

## INTRODUCTION

The twenty-first *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 2014 and 2015.

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## AFGHANISTAN

Previous *Annual Report* entries: 2000–2014.

Early in 2014, the Afghanistan Independent Human Rights Commission presented President Hamid Karzai with a copy of its 800-page report mapping war crimes and crimes against humanity in Afghanistan since the Communist era (1978–2001). Completed in December 2011, the report would provide a foundation for future steps to prosecute those implicated in past abuses. Karzai rejected calls to release the report publicly. Although Karzai's successor, President Ashraf Ghani had vowed before the election to release the report, in early 2015 there was no planned release date. (*See also* NCH *Annual Reports* 2013–2014.)

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 49.]

## ALBANIA

Previous *Annual Report* entries: 1996, 2012.

Former political prisoners organized hunger strikes in protest against the government's failure to fairly distribute compensation for their imprisonment by the communist government (1944–1991), when thousands were imprisoned or sent to labor camps and subjected to torture and other ill-treatment.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 54.]

In April 2015, the parliament passed a law opening up files from the secret police (Sigurimi) of the Communist era (1944–1991) to people who were spied upon and barring former Sigurimi members from holding public office in the future. An estimated 7,000 opponents of the regime were killed and more than 100,000 deported to labor camps. In 1991 many of the files had been destroyed.

[Source: "Albania Opens Communist Secret Police Files," *BBC News* (<http://www.bbc.com/news/world-europe-32552372>; 1 May 2015).]

*See also* Serbia/Kosovo.

**ALGERIA**

Previous *Annual Report* entries: 1996, 2001–2014.

The 2006 Law on Peace and National Reconciliation continued to afford legal immunity to perpetrators of torture, enforced disappearances, unlawful killings and other serious rights abuses during the internal armed conflict of 1992–2000. The law also criminalized any expression that authorities believed denigrated state institutions or security forces for their conduct during that conflict. However, there appear to have been no prosecutions based on this law to date. The United Nations Human Rights Committee ruled on five cases of enforced disappearance and urged the authorities to investigate them thoroughly, bring the perpetrators to justice and provide effective remedies to the relatives of the disappeared. (*See also NCH Annual Reports 2007–2010.*)

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 56; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 56.]

On 20 April 2014, police used excessive force to disperse demonstrators in Tizi-Ouzou city who were commemorating the violent repression of protesters in 2001 in the Kabylia region.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 55–56.]

On 1 November 2014, the 60th anniversary of the outbreak of the war of liberation against France (“the November Revolution”), Tayeb Zitouni, the Minister of Mujahideen (independence war veterans) declared that “France refuses to hand over the remaining archives to Algeria or lingers to do. She will never hand over the archives that might disturb her.” In February 2015, he added that France had returned only 2% of the archives in its possession. Critics observed that the Algerian archives about the Revolution remained closed themselves. (*See also NCH Annual Report 2013.*)

[Sources: Algeria Press Service, History Writing: 4,000 Hours of Living Testimonies Recorded (28 October 2014; <http://www.aps.dz/en/algeria/4671-history-writing-4,000-hours-of-living-testimonies-recorded>); “La France n’est pas prête à restituer les archives,” *Le Matin.dz* (16 February 2015; <http://www.lematindz.net/news/16601-la-france-nest-pas-prete-a-restituer-les-archives.html>); M. Oudina, “France Will Never Accept To Admit Defeat in its War against Algeria (Minister)” (31 October 2014; <http://www.ennaharonline.com/en/news/8484.html>).]

*See also* Morocco / Western Sahara.

**ANGOLA**

Previous *Annual Report* entries: 2003, 2009.

**ARGENTINA**

Previous *Annual Report* entries: 1997–2014.

