Rights Navi Pillay said: "Such amnesties would not only violate core principles under international law but would also weaken the foundation for a genuine and lasting peace in Nepal."

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 356–357, 359–360.]

**NETHERLANDS**

Previous *Annual Report* entries: 1995, 2004–2005, 2007–2013.

On 18 October 2013, the Court in Amsterdam ordered cultural anthropologist and management consultant Martijn van Oorschot not to publish his manuscript which was commissioned by the Nederlandse Loodscorporatie (NLC; Dutch Pilots' Corporation). The manuscript contained a history of the years between the privatization of the NLC in 1988 and 2013. The court ruled that the oral agreement between van Oorschot and the maritime pilots gave the latter the copyright. The conflict began when van Oorschot submitted the manuscript and NLC chairman Eric van Dijk had the text substantially edited in July 2013, especially the places where twenty interviewees were quoted.

Van Oorschot refused to change his text, and when Van Dijk annulled the agreement and ordered Van Oorschot to destroy his source materials, Van Oorschot refused and expressed his intention to publish the manuscript himself. Subsequently, the NLC chairman and interviewees sued Van Oorschot in summary proceedings. Sensitive passages of the manuscript reportedly included the post-1988 period in which retirement age and pension schemes were at stake and a later period in which computerized distant pilotage was discussed. Van Oorschot, who had already written a book chapter containing a history of the maritime pilots in 2004, appealed the decision.

[*Sources*: Martijn van Oorschot, personal communication (February 2014); *NRC Handelsblad* (7, 11, 21 October 2013); Rechtbank Amsterdam, *Nederlandse Loodsencorporatie versus Martijn van Oorschot* (<http://www.concernedhistorians.org/le/310.pdf>; 18 October 2013).]

On 19 November 2013, *NRC Handelsblad* newspaper reported that archives of the military information services MARVO and MARNSVO documenting crimes committed by the Dutch military in Indonesia during the independence war of 1945–1949 had been destroyed or hidden. The archive of the military information service DLC had been heavily censored.

[*Source*: *NRC Handelsblad* (19 November 2013), 11.]

On 30 November 2013, the *Volkskrant* newspaper published classified documents showing that the the violent end to a 20-days' train hijack by South Moluccan activists in 1977 ended in the execution of six of the hijackers, disproving the official version that the aim had not been to kill the latter. Nine armed Moluccans had taken over a train close to De Punt in Drenthe in an effort to force the Dutch government to recognize an independent South Maluku, as it had promised during the Indonesian independence talks in the late 1940s. The official documents on the ending of the siege were sealed until 2053. Two hostages were also killed during the siege.

[*Sources*: “MPs Want Answers on Moluccan Train Siege Ending in 1977”

([http://www.dutchnews.nl/news/archives/2013/12/mps\\_want\\_answers\\_on\\_moluccan\\_t.php](http://www.dutchnews.nl/news/archives/2013/12/mps_want_answers_on_moluccan_t.php); 2

December 2013); M. Nadeem, “MPs Question ‘Rain of Bullets’ on Moluccan Train in 1977”

(<http://www.nltimes.nl/2013/12/04/mps-question-rain-bullets-moluccan-train-1977>; 4 December 2013).]

On 7 February 2014, the *Volkskrant* newspaper sued De Nederlandsche Bank (DNB; the central bank of the Netherlands) with the purpose to disclose a secret two-volume internal DNB history about the sale and nationalization of ABN Amro bank in 2007–2008. Written by DNB historian Corry van Renselaar and consisting mainly of the discussions among DNB direction members, the text was intended to be published under the title *Bank in brokken* (Bank into pieces) but it never appeared. In March 2012 the *Volkskrant* had become aware of the history and in April 2012 filed a Wet

Openbaarheid Bestuur (WOB; Freedom of Information Act) request, but DNB had rejected it with the argument that the WOB was not applicable to it.

[*Source*: Robert Giebels & Gijs Herderscheë, “De Volkskrant daagt DNB voor de rechter om informatie verkoop ABN,” *Volkskrant* (7 February 2014).]

On 30 July 2014, the Raad van State (Council of State) ruled in a case confronting a biographer from Nijmegen (name unknown) and the Ministry of the Interior and Kingdom Relations regarding access to internal security files about the failed coup against Indonesian President Sukarno on 23 January 1950. The biographer was writing a work about Raymond Westerling (1919–1987), a Dutch military officer of the KNIL (Royal Netherlands East Indies Army) who had organized the failed coup. After a first request from the biographer for data about the coup, the minister made accessible a file of 11 redacted pages. The biographer complained that it was implausible that such an important historical event had yielded only one modest file. He argued that, according to Dirk Engelen’s book about the history of the Internal Security Service BVD, Westerling’s file alone consisted of 12 volumes and that, according to reports of the Military Police and to a secret Exterior Ministry note, members of the Dutch army command had been involved in the attempt. In November 2012, the Minister rejected the complaint, a decision confirmed by the Court in The Hague in October 2013. On higher appeal, however, the Council of State ruled that the minister had not searched the relevant BVD archives in their entirety, having used only the key-terms “coup against Sukarno in 1950” and excluded personal files such as Westerling’s. It ordered a new search.

[*Source*: Raad van State, *X versus* Ministry of the Interior and Kingdom Relations (2014; <http://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RVS:2014:2866>; <http://www.concernedhistorians.org/le/355.pdf>).]

*See also* Bosnia and Herzegovina, Saint Vincent, Rwanda.

## **NEW ZEALAND**

Previous *Annual Report* entries: 1997, 2003, 2005, 2007.

## **NICARAGUA**

Previous *Annual Report* entries: 1998.

**NIGER**

Previous *Annual Report* entries: 2009, 2013.

**NIGERIA**

Previous *Annual Report* entries: 2000–2006, 2008, 2010–2013.

**NORWAY**

Previous *Annual Report* entries: 2009, 2012.

*See* Rwanda.

**OMAN**

Previous *Annual Report* entries: 2010.

## PAKISTAN

Previous *Annual Report* entries: 1998, 2001, 2004, 2006, 2009–2012.

On 28 March 2014, journalist and human-rights defender Raza Rumi was the victim of an assassination attempt while driving home after completing his weekly television program in Lahore. His driver was killed and his security guard left paralyzed. Lahore police ordered Rumi to hide. They arrested six men for the attack, saying that Lashkar-e-Jhangvi—an anti-Shia Muslim armed group that claimed responsibility for hundreds of killings across Pakistan—was responsible. Rumi had frequently received threatening messages on Twitter and Facebook because of his work; his name was on several hit-lists. He declared that the reasons for the attempt on his life were his views on minority rights; his book *Delhi by Heart: Impressions of a Pakistani Traveller* (2013), his demand to include the 11 August 1947 speech by *Quaid* Ali Jinnah (1876–1948), Pakistan’s first governor-general, in the Constitution; and his plea for rational engagement with the West and the outside world. The 2013 book—on the shared history of India and Pakistan—dealt with how ancient and medieval Delhi led to the evolution of the north Indian cuisine, music, Urdu language and other expressions of everyday life.

[*Sources*: Amnesty International, “*A Bullet Has Been Chosen For You*”: *Attacks On Journalists In Pakistan* (London 2014), 7–8, 35, 39–40; Hassan Naqvi, “Delhi by Heart: Writing ‘Home’” (7 July 2013; <http://tribune.com.pk/story/571876/delhi-by-heart-writing-home>); Raza Rumi, “Escaping Death in the Land of the Pure,” *The Express Tribune* (29 March 2014; <http://tribune.com.pk/story/688869/escaping-death-in-the-land-of-the-pure/>).

*See also* Bangladesh.

## PALESTINIAN AUTHORITY

Previous *Annual Report* entries: 1996, 1998–2002, 2008–2010, 2013.

In November 2013, Brandeis and Syracuse Universities in the United States suspended their ties with Al-Quds University after a protest on 5 November 2013 on the campus in which demonstrators used the traditional Nazi salute and honored “martyred” suicide bombers. The suspension came although university president Sari Nusseibeh repeatedly denounced the protest.

[*Source*: Elizabeth Redden, “Syracuse to Cut Ties with Al-Quds, Bard to Keep Partnership,” *Inside HigherEd* (25 November 2013).]

In [March] 2014, Mohammed S. Dajani (1946–), political scientist, library director and founder of the American studies program at al-Quds University in East Jerusalem, took 27 Palestinian college students to visit the Auschwitz concentration camp in Poland as part of a project designed to teach empathy and tolerance and funded by the German Research Foundation. While the Palestinian students were visiting Auschwitz, a parallel group of Jewish Israeli students from Ben-Gurion University of the Negev, Beer-Sheva, and Tel Aviv University went to Bethlehem to hear Palestinians from the Dheisheh refugee camp tell their story. The responses of both groups of students—Israelis and Palestinians—would then be analyzed.

Following media reports about the trip, online commentators in April branded Dajani a traitor, reproached him to teach the Holocaust rather than the Nakba (the latter meaning “catastrophe”; the term used by Palestinians to describe the expulsion of hundreds of thousands of Palestinians from Israel in 1948) and urged him not to return to the university. The online version of an article about the trip published in the major Palestinian newspaper *al-Quds* was taken down by the publishers, reportedly because it was heavily attacked in the comments section. On 18 May 2014, following weeks of pressure, death threats and campus riots, Dajani resigned. He said that he had hoped the university would reject his resignation and, in so doing, support academic freedom. Instead, his resignation was accepted. The university issued a statement saying that Dajani and the students had made the trip in a “personal capacity.”

In the past, Dajani had been trained as a guerrilla with the Palestine Liberation Organization and banned from Israel for 25 years (until 1993) because of his role as head of Fatah’s English-language propaganda arm. In 2007, he had founded Wasatia (“moderation” in Arabic), a group promoting the Muslim tradition of compromise and non-violence.

[*Sources:* William Booth, “Palestinian University Students’ Trip to Auschwitz Causes Uproar,” *Washington Post* (13 April 2014; [http://www.washingtonpost.com/world/middle\\_east/palestinian-university-students-trip-to-auschwitz-causes-uproar/2014/04/12/c162ba42-c27d-11e3-9ee7-02c1e10a03f0\\_story.html](http://www.washingtonpost.com/world/middle_east/palestinian-university-students-trip-to-auschwitz-causes-uproar/2014/04/12/c162ba42-c27d-11e3-9ee7-02c1e10a03f0_story.html)); Inna Lazareva, “Palestinian Professor Resigns over Students’ Trip to Auschwitz,” *Telegraph* (10 June 2014; <http://www.telegraph.co.uk/news/worldnews/middleeast/palestinianauthority/10885313/Palestinian-professor-resigns-over-students-trip-to-Auschwitz.html>); “Mohammed S. Dajani,” *Scholars at Risk Academic Freedom Monitor Digest* (March-May 2014) (<http://monitoring.academicfreedom.info/reports/2014-04-10-al-quds-university>); Matthew Kalman, “Palestinian Teaches Tolerance via Holocaust,” *New York Times* (20 April 2014; [http://www.nytimes.com/2014/04/21/world/middleeast/palestinian-teaches-tolerance-via-holocaust.html?\\_r=0](http://www.nytimes.com/2014/04/21/world/middleeast/palestinian-teaches-tolerance-via-holocaust.html?_r=0)); Yifa Yaakov, “Palestinian Lecturer Who Led Auschwitz Trip Quits after Backlash,” *Times of Israel* (8 June 2014;

[auschwitz-trip-quits-after-backlash/#ixzz34Pz6kMKq](#).]

*See also* United States, Venezuela.

## **PANAMA**

Previous *Annual Report* entries: 2003, 2008, 2013.

## **PAPUA NEW GUINEA**

Previous *Annual Report* entries: —.

*See* Australia.

## **PARAGUAY**

Previous *Annual Report* entries: 2002–2005, 2007, 2009–2010, 2012.

## **PERU**

Previous *Annual Report* entries: 2001–2013.

Peru's Truth and Reconciliation Commission estimated that almost 70,000 people died or were subject to enforced disappearance during the armed conflict (1980–2000). Many were victims of atrocities by the Shining Path and other insurgent groups; others were victims of human rights violations by state agents. Former President Alberto Fujimori was sentenced in 2009 to 25 years in prison for killings and “disappearances” in 1991 and 1992. His intelligence advisor, Vladimiro Montesinos, three former army generals, and members of the Colina Group, a government death squad, were also serving sentences ranging from 15 to 25 years for the assassination in 1991 of 15 people in the Lima district of Barrios Altos, and for six enforced disappearances.

In June 2013, President Ollanta Humala rejected a petition to grant Fujimori a presidential pardon requested by his family on grounds of ill-health. Media reports indicated that a commission on

presidential pardons had determined that Fujimori was not suffering from a terminal or degenerative illness or grave psychological problems. Judicial investigations into other cases were subject to long delays and resulted in few convictions. In a report issued in August 2013 to mark the tenth anniversary of the Truth and Reconciliation Commission's report, the human rights ombudsman found that, despite initial efforts, Peru had failed to implement a specialized judicial system with sufficient staff and resources to bring most cases to court. According to the ombudsman, as of April 2013, 113 of the 194 cases it monitored had been closed or were in the early stages of investigation, and only 32 had resulted in a sentence.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 273–274.]

In June 2013, the Constitutional Court held that a 1986 massacre in El Frontón prison during the first administration of former President Alan García, in which at least 130 inmates were killed, was subject to a statute of limitations since it did not constitute a crime against humanity. The court's opinion disregarded a 2000 ruling of the Inter-American Court of Human Rights in the case of Durand and Ugarte, which ordered Peru to investigate these events and hold those responsible accountable. In September 2013, the Ministry of Justice asked the Constitutional Court to correct the ruling on the grounds that a majority of the judges had rejected the petitioners' argument that the opening of trial proceedings in the El Frontón case was unconstitutional, and that the court had not been asked to rule on whether the crimes committed were crimes against humanity. As of October 2013, the court had not responded.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 274.]

## **PHILIPPINES**

Previous *Annual Report* entries: 2011–2013.

In 2014, sustained efforts were underway to collect records documenting human rights violations during the martial law years (1972–1986) in order to enable victims to file reparation claims.

[Source: Mike Frialde, "CHR putting together 'Martial Law Files'," *The Philippine Star* (1 February 2014; <http://www.philstar.com/headlines/2014/02/01/1285324/chr-putting-together-martial-law-files> <http://newsinfo.inquirer.net/579055/how-much-is-suffering-under-marcos-worth>).]

## POLAND

Previous *Annual Report* entries: 1995–1998, 2000–2001, 2004–2005, 2007–2011.

The actors of the 2012 film *Pokłosie* (The Aftermath), directed by Władysław Pasikowski, were insulted and received death threats because the film supposedly defamed Poland. It showed two brothers returning to their village and trying to break the silence about a wartime pogrom; it was inspired by Jan Tomasz Gross's book *Neighbors* (2001), concerning a pogrom in which at least 340 Jews were killed by Polish villagers in Jedwabne in July 1941. The movie was praised but also widely criticized by nationalists and banned in some towns.

[*Sources: NRC Handelsblad* (26 March 2014), C2 and (21 May 2014), C4; *Wikipedia* (27 March 2014).]

On 14 October 2013, a statue made by Jerzy Szumczyk, a fifth-year student at the Academy of Fine Arts, was removed in Gdansk. Entitled *Komm Frau* (Come Here, Woman), the statue was illegally installed on 12 October 2013 and represented a Soviet soldier raping a pregnant German woman. Szumczyk was detained and released after questioning. Historians estimated that over one million German women were raped by Soviet soldiers in 1944–1945. A Red Army War Memorial in Berlin became known as the “tomb of the unknown rapist.”

[*Sources: Tara Brady, “Polish Town Tears Down Statue Marking the Rape of Millions of German Women by Russian Soldiers,” Daily Mail* (14 October 2013); “Red Army Rape Statue Removed in Gdansk,” *News from Poland* (<http://www.thenews.pl/1/9/Artykul/149969,Red-Army-rape-statue-removed-in-Gdansk>; 14 October 2013).]

*See also* Palestinian Authority, Russia.

## **QATAR**

Previous *Annual Report* entries: 2010.

## ROMANIA

Previous *Annual Report* entries: 1996, 1998, 2000, 2003, 2005, 2007–2008, 2010.

## RUSSIA

Previous *Annual Report* entries: 1996–1998, 2001, 2004–2006, 2008–2013.

According to a study conducted by Anti-Plagiarism, one of Russia's leading analytical agencies in the field of intellectual property, one out of every ten theses on history defended in Russia involved plagiarism.

[Source: Eugene Vorotnikov, "Government to Combat Plagiarism and Illegal Degrees," *University World News Global Edition*, Issue 309; (24 February 2014); <http://www.universityworldnews.com/article.php?story=20140224162330475>).

Over several years, there had been a campaign of criminal persecution against people who read or distributed the works of Said Nursi. Nursi (1868–1960) was a Muslim Kurdish scholar, Sufi teacher and political leader. [See also *NCH Annual Report 2012*, under Turkey.]

[Source: *Index on Censorship*, 2013, no. 4, 39.]

In July 2013, the City Court in Dzerzhinsk rejected the petition filed by the local prosecutor's office to ban a 1,200-page book written by Stanislav Dmitrievsky, an archaeologist and writer, Oksana Chelysheva and Bogdan Guareli, and entitled *International Tribunal for Chechnya: Prospects of Bringing to Justice Individuals Suspected of War Crimes and Crimes Against Humanity during the Armed Conflict in the Chechen Republic* (2009) under the anti-extremism legislation. In October 2013, an appeals court upheld this decision. [See also *NCH Annual Report 2013*.]

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 473.]

On 25 August 2013, when ten Moscovites wanted to repeat a demonstration on the Red Square in Moscow held on 25 August 1968 by eight dissidents against the Warsaw Pact invasion of Czechoslovakia, they were arrested and held for a few hours. Now as then, the demonstrators carried a banner with the slogan "For your and our liberty." Former dissident Natalya Gorbanevskaya (1936–2013), a poet, participated in both demonstrations. She died a few months later.

[Source: *NRC Handelsblad* (27 August 2013), 9; (9 December 2013), 12.]

On 21 October 2013, the Grand Chamber of the European Court of Human Rights reduced the scope of an earlier 2012 judgment on the 1940 Katyń massacre [See *NCH Annual Report 2012*]. It found, first, that the court was indeed not competent to examine the adequacy of an investigation into the events. In order to establish whether a “genuine connection” between the deaths of the victims in 1940 and the ratification, 58 years later, of the European Convention of Human Rights by Russia was possible, that connection had to be determined by two criteria: the period of time between the event and the entry into force of the Convention had to be reasonably short and not exceeding in any event ten years, and a major part of the investigation ought to have been carried out after the entry into force. In applying these criteria, it determined that the period between 1940 (the time of the events) and May 1998 (the time the Convention entered into force in Russia) was too long for a “genuine connection” to be established between both. In particular, Russia had undertaken real investigative steps in the early 1990s but not after May 1998 and the investigation itself was only formally terminated in 2004. No relevant piece of evidence had come to light since 1998. There were no elements capable of providing a bridge from the distant past into the recent post-1998 period. Accordingly, the Court had no temporal jurisdiction to examine the complaint.

Secondly, the Court’s jurisdiction only extended to the period starting in May 1998: by then, the death of the Polish prisoners of war had become established as a historical fact and no lingering uncertainty as to their fate—which might have given rise to a breach of article 3 (prohibition of inhuman treatment)—had remained. What could initially have been a “disappearance” case had to be considered a “confirmed death” case.

The Grand Chamber also underlined, third, that under article 38 (obligation to furnish necessary facilities for examination of the case) Russia was obliged to comply with its requests for evidence and found that, in refusing to submit the key procedural decision of September 2004 which remained classified, Russia had failed to do so. The Russian courts had not scrutinized the assertion that that material had to be kept secret more than 70 years after the events. They had not addressed the argument of the NGO Memorial that the decision brought to an end the investigation into a mass murder of unarmed prisoners. Finally, they had not performed a balancing exercise between the alleged need to protect the information held by the Federal Security Bureau (FSB; successor to the NKVD and KGB) and the public interest in a transparent investigation into the crimes of the previous totalitarian regime. The Grand Chamber was unable to accept that the submission of a copy of the September 2004 decision could have affected Russia’s national security.

[Sources: *BBC News* (21 October 2013); European Court of Human Rights, *Janowiec and Others versus Russia: Judgment* (<http://www.concernedhistorians.org/le/259.pdf>; 2102); European Court of Human Rights (Grand Chamber), *Judgment* (<http://www.concernedhistorians.org/le/312.pdf>.)]

In December 2013, a court in Saint Petersburg ruled that the International Society Memorial’s local

anti-discrimination division—which assisted victims of discrimination and xenophobia—had to register as a foreign agent. Memorial intended to appeal the ruling. [See also *NCH Annual Report 2013*.] In July 2013, Memorial’s office in Sochi had been inspected.

[*Sources*: Kristina Gorelik & Tom Balmforth, “A Quarter Century of Rights Activism: Memorial Turns 25,” *Radio Free Europe/Radio Liberty* (29 January 2014); International Council on Archives Human Rights Working Group, *News of August 2013*, 9.]

On 1 March 2004, the day that the Federation Council (the upper house of the Duma) authorized President Vladimir Putin to send troops to Ukraine, historian and theologian Andrei Zubov compared Moscow’s incursion into the Crimea with Nazi Germany’s annexation of Austria in March 1938 in an opinion article (entitled “This Has Already Happened”) published on the daily *Vedomosti*’s website. On 24 March 2014, the Moscow State Institute of International Relations (MGIMO; Moscow’s diplomatic academy with ties to the foreign ministry), where Zubov had worked since 2001, dismissed him for criticizing Russia’s foreign policy, noting “Let the inappropriate and offensive historical analogies and characterizations lay on Zubov’s conscience, the leadership of MGIMO views it as impossible for A. B. Zubov to continue working at the institute.” Many protested the dismissal. Zubov declared that he thought that MGIMO was put under pressure “by higher authorities” and planned to challenge his dismissal in court. In late April 2014, he was temporarily reinstated after the dismissal proved to be unlawful because Zubov was a member of an election commission for a district in Moscow and he could not be dismissed while serving on that commission. But Zubov’s contract with the commission was due to expire on 30 June 2014 and would not be extended. After that, his dismissal would take effect. MGIMO lecturer Elina Kolesnikova resigned the day after Zubov was dismissed, denouncing the violation of academic freedom. Zubov also directed the history of religions department at Saint John Russian Orthodox University and edited two volumes of *Russian History: 20th Century*.

[*Sources*: Sergey Berzin, “Russian Academics Spooked by Zubov’s Dismissal,” *University World News* (11 April 2014; <http://www.universityworldnews.com/article.php?story=20140410172832334>); Sergey Berzin, “New Twist in Outspoken Professor Zubov’s Dismissal,” *University World News* (18 April 2014); Matthew Bodner, “Professor Says Sacked Over Opinion Article Against Possible Ukraine Invasion,” *Moscow Times* (5 March 2014; <http://www.themoscowtimes.com/news/article/professor-says-sacked-over-opinion-article-against-possible-ukraine-invasion/495616.html>); Reuters, “Russian Professor Compares Russia’s Actions to Nazi Annexation of Austria,” *Voice of America* (<http://www.voanews.com/articleprintview/1864112.html>; 4 March 2014); Reuters, “Russian Professor Sacked over Criticism of Actions in Ukraine” (24 March 2014; <http://www.reuters.com/article/2014/03/24/us-ukraine-crisis-professor->

idUSBREA2N1BM20140324); “Russian Historian Fired over Putin-Hitler Comparison,” *Transitions Online* (<http://www.tol.org/client/article/24198-russia-plans-permanent-link-to-crimea-armenia-on-threshold-of-customs-union>; 5 March 2014); Andrei Zubov, “Это уже было,” *Vedomosti.ru* (1 March 2014; <http://www.vedomosti.ru/opinion/news/23467291/andrej-zubov-eto-uzhe-bylo>.)]