Several cases of human rights violations committed during Argentina's military dictatorship (1976–1983) were reopened in 2003 after Congress annulled existing amnesty laws. Subsequently, the Supreme Court 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. As of August 2014, 121 trials had been conducted for crimes against humanity originating from the dictatorship, resulting in 503 convictions. The Center of Legal and Social Studies (CELS) reported that 42 people had been acquitted during the trials, and another 1,611 suspects were under investigation. Given the large number of victims, suspects, and cases, prosecutors and judges faced challenges in bringing those responsible to justice while also respecting due process rights of the accused. Argentina made significant progress in identifying children of the disappeared who were illegally appropriated during the dictatorship, and connecting them to their biological families. In July 2014, the National Bank of Genetic Data identified the grandson of Estela de Carlotto, the founder of Grandmothers of Plaza de Mayo (*See also NCH Annual Reports 2003 and 2014*). As of August, 115 grandchildren had been found. In early 2015, a legal challenge to a 2009 law that would limit collection of DNA samples to cases of the dictatorship was pending before the Supreme Court. In Buenos Aires, 22 accused were prosecuted for their alleged involvement in the Plan Condor, an agreement between the military governments of Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay to eliminate their political opponents. Also, trials were held for more than 100 defendants accused of crimes committed in the clandestine detention and torture centers in the School of Navy Mechanics in Buenos Aires, and La Perla in Córdoba, among others.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 61; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 65.]

18 July 2014 marked the twentieth anniversary of the attack against the building of the Argentine Israelite Mutual Association in Buenos Aires, which left 85 people dead. The government failed to provide justice and reparation to the victims. Iran refused to comply with an Argentine court order

which called for the capture of five suspects. In 2013, the Argentine and Iranian governments signed an agreement to interrogate these suspects in Tehran, but it did not take effect. In Argentina, high-ranking officials, including former president Carlos Menem, were tried for diverting the investigation. The public trial was pending at the end of 2014.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 61.]

*See also* Paraguay, Spain.

## ARMENIA

Previous *Annual Report* entries: 2005–2006, 2010, 2014.

During a series of protests in June 2014, Yerevan police detained activists protesting the demolition of the Afrikyan House, a historical monument.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 69.]

*See also* Azerbaijan, Turkey.

## AUSTRALIA

Previous *Annual Report* entries: 1997, 2001, 2003, 2007–2009, 2014.

In November 2014, the Federal Court was to hear a “top secret” appeal by the Australian government—including a government witness only identified as “X”—aimed at suppressing information from files containing Australian diplomatic papers and intelligence about East Timor and sought by political scientist Clinton Fernandes. Fernandes commented: “The Australian Government is pursuing a secret appeal against a secret judgement about the secret evidence of a secret witness. This goes against the English tradition of fairness from which our legal system springs.” (For background, *see NCH Annual Report 2014*.)

[Source: Philip Dorling, “Attorney-General Appeals against the Release of Secret Diplomatic Information on East Timor,” *Brisbane Times* (<http://www.brisbanetimes.com.au/federal-politics/political-news/attorneygeneral-appeals-against-the-release-of-secret-diplomatic-information-on-east-timor-20141116-11npcr.html>; 16 November 2014).]

On 18 April 2015, police in Melbourne arrested five suspects who were reportedly planning to target police on Anzac Day, 25 April 2015. The evidence suggested that they were influenced by Islamic State. Their leader was charged with conspiring to commit a terrorist act. Anzac Day is an annual day of remembrance for servicemen and women from Australia and New Zealand. A series of events were planned on 25 April 2015 to coincide with the 100th anniversary of the landings at Gallipoli (Ottoman Empire).

[Source: “Australian Teenagers Held over Alleged Melbourne Terror Plot,” *BBC News* (18 April 2015; <http://www.bbc.com/news/world-australia-32361721>).]

## AUSTRIA

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

*See* Turkey, Turkmenistan.

## AZERBAIJAN

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

In 2010, after fifteen years of teaching history at Lenkeran State University, southeast Azerbaijan, Yadigar Sadigov was dismissed allegedly for being the adviser to the chair of the opposition political party Musavat and for publishing criticism of government policies in its daily newspaper as well as on Facebook. On 27 June 2013, he was arrested on false hooliganism charges for allegedly beating up an invalid Nagorno-Karabakh war veteran after the latter had provoked him in a teahouse. He was held in pretrial detention. In January 2014, a court sentenced Sadigov to six years’ imprisonment. In July 2014, an appeals court reduced the sentence to four years.

[Sources: Human Rights Watch, “Azerbaijan: Government Repression Tarnishes Chairmanship: Council of Europe’s Leadership Should Take Action” (28 September 2014; <http://www.hrw.org/print/news/2014/09/29/azerbaijan-government-repression-tarnishes-chairmanship>); Human Rights Watch, *Tightening the Screws: Azerbaijan’s Crackdown on Civil Society and Dissent* (New York: Human Rights Watch, 2013), 17–19.]