In May 2014, the Chechen film “Ordered to Forget” («Приказано забыть») —produced by Ruslan Kokanayev and dealing with the burning alive of 700 people in the Chechen village of Haybakh at the time of the deportation of the entire Chechen and Ingush nations in February 1944 on Stalin’s orders—was to be premiered in Grozny, the capital of Chechnya. However, Russia’s Ministry of Culture refused to certify the film for public distribution on the grounds that, since the archives of the People’s Commissariat for Internal Affairs (NKVD, the forerunner of the present-day Federal Security Bureau, FSB) contained no evidence of the crime, the film constituted “a falsification of history” that could give rise to interethnic hatred. Kokanayev said that the Ministry of Culture did not raise any objections when he first submitted the scenario for approval, and that, when the finished film was first screened in Moscow in early February 2014, it was praised. Kokanayev planned to contest the ban in court.

He challenged the Ministry of Culture’s claim that no documentary evidence of the mass killing existed; he had used a scholarly work about the killing for writing his script. The findings of a Khrushchev-era probe were never made public, however, and Haybakh remained a taboo subject until the late 1980s. In response to a newspaper article, the prosecutor’s office in Chechnya’s Urus-Martan district had opened a criminal case in 1989. Similar mass killings had taken place in other Chechen and Ingush villages (Melkhesty, Kezenoy-Am, Targim) in February 1944. On 20 June 2014, “Ordered to Forget” was screened at the Moscow International Film Festival.

[*Sources*: International Council on Archives Human Rights Working Group, *News of June 2014*, 7; RFE/RL (Liz Fuller), “Banned Chechen Movie Screened At Moscow Film Festival” (23 June 2014; <http://www.rferl.org/content/caucasus-report-banned-chechen-movie-haybakh/25432647.html>.)]

In early May 2014, a new version of the law “On Combating the Rehabilitation of Nazism, Nazi Criminals or Their Collaborators in the Newly Independent States on the Territory of the Former Union of Soviet Socialist Republics” [see *NCH Annual Report 2010*] was reportedly reintroduced and signed by President Vladimir Putin.

[*Source*: Neil Macfarquhar, “Russia Revisits Its History to Nail down Its Future,” *New York Times* (11 May 2014; [http://www.nytimes.com/2014/05/12/world/europe/russia-revisits-its-history-to-nail-down-its-future.html?\\_r=0](http://www.nytimes.com/2014/05/12/world/europe/russia-revisits-its-history-to-nail-down-its-future.html?_r=0).)]

On 17 May 2014, the *de facto* authorities in Crimea, annexed by Russia in March 2014, banned all

public gatherings until 6 June 2014. Pro-Moscow Crimean leader Sergei Aksyonov cited violence in southeast Ukraine as the reason for his decision to ban rallies. On 18 May 2014, the Mejlis—the main representative body of the Crimean Tatars—called of a rally in the center of Simferopol, Crimea’s capital, to mark the 70th anniversary of the deportation of the Crimean Tatars by Stalin. It called instead for Tatars to gather at religious centers and other locations. Dozens of people gathered at a memorial near Simferopol’s railway station, the departure point for thousands of Tatars sent into internal exile. Later that day, at least 10,000 people participated in the rally on the outskirts of Simferopol, carrying placards calling for self-determination. Refat Chubarov, chairman of the Mejlis, described the decree as an “inhuman act.” Crimean Tatar leader Mustafa Dzhemilev was banned by *de facto* Russian authorities in Crimea from returning to the peninsula. On May 18 1944, Soviet authorities began deporting Crimean Tatars to Central Asia; many of the 200,000 deportees died on their way into exile.

[Source: RFE/RL, “Crimean Tatars Mark 70th Anniversary of Deportation,” (18 May 2014; <http://www.rferl.org/content/ukraine-crimea-tatars-deportation/25389125.html>).]

*See also* Poland, Ukraine.

## **RWANDA**

Previous *Annual Report* entries: 1998, 2000–2013.

In October 2013, a revised version of the 2008 law on genocide ideology was promulgated. It contained several improvements, including a more precise definition of the offense and the requirement to demonstrate intent behind the crime, thereby reducing the scope for abusive prosecutions. However, several articles retained language that could be used to criminalize free speech. The new law reduced the maximum prison sentence from 25 to 9 years. [See also *NCH Annual Reports 2009–2011, 2013*.]

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 158.]

The trial of Léon Mugesera, a former government official extradited from Canada to Rwanda in 2012 and accused of planning and inciting genocide, took place in the High Court in Kigali. It was ongoing at the end of 2013. In July 2013, the International Criminal Tribunal for Rwanda (ICTR) transferred genocide suspect Bernard Munyagishari to face trial in Rwanda. After preliminary hearings, the trial of Jean Bosco Uwinkindi, the first such case to be transferred by the ICTR to Rwanda in 2012, was postponed and had not begun in substance at the end of 2013. Criminal trials of Rwandan genocide

suspects on the basis of universal jurisdiction took place in the national courts of Norway, Sweden, and the Netherlands, leading to convictions and prison sentences.

A United States (US) court convicted a Rwandan of immigration fraud for concealing her role in the genocide, stripped her of US citizenship and sentenced her to 10 years' imprisonment. A genocide suspect in Norway was extradited to Rwanda while two others in Sweden and Denmark lost their appeals against extradition. Extradition cases were pending in several other countries, including the United Kingdom, Netherlands, and France.

[*Source: Human Rights Watch, World Report 2014* (Washington 2014), 157–158.]

On the twentieth anniversary of the 1994 genocide, on 7 April 2014, French ambassador Michel Flesch was barred from attending the commemoration ceremony in Kigali. The measure came after French Justice Minister Christiane Taubira had canceled plans to attend the ceremony following an accusation by President Paul Kagame that France had participated in the genocide.

[*Source: BBC News* (7 April 2014).]

*See also* Congo (Democratic Republic).

**SAINT VINCENT**

Previous *Annual Report* entries: —.

On 11 March 2014, the Caribbean Community (Caricom), based in Georgetown, Guyana, approved a ten-point plan for reparations from the former slave-owning states of Europe at a two-day meeting in Saint Vincent and the Grenadines. Caricom said that European governments had been responsible for conducting slavery and genocide, and imposed racial apartheid and suffering on freed slaves and genocide survivors. It also declared that they had “refused to acknowledge such crimes or to compensate victims and their descendants.” The plan would pursue a full formal apology for slavery, repatriation to Africa, a development plan for the native Caribbean peoples and funding for cultural institutions. It also sought to address chronic diseases and psychological rehabilitation for trauma inflicted by slavery, technology transfer to make up for technological and scientific backwardness resulting from the slave era, and support for payment of domestic debt and cancelation of international debt. Slavery ended throughout the Caribbean in the 1800s in the wake of slave revolts. By the end of April 2014, a formal complaint would be presented to the European governments (including the United Kingdom, France and the Netherlands). If the latter would reject it, the Caricom nations would take their individual cases to the International Court of Justice.

[*Source*: Aileen Torres-Bennett, “Caribbean Nations Agree to Seek Slavery Reparations from Europe,” *Reuters* (11 March 2014; <http://www.reuters.com/article/2014/03/11/us-caribbean-slavery-idUSBREA2A1ZR20140311>.)]

**SAUDI ARABIA**

Previous *Annual Report* entries: 1996, 2001, 2006, 2010–2011, 2013.

*See* Tunisia.

**SENEGAL**

Previous *Annual Report* entries: 2002–2004, 2006, 2009, 2013.

**SERBIA / KOSOVO**

Previous *Annual Report* entries: 2008–2013.

Despite a historic agreement in April 2013 by the European Council to start European Union membership talks in January 2014 with Serbia, human rights concerns persisted. Prosecutions for war crimes committed in 1991–1995 progressed slowly in 2013. The Belgrade War Crimes Chamber reached convictions in six cases and acquitted two people in one case. The Office of the War Crimes Prosecutor indicted three people for crimes against civilians. Fourteen prosecutions were pending at the end of 2013. In February 2013, Serbia signed a war crimes protocol with Bosnia facilitating the mutual transfer of information and evidence of war crimes. In July, this resulted in an agreement to cooperate on investigations against 30 suspected war criminals believed to live in Serbia. In April 2013, Serbian President Tomislav Nikolić offered an apology on Bosnian TV in the name of the Serbian people for war crimes committed by Serb forces in Bosnia during the 1992–1995 war. The apology stopped short of calling the 1995 massacre in Srebrenica genocide. [See also *NCH Annual Report 2013*.]

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 483–484.]

*Kosovo*

In the first nine months of 2013, the European Union Rule of Law Mission (EULEX) judges handed down five war crimes judgments, reaching acquittals in all but one case. The September acquittal of Fatmir Limaj and nine others in a case concerning the 1998 mass murder of Serb and Albanian civilians in Klecka by Kosovo Liberation Army (KLA) forces illustrated weaknesses in Kosovo's witness protection program and challenged to prosecute crimes committed during and after Kosovo's 1998–1999 war. In October 2012, the EULEX special prosecutor charged 15 people with war crimes against civilians and prisoners in 1998 at a KLA detention center in Likovac. Hundreds of cases were pending before the Kosovo Special Prosecution Office, the War Crimes Investigative Unit of the Kosovo Police, and EULEX. At the end of 2013, 13 arrest warrants were outstanding concerning Serbs who were believed to reside outside Kosovo. EULEX continued to investigate 94 war crimes cases from the 1998–1999 war, including massacres in Meja, Dubrava, and Krusha thought to involve more than 1,000 victims. At the end of August, the Human Rights Review Panel (HRRP), an independent body set up by EULEX staff in 2009 to review allegations of human rights violations, handed down 15 decisions, finding violations in 5 cases.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 488–489.]

*See also* Bosnia and Herzegovina.

**SERBIA / MONTENEGRO**

Previous *Annual Report* entries: 1999, 2001–2007. *See* Montenegro and Serbia / Kosovo.

**SIERRA LEONE**

Previous *Annual Report* entries: 2000–2012.

**SINGAPORE**

Previous *Annual Report* entries: 1998, 2009–2011.

**SLOVAKIA**

Previous *Annual Report* entries: 1997, 2002, 2007, 2009, 2011, 2013.

On 16 October 2013, chairman Ondrej Krajiňák of the official Institute of National Memory (ÚPN; established to provide access to the records of the activities of the secret police of Czechoslovakia in 1939–1989) refused to open the extraordinary session of the ÚPN board and left the meeting. The other board members then unanimously approved a resolution which stated concern over what it called Krajiňák's attempts to disable the operation of the ÚPN board. Krajiňák perceived the publicized accusations as an effort of some board members to discredit him.

[*Source: Slovak Spectator* (17 October 2013;

[http://spectator.sme.sk/articles/view/51715/10/upn\\_head\\_accused\\_of\\_sabotaging\\_institute\\_responds\\_in\\_part\\_of\\_discrediting\\_campaign.html](http://spectator.sme.sk/articles/view/51715/10/upn_head_accused_of_sabotaging_institute_responds_in_part_of_discrediting_campaign.html).)]

*See also* Russia.

**SLOVENIA**

Previous *Annual Report* entries: 2007–2009, 2011–2013.

## SOMALIA

Previous *Annual Report* entries: 2001–2003, 2006, 2012–2013.

In government-controlled areas, targeted killings, including of traditional elders, increased. The perpetrators were frequently unknown, although the Islamist armed group Al-Shabaab was often believed to be responsible.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 162.]

On 15 October 2011, Al-Shabaab issued a directive imposing its interpretation of Islam in all primary schools in the Middle Shabelle region. It threatened or killed teachers for refusing to comply with its demands. This included a ban on the teaching of geography and history, imposing its own teachers in schools, and using class time to teach extreme Islamist ideology. Al-Shabaab fighters toured the schools in the main districts of Middle Shabelle and donated new textbooks in Arabic ostensibly to replace the geography and history textbooks. In September 2009, Al-Shabaab had already warned against using United Nations-provided textbooks, claiming that they were teaching students “un-Islamic” subjects.

[*Sources*: Global Coalition to Protect Education from Attack, *Education under Attack 2014* (New York 2014), 179; Mohammed Shiil, “Al-Shabaab Bans Teaching Geography and History, It Remains Unclear Why The Militant Group Issued The Order,” *Somalia Report* ([http://www.somaliareport.com/index.php/post/1777/Al-Shabaab\\_Bans\\_Teaching\\_Geography\\_and\\_History](http://www.somaliareport.com/index.php/post/1777/Al-Shabaab_Bans_Teaching_Geography_and_History); 16 October 2011).]

## SOUTH AFRICA

Previous *Annual Report* entries: 1996–2004, 2006–2010, 2012–2013.

In September 2010, National Archivist Graham Dominy [1953–] and archivist Clive Kirkwood were suspended by the Department of Arts and Culture on a series of administrative charges (related to the alleged favoring in late 2008 of a bidding company whose manager was a former national archives employee and to Dominy’s request to attend the International Council on Archives conference in Malta in November 2009). Both were later dismissed. In the ensuing legal case, not one of the charges was substantiated. In rulings of March 2012 and, after appeal, of May 2013, the Labour Court ordered the department to reinstate Dominy and Kirkwood or otherwise fully compensate them for loss of income.

[*Sources*: Tim Dunne, “Questions That Need Answers,” *Mail & Guardian Online* (6 July 2012; <http://mg.co.za/article/2012-07-06-questions-that-need-answers>); Shula Marks, “Do Not Let Our Archives Turn to Dust,” *Mail & Guardian Online* (29 June 2012; <http://mg.co.za/article/2012-06-28-do-not-let-our-archives-turn-to-dust>); Shula Marks, personal communication (August 2013).]

## **SOUTH SUDAN**

Previous *Annual Report* entries: 2013.

## **SPAIN**

Previous *Annual Report* entries: 1997, 1999, 2002–2013.

In 2012, the Francisco Franco Foundation sued artist Eugenio Merino because they found that his artwork “Always Franco” (a Franco sculpture in a fridge shown at the ARCO international art show in Madrid in 2012) defamed Franco. They sought 18,000 euros in damages. In July 2013, a judge ruled that the sculpture was a legitimate piece of artistic expression. The foundation appealed the decision. [*Source*: Guy Hedgecoe, “Spanish Left Cold over ‘Franco in a Fridge’” (<http://www.dw.de/spanish-left-cold-over-franco-in-a-fridge/a-17029255>; 19 August 2013).]

On 25 June 2013, the Juzgado de Instrucción (court of first instance) No. 37 of Madrid interrogated internet journalist Gerardo Rivas Rico who was accused of defamation by the Falange (Falange española y de las JONS) because of the publication on 22 March 2012 of an article on [www.plural.com](http://www.plural.com) in which he stated that the Falange was an organization with a long record of crimes against humanity since its foundation by José Antonio Primo de Rivera in 1933.

[*Sources*: Academia solidaria (<http://www.h-debate.com>; 3 June 2013); “La Falange se querrela contra la libertad de expresión e información” (<http://ala.org.es/la-falange-se-querrela-contra-la-libertad-de-expresion-e-informacion/>; 25 June 2013).]

In October 2013, a judge in Argentina exercised universal jurisdiction and requested extradition of two officials of the former Francisco Franco regime (1939–1975) for torture. In November 2013, the United Nations (UN) Committee on Enforced Disappearances urged Spain to investigate all enforced disappearances regardless of when they were committed, and concluded that incommunicado detention breached the prohibition of secret detention under the UN Convention on Enforced

Disappearance. [See also *NCH Annual Report 2013*.]

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 450.]

On 10 December 2013, three Spanish nationalist parties—the governing People’s Party (PP), the unionist Ciutadans–Partit de la Ciutadania (C’s) and the Spanish nationalist and populist Unió Progreso y Democracia (UPyD)—requested the immediate cancelation of an academic symposium, “Spain against Catalonia: A Historical Overview (1714–2014).” They also filed a complaint against it for “incitement to discrimination, hate, or violence” (article 510 of the penal code) in the Superior Tribunal of Catalonia. The symposium, scheduled for 12–14 December 2013 and organized by the independent Institute of Catalan Studies (IEC; Catalonia’s Science and Language Academy) and the Center of Contemporary History of Catalonia (CHCC; linked to the Catalan government), sought to discuss long-term patterns of repression by the Spanish state against Catalan institutions. UPyD leader Rosa Díez compared the event with “Nazism.” Spanish Foreign Affairs Minister José Manuel García-Margallo said that the event was “a flagrant falsification of history” made by “excluding and nationalistic pseudo-historians.” The spokesperson of the Catalan government, Francesc Homs, accused the critics of having “double standards,” because they criticized the event but “shut up when Nazism [was] trivialized.” The symposium organizers, among whom were leading Catalan historians such as Jaume Sobrequés and Josep Fontana, emphasized the academic nature of the event. More than 200 people registered for the symposium and the IEC had to open an extra hall to accommodate the overflow crowd. The PP’s Catalan leader, Alicia Sánchez-Camacho, announced that the PP would organize its own “symposium of the truth.”

[*Sources*: Academia solidaria (<http://www.h-debate.com>; 12 December 2013); “Controversial Historical Symposium Begins by Praising Catalonia’s Affection towards Spanish Society” (12 December 2013; <http://www.catalannewsagency.com/politics/item/controversial-historical-symposium-begins-by-praising-catalonia-s-affection-towards-spanish-society>); “Spanish Nationalists Want to Close an Academic History Symposium in Catalonia” (11 December 2013; <http://www.catalannewsagency.com/politics/item/spanish-nationalists-want-to-close-an-academic-history-symposium-in-catalonia>); “Suing a Symposium: Spain against Catalonia” (11 December 2013; <http://www.newscatalonia.com/2013/12/spain-against-catalonia.html>).]

*See also* Switzerland.

## **SRI LANKA**

Previous *Annual Report* entries: 1998–2004, 2008–2013.

The government of President Mahinda Rajapaksa made little progress in 2013 in addressing accountability for serious human rights abuses committed during the country's nearly three-decades-long civil war (1983–2009). Sri Lanka's failure over several years to address war crimes allegations prompted the United Nations (UN) Human Rights Council (HRC) in March 2013 to issue a resolution calling on Sri Lanka to independently and credibly investigate violations of international humanitarian and human rights law. The resolution also called on UN High Commissioner for Human Rights Navi Pillay to give an oral update on the human rights situation in Sri Lanka during the HRC's September session, and to present a written report at the March 2014 session. Following the HRC resolution, the government issued several updates regarding its implementation of recommendations of its own Lessons Learnt and Reconciliation Commission (LLRC), including investigations into a few war crimes allegations. Many of its claims were difficult to verify due to lack of government transparency, and, even if accurate, in important respects fell far short of the steps called for in the resolution. Special army courts of inquiry established in 2012 wholly exonerated the army of any laws of war violations despite significant evidence to the contrary. In response to LLRC concerns about enforced disappearances, the government established the latest in a long line of special commissions with a limited mandate and no clarity as to whether the government would publicize its findings. By September 2013, the government continued to detain 230 of the estimated 12,000 members and supporters of the defeated Liberation Tigers of Tamil Eelam (LTTE) held at the end of the civil war for "rehabilitation." High Commissioner Pillay travelled to Sri Lanka in August 2013. Her September oral report to the HRC was a scathing critique of the government's failures on postwar accountability. Pillay said she found no evidence of government efforts "to independently or credibly investigate the allegations" of war crimes and reported that the government had failed to implement many of the LLRC recommendations. Pillay said that the separation of the police from the Ministry of Defense, a key LLRC recommendation, remained incomplete as the police were placed under the command of a former army officer.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 387–388.]

In early May 2014, the registrar of Jaffna University sent out a circular announcing that the university would remain closed from 16 to 20 May 2014, coinciding with the days that the civil war (1983–2009) ended. The Science Teachers' Association condemned the closure and said that some university professors and student leaders had received death threats warning them against holding any commemoration for the war casualties, alleging that they were trying to revive the defeated Liberation Tigers of Tamil Eelam (LTTE). Pointing to the official "Victory Day" celebration to mark the end of the war, the teachers asked why the Tamils alone were barred from remembering and mourning their dead.

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[*Source*: Meera Srinivasan, “Jaffna Varsity Teachers Assert Right to Mourn,” *The Hindu* (14 May 2014; <http://www.thehindu.com/news/international/south-asia/jaffna-varsity-teachers-assert-right-to-mourn/article6006123.ece>).]

## **SUDAN**

Previous *Annual Report* entries: 2002–2003, 2006–2013.

In 2013, Sudan did not cooperate with the International Criminal Court (ICC). Arrest warrants or summonses for six men, including President Omar al-Bashir, on charges of genocide, crimes against humanity and war crimes remained outstanding. A case involving alleged war crimes committed by one rebel leader proceeded at the ICC, while proceedings against a second rebel leader were terminated following his death.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 183.]

## **SURINAME**

Previous *Annual Report* entries: 2001–2004, 2009–2010, 2012–2013.

## **SWAZILAND**

Previous *Annual Report* entries: 2011, 2013.

## **SWEDEN**

Previous *Annual Report* entries: 1998.

See Rwanda.

## SWITZERLAND

Previous *Annual Report* entries: 1997, 1999–2000, 2004, 2007–2009.

In late 2012, Iris Ritzmann (1962–), a professor (1997–2013) and interim director (2010–2013) at the Medizinhistorischen Institut (MHIZ; Institute of the History of Medicine) at the University of Zürich, and her husband, ethnologist Eberhard Wolff, were temporarily arrested on charges of having provided the MHIZ annual report and a confidential expert report about the MHIZ Medical History Museum to a journalist of the *Tages-Anzeiger* newspaper. The expert report contained criticism of Christoph Mörgeli, the museum curator and also a right-wing Swiss People's Party member of parliament and member of the Swiss National Council. She also gave the journalist access to the university's learning platform. Following publication of the critical article, Mörgeli claimed to be harassed by colleagues because of his political views, but he was subsequently dismissed from his position. In November 2012, Ritzmann was suspended pending a legal investigation initiated against her. Although the public prosecutor of the Canton of Zürich did not release any results, Ritzmann was dismissed on 29 October 2013. On 6 November 2013, the rector, Andreas Fischer, resigned over the affair. On 8 November 2013, 600 academics from around the world signed a petition asking for Ritzmann's reinstatement. The petition also asked for "deeply rooted" problems at the MHIZ to be made public and for an explanation into if and why the Zürich public prosecutor had been given access to university emails.

[*Sources*: "Petition Regarding Dismissal of Prof. Dr. Iris Ritzmann"

(<http://corpsetmedecine.hypotheses.org/5322>; 30 October 2013); "University Sacking Attracts Protest from Abroad," *Swissinfo.ch* (8 November 2013); *Wikipedia* (14 December 2013).]

In May, July, and September 2005, Doğu Perinçek (1942–), chairman of the Turkish Workers' Party, asserted in Lausanne, Opfikon (during a lecture commemorating the 1923 Lausanne Treaty) and Köniz that the Armenian genocide was an "international lie." He also distributed a tract in German entitled "The Great Powers and the Armenian Question" in which he denied that the 1915 massacres constituted genocide. On 15 July 2005, the Association "Switzerland-Armenia" filed a suit. Under the penal code, any act of denying, belittling or justifying genocide was a violation of the anti-racism legislation. On 9 March 2007, the police court found Perinçek guilty of racial discrimination and ordered him to pay a fine, declaring that the Armenian genocide was an established historical fact. The verdict was confirmed by the Vaud cantonal appeal court in June 2007 and by the Federal Court on 12 December 2007. It was the first time that the Federal Court ruled in a case of Armenian genocide denial. It declared that Perinçek's sentence served to protect the human dignity of the members of the Armenian community, who derived part of their identity from the memory of the

1915 genocide. [See also *NCH Annual Reports 2008* and *2009*.]

On 17 December 2013, the European Court of Human Rights ruled that Perinçek's right to free expression was violated and that his criminal conviction for denial that the atrocities perpetrated against the Armenian people in 1915 and later years constituted genocide was unjustified. The court found that Perinçek's opinion did not incite hatred or violence, or express contempt for the victims of the events and that, therefore, Perinçek did not abuse his rights. It further doubted that there could be a general consensus as to those events, especially their legal characterization as genocide, given that historical research was by definition open to discussion. It also observed that the twenty States which had officially recognized the Armenian genocide had not found it necessary to enact laws imposing criminal sanctions on individuals questioning the official view. The Court also distinguished the present case from Holocaust denial cases, in which the applicants had denied the historical facts (such as the existence of the gas chambers) and the Nazi crimes which had been found by an international court to be clearly established. The court also referred to the Spanish Constitutional Court, which in November 2007 had taken the view that the mere negation of a crime of genocide did not constitute direct incitement to violence, and to the French Constitutional Council which in February 2012 had declared unconstitutional a law which made it a criminal offence to deny the existence of the genocides recognized by the law, finding it to be incompatible with freedom of expression and freedom of research. Finally, it pointed out that in 2011 the United Nations Human Rights Committee had expressed its conviction that "[l]aws that penalize[d] the expression of opinions about historical facts [were] incompatible with the obligations that the Covenant [on Civil and Political Rights] impose[d] on States parties..." and that the "Covenant [did] not permit general prohibition of expressions of an erroneous opinion or an incorrect interpretation of past events."

[*Sources include*: European Court of Human Rights, *Cas de Perincek: Exposé des faits* (<http://www.concernedhistorians.org/le/180.pdf>; 2010); European Court of Human Rights, *Judgment* (<http://www.concernedhistorians.org/le/325.pdf>; 2013); Tribunal d'arrondissement de Lausanne, *Jugement rendu par le Tribunal de Police le 9 mars 2007 à 11:45 heures dans la cause Dogu Perincek* ([http://www.concernedhistorians.org/content\\_files/file/le/70.pdf](http://www.concernedhistorians.org/content_files/file/le/70.pdf); 2007); Tribunal fédéral suisse, *Cas de Perincek* (<http://www.concernedhistorians.org/le/179.pdf>; 2007).]

## **SYRIA**

Previous *Annual Report* entries: 2001–2002, 2004–2013.

More than 90 percent of the most valuable archaeological sites were reportedly situated in high-conflict areas. All the six world heritage sites of Syria (ancient villages of Northern Syria, Bosra, Crac

des Chevaliers, Palmyra, Damascus and Aleppo, which was one of the oldest continuously inhabited cities in the world) were damaged. Many museums (e.g., in Homs and Hama) were looted and sculptures, inscription tablets, coins and tesserae (tiles used in making mosaics) were put on sale abroad. [See also *NCH Annual Report 2013*.]

In May-June 2014, a new wave of organized archaeological looting began at Dura-Europos, the Ottoman period gate at Deir Ez-Zor was bombed, a medieval Christian graveyard was desecrated, and the Jewish Synagogue in Jobar was destroyed. On 24 June 2014, the Ministry of Culture and Family Affairs for the Syrian Interim Government announced the creation of a Heritage Task Force to help protect Syrian cultural heritage.

[*Sources*: Rasha Faek, "Hidden Victim of Syria's Conflict: Historical Heritage," *Al-Fanar Media* (<http://www.al-fanarmedia.org/2014/02/hidden-victim-of-syrias-conflict-historical-heritage>; 20 February 2014); Syrian Coalition, "Interim Government Establishes Heritage Task Force" (National Coalition of Syrian Revolution and Opposition Forces; <http://www.etilaf.us/heritagetf>; 24 June 2014).]

A scholar of medieval Islamic architecture and urban architectural history (name unknown) was threatened with arrest because he was seen as expressing sympathy for the opposition in speaking out against Syrian ministers. Despite his efforts to promote Syria's cultural heritage, he went into exile.

[*Source*: Allan E. Goodman, "Protecting Scholars of Art from Persecution," *Huffington Post* (3 April 2014; [http://www.huffingtonpost.com/allan-e-goodman/protecting-scholars-of-ar\\_b\\_5086911.html?utm\\_hp\\_ref=tw](http://www.huffingtonpost.com/allan-e-goodman/protecting-scholars-of-ar_b_5086911.html?utm_hp_ref=tw)).]

*See also* Iraq.

**TAIWAN**

Previous *Annual Report* entries: 1998, 2001, 2008–2010, 2012.

**TANZANIA**

Previous *Annual Report* entries: 2010.

**THAILAND**

Previous *Annual Report* entries: 1995, 1999, 2001–2002, 2005, 2007–2013.

In May 2013, the Supreme Court ruled that defaming past monarchs was a crime under the *lèse majesté* law, thereby making explicit a situation already in existence for decades. Details of this decision became known on 8 November 2013, when the court treated the case of a journalist (name withheld by the court) who had criticized slavery during Rama IV's reign (1851–68) in a 2005 radio broadcast. (Slavery was abolished in 1905 under Rama V only.) The Supreme Court ruled that this view defamed the monarchy, saying that it could lead to the misunderstanding that Thailand was badly governed under Rama IV and had no freedom at the time. It added that defaming the former king could affect the present king and create dissatisfaction among those revering deceased kings, impacting on national security. The journalist received a four-year prison sentence, later reduced to a two-year suspended sentence.

Kullada Kesboonchoo Mead, a political scientist from Chulalongkorn University, author of *The Rise and Decline of Thai Absolutism*, said the ruling affected her work about past monarchies: she was reportedly advised to review it to make it compatible with the law because it was being translated into Thai. The Thai studies program at her university had banned her (English) book, along with those of historians Somsak Jeamteerasakul and Suthachai Yimprasert [see *NCH Annual Reports 2010–2011*.] Thikan Srinara, a historian at Srinakharinwirot University in Bangkok, said that the ruling affected historical research and that the law should be abolished because it severely limited academic freedom, especially in history and political science.

[Source: Suluck Lamubol, "Lèse Majesté Ruling on Past Monarchs a Research Blow," *University World News* (29 November 2013).]

On 1 November 2013, the House of Representatives passed an amnesty bill proposed by the Pheu

Thai Party that promised a full amnesty for protesters from all political sides charged with or convicted of actions against the state (political violence and corruption) from 2004 to 2011, for authorities who ordered crackdowns on protesters, for soldiers who carried out the crackdowns, and for individuals convicted of corruption after the 2006 coup. Even though the Senate rejected this bill on 11 November, anti-amnesty protests in Bangkok and other provinces escalated. More than 100,000 people took to the streets in what protest leaders publicly called an attempt to topple the government of Prime Minister Yingluck Shinawatra and eliminate the political network of former Prime Minister Thaksin Shinawatra. Clashes on 30 November between pro and anti-government groups left at least 4 dead and 60 wounded. Protesters from the People's Democratic Reform Committee (PDRC) and other anti-government groups clashed with police when they tried to storm the Government House and the Bangkok Metropolitan Police headquarters on 1 and 3 December, leading to more than 200 injuries—mostly side-effects from exposure to teargas.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 394.]

On 11 November 2013, the International Court of Justice unanimously ruled that the territory surrounding the Preah Vihear temple was Cambodian. [See also *NCH Annual Reports 2009, 2011–2013*.]

[Sources: International Court of Justice, *Case Summaries: Case Concerning the Temple of Preah Vihear (Merits)—Judgment of 15 June 1952* (<http://www.concernedhistorians.org/le/193.pdf>); <http://www.concernedhistorians.org/le/240.pdf>); International Court of Justice, *Request for Interpretation of the Judgment of 15 June 1962 in the Case Concerning the Temple of Preah Vihear (Cambodia v. Thailand)* (<http://www.concernedhistorians.org/le/313.pdf>; 2013).]

On 12 February 2014, assailants fired repeated shots and threw homemade bombs at the home and car of historian Somsak Jeamteerasakul, an outspoken critic of the monarchy [see also *NCH Annual Report 2011*.] Somsak was at home but was not harmed in the attack.

[Source: Human Rights Watch, “Thailand: ‘Red Shirt’ Activist Murdered—Prominent Poet Opposed Law Barring Criticism of Monarchy” (23 April 2014; <http://www.hrw.org/news/2014/04/23/thailand-red-shirt-activist-murdered>).]

On 24 May 2014, two days after the National Council for Peace and Order (NCPO; the military junta) took power and declared martial law, it ordered some 35 pro-democracy scholars and writers to report to military authorities or face possible arrest or fines. Among them was historian Somsak Jeamteerasakul. [See also entries above and *NCH Annual Report 2011*.] On 28 May 2014, the junta also summoned exiled writers facing *lèse majesté* charges, including Joe Gordon [see *NCH Annual Reports 2011–2012*], to appear in Bangkok by 9 June 2014. In total, more than 500 politicians,

academics and activists were eventually summoned and/or detained for up to seven days under martial law to ensure “cooperation” and “attitude adjustment.” In early July 2014, the junta revoked Somsak’s passport after he failed to report following several summonses and an arrest warrant.

[*Sources: Academic Freedom Monitor* (24 May 2014; <http://monitoring.academicfreedom.info/reports/2014-05-24-various-universities>); Suluck Lamubol, “Academics, Students Flee As Military Takes Over in Latest Coup,” *University World News* (31 May 2014; <http://www.universityworldnews.com/article.php?story=20140530122322452>); “35 Politicians, Scholars Summoned,” *Bangkok Post* (24 May 2014; <http://www.bangkokpost.com/news/politics/411535/35-politicians-scholars-summoned>); Suluck Lamubol, “Junta Is Still Threatening Academics during ‘Talks’,” *University World News* (9 July 2014; <http://www.universityworldnews.com/article.php?story=2014070916510040>); Yojana Sharma, “Pressure on Thai Students, Scholars Extends Overseas,” *University World News* (4 June 2014; <http://www.universityworldnews.com/article.php?story=20140604122501561>).]

## **TIMOR-LESTE**

Previous *Annual Report* entries: 2003–2013.

See Australia.

## **TOGO**

Previous *Annual Report* entries: 2002, 2008–2013.

## **TUNISIA**

Previous *Annual Report* entries: 2001, 2011–2013.

In June 2013, the National Constituent Assembly (NCA) began considering a draft transitional justice law, which proposed the creation of a Council of Truth and Dignity to uncover the truth about past rights abuses. At the end of 2013, the law had yet to be enacted.

Military courts had tried several groups of defendants accused of killing protesters during the revolution which toppled former President Zine el-Abidine Ben Ali (December 2010–January 2011).

A military court also sentenced Ben Ali, who remained in Saudi Arabia, to life imprisonment for complicity in murder, after trying him *in absentia*, and jailed several former high-ranking officials. These trials appeared to respect defendants' rights and enabled some victims to pursue justice, but several factors undermined their value towards achieving accountability, notably the authorities' failure to identify the direct perpetrators of killings and lack of an adequate legal framework to prosecute senior officers with command responsibility for crimes that their subordinates committed. The government's failure to press effectively for Ben Ali's extradition from Saudi Arabia also undermined accountability. Although Ben Ali's security forces used torture extensively, the new authorities had failed to investigate the majority of torture cases. In the one torture-related trial that took place, a court convicted former Interior Minister Abdallah Kallel and three security officials of "using violence against others either directly or through others," and sentenced them to two year prison terms. The case arose from the arrest and detention of 17 senior military officers in 1991 in connection with an alleged plot by the Islamist group Al-Nahdha against Ben Ali.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 620–621.]

In December 2013, 36 civil society organizations signed an open letter urgently demanding the legal protection of the archives of the Ben Ali dictatorship (1987–2011) (. [See also *NCH Annual Report 2013*.]

[Source: "Appel de 36 associations et organisations de la société civile pour la protection des archives de la dictature" (Webdo; 14 December 2013; <http://www.webdo.tn/2013/12/14/appel-de-36-associations-et-organisations-de-la-societe-civile-pour-la-protection-des-archives-de-la-dictature>).]

On 17 June 2014, the court of appeals confirmed the acquittal of historian Habib Kazdaghli, dean of the Faculty of Letters, Arts and Humanities at the Manouba campus of the University of Tunis. [See *NCH Annual Report 2013*.]

[Source: Scholars at Risk, *News Release* (20 June 2014).]

## **TURKEY**

Previous *Annual Report* entries: 1995–1998, 2000–2013.

Great obstacles remained in securing justice for victims of abuses by police, military, and state officials. The lifting of the statute of limitations for the prosecution of torture was a positive element in the April 2013 reform bill, though prosecution of unlawful killings by state perpetrators was still subject to a 20-year time limit, raising concerns about impunity for abuses committed in the early

1990s. Following a visit in November 2012, the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions had concluded that “the most important and urgent challenge [was] the lack of accountability in cases of killings, both those perpetrated recently and those from the 1990s.”

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 503.]

In May 2013, Turkish-Armenian writer Sevan Nişanyan (1956–) was sentenced to 13.5 months’ imprisonment on blasphemy charges because in a September 2012 blog he had discussed the YouTube video *Innocence of Muslims* in which he said that lampooning the Prophet Mohammed was not hate speech. Nişanyan studied history, philosophy and political systems of Latin America at Yale and Columbia Universities.

In 2008 he had written a critical book about Atatürk, Kemalism and the origins of the Turkish Republic (*Yanlış Cumhuriyet: Atatürk ve Kemalizm Üzerine 51 soru* [The False Republic: 51 Questions about Atatürk and Kemalism]). In 2010 he had published the book *Adını Unutan Ülke: Türkiye’de Adı Değiştirilen Yerler Sözlüğü*. (The Country that Forgets Its Names: Dictionary of Locations with New Names in Turkey). On 15 June 2010, the Radio and Television Supreme Council (RTÜK) had decided to impose a broadcast ban on the Haber Türk television station after Nişanyan had commented on the 1915 Armenian genocide as a guest on the “One to One” program. RTÜK said that Nişanyan “exceeded the limits of criticism” with his statements that allegedly “humiliated the Republic of Turkey.”

[Sources: Bianet, *Ifex Alert* (6 July 2010); “Blasphemischer Blogeintrag: Türkisch-armenischer Autor zu über einem Jahr Haft verurteilt,” *Deutsch Türkische Nachrichten* (<http://www.deutsch-tuerkische-nachrichten.de/2013/05/476384/blasphemischer-blogeintrag-tuerkisch-armenischer-autor-zu-ueber-einem-jahr-haft-verurteilt>); 22 May 2013); Arpi Hamalian, personal communication (26 January 2014); Reporters without Borders, *Ifex Alert* (15 March 2013); Nadya Uygun, *Urgent Action! Freedom for Sevan Nisanyan* (n.d. [January 2014]); *Wikipedia* (French and German versions; 27 January 2014).]

In late July 2013, some 60 archaeologists, historians, architects, and activists criticized the official policy favoring government-backed development projects that threatened the historic Ottoman sites of Istanbul. Among this threatened heritage were the Ottoman shipyard Tersane and the Yedikule gardens. Remarkably, the government fashioned itself as reviving the Ottoman past.

[Source: Clare M. Gillis, “Scholars in Turkey, at Some Risk, Fight Destruction of Historic Ottoman Sites,” *Chronicle of Higher Education* (9 September 2013).]

The retrial of a group of young men for the January 2007 murder of journalist Hrant Dink [see *NCH*

*Annual Reports 2006–2013*] began in September 2013 following the Court of Cassation decision to quash the first verdict on procedural grounds. To date there has been inadequate investigation of evidence of state collusion in Dink’s murder.

The trial of coup plotters against the ruling Justice and Development Party (the “Ergenekon gang”) [see *NCH Annual Reports 2010–2013*] ended in August 2013 with 259 defendants receiving a range of long sentences and 21 acquitted. The case was under appeal. While the Ergenekon case represented a milestone in civilian control over the military, it illustrated the serious concerns regarding the proliferation in recent years, and the fairness, of “mass trials” in which multiple defendants were alleged to have been part of terrorist groups. In the Ergenekon case, there were concerns too that there was no investigation of the human rights abuses in which a core group of military suspects were implicated.

In September 2013, the trial began of 103 retired members of the top military (5 in detention at the end of 2013) charged with removing the government of former Prime Minister Necmettin Erbakan in 1997.

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 503–504.]

On 12 December 2013, the Turkish-Armenian weekly *Agos* revealed that academics working on dissertations about the 1915 Armenian genocide were scrutinized by the Turkish Historical Society (TTK). According to *Agos*, the TTK asked the Higher Education Board for the details of such academics, which, in turn, asked universities to provide them. In 2013, only four theses were written on the issue and, speaking of “Armenian genocide claims,” they all reflected the official denialist position on the massacres. The secret profiling of Armenian genocide scholars was indirectly confirmed by two former presidents of Boğaziçi University, Istanbul.

[Source: Orhan Kemal Cengiz, “Turkish Academia and the Armenian Genocide,” *Al-Monitor* ([http://www.al-monitor.com/pulse/originals/2013/12/turkey-armenia-genocide-academic-research-media-exposure.html?utm\\_source=&utm\\_medium=email&utm\\_campaign=8781#](http://www.al-monitor.com/pulse/originals/2013/12/turkey-armenia-genocide-academic-research-media-exposure.html?utm_source=&utm_medium=email&utm_campaign=8781#); 23 December 2013).]

On 20 December 2013, historian Ayşe Berktaş was released pending trial. She stood as a candidate for mayor in the Istanbul district elections of 30 March 2014. [See *NCH Annual Report 2013*.]

[Sources: “Ayşe Berktaş Talks to PEN: Turkish Writer and Activist Ayşe Berktaş Talks to PEN” (<http://www.pen-international.org/03/2014/ayse-berktay-talks-to-pen>; 8 March 2014); International PEN Rapid Action Network, *RAN 23/13* (12 June 2013), [Update 1] (24 September 2013), [Update 2] (20 December 2013); <http://www.concernedhistorians.org/ca/71.pdf>.]

On 23 April 2014—the eve of the 99th anniversary of the 1915 Armenian genocide—Prime Minister

Recep Tayyip Erdoğan offered condolences for the events for the first time. He said the events of 1915 had had “inhumane consequences,” and expressed hope that those who died were at peace but stopped short of describing the mass killings as “genocide.” It was the first time that a Turkish leader formally offered condolences for the mass killings. Erdoğan also repeated calls to set up a joint historical commission into the events surrounding the killings—a request so far denied by the Armenian authorities. He also said that Turkey had opened its archives to all researchers, a statement that was strongly qualified by historians (access to open archives, including military archives, was still obstructed). The Turkish and Armenian governments had agreed to normalize relations in October 2009, but peace efforts had since stalled. Armenia said that up to 1.5 million people died during the 1915 events, whereas Turkey maintained that the number was much smaller. The reactions to Erdoğan’s message were mixed.

[*Sources:* Bianet, “Open Archives Are Faulty, Military Archives Are De Facto Closed” (24 April 2014; <http://www.bianet.org/english/world/155390-open-archives-are-faulty-military-archives-are-de-facto-closed>); “The Message of the Prime Minister of the Republic of Turkey, Recep Tayyip Erdoğan on the Events of 1915 (unofficial translation),” *Today’s Zaman* (24 April 2014; <http://www.todayszaman.com/news-345906-erdogan-offers-turkeys-first-condolences-to-armenians-for-1915.html>); “Erdoğan Offers Turkey’s First Condolences to Armenians for 1915,” *Today’s Zaman* (24 April 2014; <http://www.todayszaman.com/news-345906-erdogan-offers-turkeys-first-condolences-to-armenians-for-1915.html>); “Turkey Offers Condolences to Armenia over WWI killings,” *BBC News* (23 April 2014; <http://www.bbc.com/news/world-europe-27131543>).]

*See also* Armenia, Switzerland, United States.

## **TURKMENISTAN**

Previous *Annual Report* entries: 2001–2004, 2009, 2011–2012.

## UGANDA

Previous *Annual Report* entries: 2005–2009, 2011–2013.

## UKRAINE

Previous *Annual Report* entries: 1996, 2009–2011, 2013.

On 8 December 2013, when hundreds of thousands of people took to the streets of Kiev to protest against a customs union of Ukraine with Russia (which was to replace a European Union association agreement), some toppled a statue of Soviet leader Vladimir Lenin (1870–1924) at the top of Shevchenko Boulevard and smashed it with hammers. Prime Minister Mykola Azarov compared the act to the destruction of the Bamiyan Buddhas in Afghanistan in 2001. Lenin symbolized Ukraine's shared history with Russia. Other statues of his were toppled in Kotovsk and Dnepropetrovsk. In total, 25 Lenin statues were reported country-wide to be dismantled between December 2013 and February 2014. In Dnepropetrovsk, Lenin Square was renamed into Heroes of Maidan Square. On 23 February 2014, the "Soviet Soldier"—a monument erected in 1965 and commemorating the collective sacrifice of the Soviet army against Nazi forces—was toppled in Stryi, Lvov region.

[*Sources: BBC News* (8 December 2013); "Monument to Soldiers who Died Liberating Ukraine from Nazis Toppled" (<http://rt.com/news/war-monument-toppled-ukraine-351>; 23 February 2014); *NRC Handelsblad* (9 December 2013: 13; 24 February 2014: C9); *Trouw* (8 December 2013).]

On 20 February 2014, a day of bloody clashes between government troops and the opposition, Bohdan Solchanyk (1985–2014), a leading activist and historian in Lviv, was shot dead in Kiev as he walked to a protest tent that he had been mistakenly informed was under opposition control. On 22 February 2014, hundreds of mourners gathered in Lviv for a church service marking his death. Solchanyk had been due to submit his doctoral dissertation.

[*Source: Tom Balmforth, "Tears In Lviv For A Fallen 'Hero'," Radio Free Europe/Radio Liberty* (<http://www.rferl.org/articleprintview/25273844.html>; 22 February 2014).]

When on 22 February 2014 President Viktor Yanukovich fled the country, his staff attempted to get rid of tens of thousands of sheets of paper by burning or shredding them or by dumping them into a reservoir. In the weeks following his ouster, the documents saved from the reservoir were uploaded onto a new website called Yanukovich Leaks. A group of volunteers tried to piece together the shredded documents in the hope of uncovering corruption. Former General Prosecutor Viktor Pshonka

and former Energy Minister Eduard Stavytsky also reportedly tried to hide incriminating evidence.

[Source: *BBC News* (1 April 2014).]

On 1 March 2014, during the Russian occupation of the Crimea, men with guns stormed and occupied the offices of the Crimean Center for Investigative Journalism. The staff fled, managing to take only part of their files and equipment. Over the rest of the weekend, the Center was supported by the Internet Archive to preserve their web material.

[Source: Ian Milligan, "Preserving History as It Happens: The Internet Archive and the Crimean Crisis," *ActiveHistory.ca* (25 March 2014; <http://activehistory.ca/2014/03/preserving-history-as-it-happens>).]

On 16 March 2014 (the day Crimeans voted in a referendum to rejoin Russia), during protests against the new pro-Western government in Kharkiv, pro-Russian demonstrators broke into the offices of the Ukrainian cultural center Prosvita (Enlightenment), destroyed a portrait of the poet Taras Shevchenko (1814–1861) and burned Ukrainian-language books, including a volume devoted to the *Holodomor* (the famine that as a result of Stalin's farm collectivization program killed millions of people in 1932–33).

[Sources: Lina Kushch, "Pro-Russian Demonstrators Burn Books, Storm Buildings in Eastern Ukraine," *Reuters* (16 March 2014; <http://www.reuters.com/article/2014/03/16/us-ukraine-east-idUSBREA2F0P220140316>); *NRC Handelsblad* (17 March 2014), 6; (28 March 2014), 11.]

On 25 March 2014, after the Euromaidan protests, the new government appointed a new director of the Ukrainian National Memory Institute, Volodymyr Viatrovykh (1978–). As Director of the Security Service of Ukraine Archives in 2008–2010, he had opened the archives of the KGB (Komitet gosudarstvennoi bezopasnosti; Committee of State Security) to the public. The Security Service of Ukraine appointed a new archive director, Ihor Kulyk (1983–), an expert with access to the archives of the Center for Research on the Liberation Movement ([www.cdvr.org.ua](http://www.cdvr.org.ua); a non-governmental research institution founded by Viatrovykh in 2002 and containing the majority of the KGB archival materials). Kulyk intended to facilitate access to KGB materials and transfer the archival materials from 1918–1991 to the National Memory Institute.

[Sources: "KGB Archives in Ukraine Will Be Open to Public," *Euromaidan Wache Berlin* (1 April 2014; <http://euromaidanberlin.wordpress.com/2014/04/01/kgb-archives-in-ukraine-will-be-open-to-public>); *Kyiv Post* (24 February 2011); Inna Zavorodnya & Vladyslav Hrynevych, "Erasing Ukraine's Memories," *Transitions Online* (17 July 2012; <http://www.tol.org/client/article/23261-ukraine-culture-history-russia.html>).]

*See also* Belarus, Russia.

## **UNITED ARAB EMIRATES**

Previous *Annual Report* entries: 2013.

## **UNITED KINGDOM**

Previous *Annual Report* entries: 1996, 1998–2001, 2003–2004, 2006–2013.

In October 2013, it was revealed that the Ministry of Defence unlawfully held more than 66,000 files in breach of the 30-year rule (stipulated in the 1958 Public Records Act and providing transfer of these files to the National Archives), including documents about the Troubles in Northern Ireland (1969–1998). The existence of the Northern Ireland files (most from the 1970s and early 1980s) was not declared to the Historic Enquiries Team (HET), a police unit that reviewed hundreds of violent deaths during those years.

[*Source*: Ian Cobain, “Ministry of Defence Holds 66,000 Files in Breach of 30-Year Rule,” *Guardian* (6 October 2013).]

In October 2013, it was also revealed that the Foreign and Commonwealth Office (FCO; or Foreign Office) had unlawfully stored in a secret archive near London 1.2 million files of historic documents (called “the Special Collections”) dating as far back as the 1840s (and the 1856 treaty of Paris, which concluded the Crimean war) that should have been declassified and handed over to the National Archives. The FCO was expected to devise a plan for declassification and transfer of the archive. The news came after the FCO admitted in 2011 that an archive of 8800 colonial-era documents (“the migrated archive”) had been stored for decades in a secret archive near London [see *NCH Annual Report 2013*]. Most of the latter archive was made public, with the exception of certain files. The reason why “certain files” had to remain secret was secret itself. The FCO never explained why these massive file collections were hidden, but fears for embarrassment, litigation and damage to diplomatic relations were cited among the reasons.

[*Sources*: Ian Cobain, “Foreign Office Hoarding 1m Historic Files in Secret Archive,” *Guardian* (18 October 2013); Ian Cobain, “Academics Consider Legal Action to Force Foreign Office to Release Public Records,” *Guardian* (13 January 2014); Ian Cobain, “Foreign Office Excludes Public from its Public Records Day,” *Guardian* (17 March 2014).]

The Belfast Project was the name of an oral history archive, stored by the Centre for Irish Programs at Boston College, United States, and believed to contain some 46 taped testimonies, gathered between 2001 and 2006, from both Irish Republican and Loyalist paramilitaries in Northern Ireland about their experiences during the Troubles (1969–1998). The British authorities sought—and in court gained—access to the archive despite the pledge of the interviewers that the tapes would remain confidential until after the death of the interviewed [see *NCH Annual Reports 2012–2013*]. In July 2013, it became known that Boston College did not have all the codes that identified the participants in the interviews and also did not have some of the deeds of gift for the interviews, thereby greatly diminishing the evidential value of the interviews.

On 22 March 2014, ex-IRA senior commander Ivor Bell Ivor was charged with aiding and abetting in the shooting and disappearance of Jean McConville [see *NCH Annual Reports 2012–2013*] on the basis of an interview he gave to the Belfast Project under the name “Z.” On 30 April 2014, Gerry Adams, the president (1983–present) of the Irish republican political party Sinn Féin (and allegedly second in command of the Belfast IRA in 1972), was arrested as part of the interrogation in the McConville case. As a result, Belfast Project interviewer Anthony McIntyre reportedly feared for his safety. Since Adams’s arrest, McIntyre and Ed Moloney, Belfast Project director, faced sustained verbal attacks. Sinn Féin councilors and their supporters labeled them “Boston College touts” —a euphemism for informers. McIntyre’s wife’s messages to United States diplomats were possibly intercepted and leaked to an Irish Sunday tabloid.

Meanwhile, NBC News petitioned the United States district court in Boston for full access to the archives. On 22 May 2014, the Police Service of Northern Ireland (PSNI) said that it would seek access to the entire Belfast Project archive. On 18 June 2014, the United States non-governmental organization MuckRock filed a Freedom of Information Act request to the United States Department of Justice for all its records on the United Kingdom’s request for access to the oral histories made by the Belfast Project.

[*Sources*: Krishnadev Calamur, “Sinn Fein Leader’s Arrest Ignites Debate Over Academic Freedom” (2 May 2014; <http://www.npr.org/blogs/thetwo-way/2014/05/02/308949576/sinn-fein-leader-s-arrest-ignites-debate-over-academic-freedom>); “Case against McConville Accused Based on US Interviews,” *Irish Times* (22 March 2014; <http://www.irishtimes.com/news/crime-and-law/case-against-mcconville-accused-based-on-us-interviews-1.1735104>); International Council on Archives Human Rights Working Group, *News of July 2013*, 5, 10; *News of August 2013*, 6; Henry McDonald, “Ex-IRA Commander Accused of Role in Notorious Troubles-era Murder,” *Guardian* (22 March 2014; <http://www.theguardian.com/uk-news/2014/mar/22/ira-troubles-murder-ivor-bell-court-jean-mcconville>); Henry McDonald, “From IRA Militant to Troubles Historian ... and Now Living in Fear after Adams Arrest,” *Guardian* (3 May 2014; [http://www.theguardian.com/uk-news/2014/may/03/gerry-adams-ira-anthony-mcintyre-hate-campaign?CMP=tw\\_t\\_gu](http://www.theguardian.com/uk-news/2014/may/03/gerry-adams-ira-anthony-mcintyre-hate-campaign?CMP=tw_t_gu)); Henry

McDonald, “Call for Investigation of Alleged Boston College-IRA Archive Spying,” *Guardian* (18 June 2014; <http://www.theguardian.com/uk-news/2014/jun/18/call-investigation-boston-college-ira-spying>); Beth McMurtrie, “Secrets from Belfast: How Boston College’s Oral History of the Troubles Fell Victim to an International Murder Investigation” (<http://chronicle.com/article/Secrets-From-Belfast/144059>; 26 January 2014); Beth McMurtrie, “Northern Irish Police Seek Boston’s Entire Oral History Archive,” *University World News* (30 May 2014; <http://www.universityworldnews.com/article.php?story=20140530122611229>).]

*See also* Rwanda, Saint Vincent, United States.

## UNITED STATES

Previous *Annual Report* entries: 1995–2013.

A 1991 statute mandated that the State Department publish the documentary record of United States foreign policy (a historical series called *Foreign Relations of the United States* or FRUS) no later than 30 years after the events described. But on 26 June 2013, the State Department’s Historical Advisory Committee (HAC) issued a report (“Report of the Advisory Committee on Historical Diplomatic Documentation, January 1–December 31, 2012”) that concluded that government programs to declassify national security information did not meet public expectations, the needs of historians, or the requirements of law. It noted “substantial delays in the declassification and publication processes” and criticized the substantial percentage of records reviewed by the National Declassification Center that were not cleared for release to the public.

[*Source*: Steven Aftergood, “Historians See Crisis in Declassification” (<http://blogs.fas.org/secrecy/2013/07/crisis-in-declass>; 2 July 2013).]

Emails from January 2010 obtained in July 2013 by the Associated Press through a public records request showed that former Governor Mitch Daniels of Indiana (2005–2013) exerted his influence to keep *A People’s History of the United States* (1980, 2003), a best-selling book by left-wing historian Howard Zinn (1922–2010), out of the classrooms in favor of *America: The Last Best Hope* (2 volumes; 2006–2007), a book by William Bennett (former education secretary under President Ronald Reagan). Daniels had dubbed Zinn “anti-American.” The news sparked a surge in demand for the book at Indiana libraries.

[*Source*: Tom LoBianco, “Daniels: Teach Bennett Text Instead of Zinn,” *Courier Press* (<http://posttrib.suntimes.com/news/22017618-418/daniels-teach-bennett-text-instead-of-zinn.html#.U->

ZgdGOjeno; 18 August 2013).]

In August 2013, the Central Intelligence Agency (CIA) closed its Historical Document Declassification Office for budgetary reasons, handing the latter's workload over to the office that handled Freedom of Information Act requests. The move was widely criticized.

[*Source*: Tim Cushing, "Blaming Sequestration, CIA Closes Historical Document Declassification Office" (<http://www.techdirt.com/articles/20130822/13141424284/blaming-sequestration-cia-closes-historical-document-declassification-office.shtml>; 23 August 2013).]

In October 2013, Matthew Papay, a second-year student at the University of Rochester, was ordered to take down a Confederate flag he had put in the window of his room on campus a week before. He declared that, by doing so, college officials violated his right to express his cultural identity. He also said that he had no intention to offend anyone. The flag was seen by many as a symbol of hate and racism that represented white domination of African-Americans.

[*Source*: James Goodman & Sean Dobbin, "Confederate Flag Raises Issues, Ire at a N.Y. College," *USA Today* (23 October 2013).]

On 22 October 2013, the Tucson Unified School District voted to reinstate previously banned books on Chicano history, which could be used in United States history and world history classrooms in high and middle school. [See *NCH Annual Report 2012*.]

[*Source*: Hector Tobar, "Tucson School Board Lifts Ban on Latino Studies Books," *Los Angeles Times* (25 October 2013; <http://articles.latimes.com/2013/oct/25/entertainment/la-et-jc-tucson-school-board-latino-studies-books-20131025>).]

On 4 November 2013, Columbia College in Chicago decided to remove one section of the course "The Israeli/Palestinian Conflict" scheduled for the spring of 2014. The move followed a few days after an anonymous student complained about "bias" in the same course taught by Iymen Chehade, a historian and part-time faculty member, in the fall of 2013. Chehade had screened the Oscar-nominated film *5 Broken Cameras* (2012; 94 minutes), chronicling non-violent Palestinian resistance as Israel Defense Forces constructed a separation wall in the village of Bil'in on the West Bank. Steven Corey, chair of the Department of Humanities, History, and Social Sciences (HHSS), asked Chehade to address the subject matter in a more "balanced" way. A petition was organized to request the course's reinstatement. After conducting an independent investigation, the American Association of University Professors (AAUP) issued a finding on 25 March 2014 that Columbia College was in violation of Chehade's academic freedom by canceling the section. It read, inter alia: "His academic freedom gives him the right to introduce controversial course-related topics, and materials into his

classroom. He need not insure that equal time in the name of balance is given on every topic brought into class. A course on slavery need not proffer arguments for and against the racist, dreaded institution. A course on gay rights or the history of genocide need not ‘balance’ the number of arguments in favor of gay rights and in opposition to genocide with those that support discrimination against homosexuals and mass murder.” The college objected to the AAUP conclusions, but eventually reinstated the canceled section in late March 2014. The Israeli director of the documentary, Guy Davidi, wrote to Chehade, saying that his film had been officially accepted to the cultural program of the Israeli Ministry of Education. It had been screened in dozens of Israeli schools.

In the fall of 2011, some student members of Hillel (a foundation for Jewish Campus Life) had signed a petition also charging Chehade with bias, later citing as examples that he used terms such as (the accurate) “Occupied Territories” (rather than “Disputed Territories”) to refer to the West Bank and Gaza, and “ethnic cleansing” to refer to the expulsion of about 750,000 Palestinians from Israel in 1948. In response, dozens of students circulated and signed a petition in Chehade’s defense.

[*Sources*: American Association of University Professors (Illinois Conference), *Finding in the Case of Iymen Chehade* (<http://www.concernedhistorians.org/le/341.pdf>; 25 March 2014); “Columbia College Chicago Reinstates Professor Chehade’s The Israel/Palestinian Conflict Course” (press release; 31 March 2014); Faten Dabis, “Respect Academic Freedom! Petition by Faten Dabis” ([http://www.change.org/petitions/llove-colum-edu-respect-academic-freedom?recruiter=2769606&utm\\_campaign=signature\\_receipt&utm\\_medium=email&utm\\_source=s\\_hare\\_petition](http://www.change.org/petitions/llove-colum-edu-respect-academic-freedom?recruiter=2769606&utm_campaign=signature_receipt&utm_medium=email&utm_source=s_hare_petition)); Faten Dabis, “Update about ‘Llove@colum.edu: Respect Academic Freedom!’ on Change.org” (20 & 27 March 2014; 14 April 2014); Nick DeSantis, “Columbia College Chicago Is Accused of Violating Academic Freedom,” *Chronicle of Higher Education* (<http://chronicle.com/blogs/ticker/columbia-college-chicago-is-accused-of-violating-adjuncts-academic-freedom/74909>; March 27, 2014); “A Statement in Support of Columbia College Instructor Iymen Chehade: Respect for Academic Freedom Is about Deeds, not Lip Service” (20 March 2014).]

In December 2013, the State Department released records documenting the covert CIA actions in Congo in 1960–1968, including plans to assassinate Prime Minister Patrice Lumumba (1925–1961) and the provision of military support to the government to quell provincial rebellions. The 1994 *Foreign Relations of the United States* volume on the Congo Crisis had omitted such information.

[*Source*: Steven Aftergood, “Two-Decade Review Yields History of Covert Action in Congo” (<http://blogs.fas.org/secrecy/>; 23 December 2013).]

In December 2013, Michael F. Scheuer, a former CIA official who as an adjunct faculty member has taught in the Center for Security Studies of Georgetown University’s School of Foreign Service, wrote a blog post criticizing President Barack Obama and Prime Minister David Cameron,

denouncing their governments' interventions in the Muslim world and questioning the actions of the National Security Agency. Scheuer quoted Algernon Sidney (1623–1683), an English politician and republican political theorist, who was executed for allegedly plotting against King Charles II of England: "If he [a political leader] be justly accounted an enemy of all, who injures all; he above all must be the publick enemy of a nation, who by usurping power over them, does the greatest and most publick injury that a people can suffer. For which reason, by an established law among the most virtuous nations, every man might kill a tyrant; and no names are recorded in history with more honor, than of those who did it." In an interview with the university's student newspaper, *The Hoya*, he again alluded to violence against the two politicians. The university received many negative comments about Scheuer, but defended Scheuer's academic freedom.

[Source: Nick DeSantis, "Georgetown Backs Academic Freedom of Adjunct Who Alluded to Assassinating Obama," *Chronicle of Higher Education* (<http://chronicle.com/blogs/ticker/georgetown-backs-academic-freedom-of-adjunct-who-alluded-to-assassinating-obama/71413>; 15 January 2014).]

On 17 January 2014, Timothy McGettigan, a professor of sociology at Colorado State University-Pueblo, sent out an email to students and faculty members in which he urged them to oppose impending personnel cuts and attend a rally against them. His subject line was "Children of Ludlow," referring to a 1914 massacre of striking coal miners and their families in southern Colorado, instigated by mine owners in Denver. He compared the way the university administration treated its personnel to the way these mine owners treated their workers in 1914 and concluded that, then as now, those without power were being mistreated. Hours after he sent the email, the university removed his email account. In a memo, it stated that he had violated a rule banning use of email to "intimidate, threaten, harass other individuals or interfere with the activity of others to conduct university business." Faculty leaders, while finding the email offending and the images violent, condemned the move and emphasized McGettigan's concern with the university's welfare. McGettigan himself invoked his right to criticize campus policies.

[Source: Scott Jaschik, "Colorado State Removes Email Account of Professor Who Criticized Cuts," *Inside HigherEd* (<http://www.insidehighered.com/news/2014/01/20/colorado-state-removes-email-account-professor-who-criticized-cuts#ixzz2rLwq4MvN>; 20 January 2014).]

In February 2014, historians Lisa Guinn and her husband Thomas Jorsch, who had tenure-track jobs at Upper Iowa University, Fayette, Iowa (2010–2014), were given terminal contracts without a reason. Reports said that this *de facto* dismissal was partly the result of their vocal opposition since the fall of 2012 to administrative plans to eliminate the history major and replace it with a hybrid social science major that would have little value for students. Both were able to find positions at Bethany College,

Kansas.

[*Source*: Colleen Flaherty, “Faculty Members at Upper Iowa U. Say They Lost Jobs for Questioning Curricular Changes,” *Inside HigherEd* (22 July 2014); <http://www.insidehighered.com/news/2014/07/22/faculty-members-upper-iowa-u-say-they-lost-jobs-questioning-curricular-changes#ixzz38VNm1gQI>.]

On 1 March 2014, the President of Kennesaw State University (KSU), Georgia, removed an installation—commissioned by KSU to Ruth Stanford, artist and associate professor of sculpture at Georgia State University—from the exhibition *See through Walls* intended to open the new KSU Zuckerman Museum of Art. The subject of the installation was the homestead of author Corra Harris (1869–1935), who had written an article in 1899 in which she had explained lynching and used racist language. KSU administrators did not find it sufficiently celebratory. On 5 March 2014, largely in response to a petition protesting the removal, KSU officials agreed to reinstate the work.

[*Sources*: Art supporters, personal communication (March 2014); “Reinstate Artwork Censored by Kennesaw State University President: Petition by Burnaway.org” (<http://petitions.moveon.org/sign/reinstate-artwork-censored>); Scott Jaschik, “Censoring Art and History,” *Inside HigherEd* (<http://www.insidehighered.com/news/2014/03/03/kennesaw-state-orders-museum-remove-are-racist-past-woman-whose-land-was-given#ixzz2vD5eRz00>; 3 March 2014).]

On 22 April 2014 Ismail Beşikçi (1939–), a Turkish scholar of Kurdish history who was invited to speak at American University in Washington D.C., and his companion (the director of a non-profit cultural foundation), were turned away at Istanbul airport despite possessing valid visas to travel to the United States. Airport personnel reportedly told Beşikçi that the refusal to let him board the flight originated with United States government authorities. [See also *NCH Annual Reports 2002, 2009–2010* under Turkey.]

[*Source*: “Turkish Scholar Denied Right to Board U.S.-Bound Flight,” *Inside HigherEd* (16 May 2014; <http://www.insidehighered.com/quicktakes/2014/05/16/turkish-scholar-denied-right-board-us-bound-flight#ixzz31tPOdytA>).]

On 20 May 2014, the United States Court of Appeals for the District of Columbia Circuit confirmed (2 to 1) that volume 5 of the CIA’s internal 1200-page five-volume Top Secret *Official History of the Bay of Pigs Invasion*, written between 1974 and 1984, could be withheld [see *NCH Annual Reports 2011–2013*]. The majority said that as a draft, the volume was “predecisional and deliberative” and could be withheld, even though the guidance to Federal agencies by the United States Department of Justice prescribed that drafts should not be withheld solely because they are drafts.

[*Sources*: International Council on Archives Human Rights Working Group, *News of May 2014*, 10;

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National Security Archive, *Update* (14 April & 1 August & 15 August 2011, 17 April & 10 May & 7 December 2012 & 13 December 2013 & 21 May 2014).]

*See also* Australia, China, Congo (Democratic Republic), France, India, Iraq, Japan, Kenya, Palestinian Authority, Rwanda, Turkey, United Kingdom.

## **URUGUAY**

Previous *Annual Report* entries: 2001–2013.

## **UZBEKISTAN**

Previous *Annual Report* entries: 2005–2013.

Eight years on, authorities continued to refuse an independent investigation into the 2005 government massacre of hundreds of people in Andijan. They persecuted anyone suspected of having witnessed the atrocities or who attempted to speak publicly about them. On 13 May 2013, they arrested activists Elena Urlaeva and Adelaida Kim as they attempted to lay a wreath of flowers at a public monument in Tashkent to commemorate the massacre's eighth anniversary. [See also *NCH Annual Reports 2006–2010, 2012–2013*.]

[Source: Human Rights Watch, *World Report 2014* (Washington 2014), 519.]

**VATICAN**

Previous *Annual Report* entries: 1996, 1998, 2000, 2004, 2009, 2011.

**VENEZUELA**

Previous *Annual Report* entries: 2001, 2003–2004, 2006, 2009–2010, 2012.

On 1 July 2013, the National Center of Cinematography (CNAC), the official body in charge of registering and sponsoring films produced in Venezuela, forced cinemas to screen a short documentary “about the struggle of the Palestinian people” immediately before the film *Esclavo de Dios* (God’s Slave; a film telling the story of the deadly attack against the Israeli embassy in Argentina in 1992, when 29 civilians were killed and 242 others injured.) The film maker Joel Novoa said that he had received threats on Twitter and Facebook because of the alleged “pro-Israeli” content of his film.

[*Source*: Article 19, “Venezuela: Government Body Orders Palestinian Film Shown,” *Artistic Freedom Report* (14 August 2013).]

On 13 February 2014, two persons were killed in a shootout during an anti-government student demonstration in Caracas. The students had demonstrated against the detention of fellow students on the previous day. On 12 February, Día de la Juventud (Day of Youth), the victory of rebel student militias under José Félix Ribas against Spanish troops in the 1814 Battle of La Victoria was commemorated.

[*Source*: *BBC News* (13 February 2014).]

**VIETNAM**

Previous *Annual Report* entries: 1996–2006, 2009–2013.

See Cambodia.

**WESTERN SAHARA**

*See Morocco / Western Sahara.*

**YEMEN**

Previous *Annual Report* entries: 2001, 2003, 2010, 2013.

In 2012, the parliament granted President Ali Abdullah Saleh and his aides immunity from prosecution, and the current President, Abdu Rabu Mansour Hadi, did not create mechanisms to provide accountability for past abuses. In September 2012, Hadi decreed that an independent commission of inquiry had to be created to investigate alleged violations committed during the 2011 uprising and recommend accountability for perpetrators and redress for victims. Over one year later, he had still not nominated the commissioners. Hadi presented a deeply flawed draft transitional justice law to parliament in January 2013, but it had yet to be passed. The draft law did not grant victims judicial redress, but was merely a victim compensation scheme, limited in time to the 2011 events.

In September 2012, the trial began of 78 defendants—but not the key suspects—for the deadliest attack of the 2011 uprising, in which pro-government gunmen killed 45 protesters and wounded 200 on 18 March 2011. It was marred by political interference, failure to follow leads that might have implicated government officials, and factual errors. In April 2013, a trial judge ordered prosecutors to reinvestigate former president Saleh and 11 top aides in connection with the incident.

[*Source*: Human Rights Watch, *World Report 2014* (Washington 2014), 626–627.]

**ZAMBIA**

Previous *Annual Report* entries: 2009.

See Kenya.

**ZIMBABWE**

Previous *Annual Report* entries: 1998–2001, 2004, 2006, 2008–2013.

Between February 2009 and September 2013, as the office of prime minister was temporarily restored and occupied by Morgan Tsvangirai of the Movement for Democratic Change (MDC), youth militia established by the ZANU-PF political party reportedly attempted to control primary schools history curricula. Some youth militia were running history clubs at schools. History teachers in rural areas said that the setting up of militia bases at schools intimidated them; they felt forced to teach the ZANU-PF version of history or stop teaching history altogether. In 2011, the Progressive Teachers' Union of Zimbabwe (PTUZ) reported that district-level officials summoned history teachers to reorientation meetings and ordered them to invite veterans of the pre-1980 liberation war to give history lessons. The Minister of Education, Sports and Culture, David Coltart, told Parliament in March that the government would not allow war veterans to offer history lessons of the liberation struggle to students in schools. In a September 2011 press statement, the PTUZ said that the history curriculum emphasized military history and neglected economic, technological and social aspects. [See also *NCH Annual Report 2010*.]

[*Sources*: Global Coalition to Protect Education from Attack, *Education under Attack 2014* (New York 2014), 206; Lance Guma, "War Vets Demand to Teach History in Schools" (10 March 2011; <http://www.zimeye.org/war-vets-demand-to-teach-history-in-schools>); Vladimir Mzaca, "Union Accuses Zanu-PF of Distorting History in Schools" (4 September 2011; <http://www.davidcoltart.com/2011/09/union-accuses-zanu-pf-of-distorting-history-in-schools>); "Political Violence Growing in Rural Areas" (Irinnews, 27 July 2009); UNESCO, *Education Under Attack 2010* (Paris 2010), 242; "Zimbabwe Teachers Union Says ZANU-PF Forcing History Syllabus on Schools" (2 September 2011; <http://www.voanews.com/zimbabwe/news/Zimbabwe-Teachers-Union-Says-ZANU-PF-Is-128899388.html>); Chengetai Zvauya, "Stop Meddling in Education: Coltart," *The Zimbabwe Situation* (9 March 2011; [http://www.zimbabwesituation.com/mar10\\_2011.html#Z10](http://www.zimbabwesituation.com/mar10_2011.html#Z10)).]