On 30 July 2014, the authorities charged Leyla Yunus ([1954]–), director of the Institute for Peace and Democracy (IPD; established in 1995), and her husband, Arif Yunus, with treason, tax evasion,

and illegal entrepreneurship. Both are historians by training and authors of many historical works. Many believed that the real reason for the arrests were the fact that Leyla Yunus had called for peaceful relations with Armenia and for a boycott of the European Games to be held in Baku in June 2015. A court sent Leyla Yunus to pretrial custody for three months but Arif Yunus was released under police supervision because of his poor health. But on 5 August 2014, police rearrested him as he was on his way to deliver food and medication to his wife. Despite his health concerns, the court sent him also to pretrial detention in a Ministry of National Security prison for three months for allegedly violating the terms of his house arrest. The Prosecutor's Office also sealed the office of Leyla Yunus's organization.

On 28 April 2014, the Azerbaijani authorities had prevented the Yunuses from boarding a flight to attend a conference in Brussels, confiscated their passports, questioned them at length, and searched their home and office. They were told that they were barred from traveling abroad because they were witnesses in a criminal investigation against journalist Rauf Mirgadirov. In the 1980s, the Yunuses had compiled a list of political prisoners in Azerbaijan and disseminated it worldwide. In 2012, they helped create a joint Azerbaijani-Armenian website, where representatives of civil societies of both countries engaged in public dialogue.

[Sources: "Dinara Yunus Speaks at the OSCE Conference," (25 September 2014; [http://leylaarifyunus.blogspot.nl/2014\\_09\\_01\\_archive.html](http://leylaarifyunus.blogspot.nl/2014_09_01_archive.html)); "Letter from Leyla Yunus in prison to Arif Yunus in prison" (in Dutch; <http://weblogs.amnesty.nl/mensenrechtenvandaag/2015/01/15/yunus>); Rachel Denber, "Dispatches: Towering Figures, Silenced in Azerbaijan's Crackdown" (Human Rights Watch, 5 August 2014; <http://www.hrw.org/news/2014/08/05/dispatches-towering-figures-silenced-azerbaijan-s-crackdown>); Giorgi Gogia, "Dispatches: Azerbaijan Jails Yet Another Rights Defender" (Human Rights Watch, 8 August 2014; <http://www.hrw.org/news/2014/08/08/dispatches-azerbaijan-jails-yet-another-rights-defender>); Human Rights Watch, "Azerbaijan: Government Repression Tarnishes Chairmanship: Council of Europe's Leadership Should Take Action" (28 September 2014; <http://www.hrw.org/print/news/2014/09/29/azerbaijan-government-repression-tarnishes-chairmanship>); Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 80; Veronika Szente Goldston, "'Dark Times' in Azerbaijan," (Human Rights Watch, 7 October 2014; <http://www.hrw.org/news/2014/10/07/dark-times-azerbaijan>).]

**BAHRAIN**

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

On 18 March 2015, the Special Procedures of the United Nations Human Rights Council expressed “concern at what appears to be a policy of removing from public space and public memory the symbol of the pro-democracy movement in Bahrain, and therefore, of preventing the expression of narratives deviating from official discourses regarding the events of February and March 2011.” They referred to the destruction by government security forces, on 18 March 2011, of the Pearl Roundabout in Manama, a monument which served as the center of the February 2011 peaceful uprising and which had since become a symbol of the pro-democracy movement. Human rights groups said that by destroying the Pearl Roundabout and removing all imagery associated with it, the government rewrote history and pretended that the uprising never happened.

[Source: Bahrain Center for Human Rights, “Bahrain’s Pearl Roundabout: A Government’s Attempt at Rewriting History” (23 March 2015; [https://www.ifex.org/bahrain/2015/03/23/pearl\\_roundabout\\_destroyed/?utm\\_source=whatcounts&utm\\_medium=email&utm\\_campaign=itw\\_25march2015](https://www.ifex.org/bahrain/2015/03/23/pearl_roundabout_destroyed/?utm_source=whatcounts&utm_medium=email&utm_campaign=itw_25march2015)).]

**BANGLADESH**

Previous *Annual Report* entries: 1999, 2001, 2004–2006, 2008–2014.

In May 2013, Mohammad Kamaruzzaman, assistant secretary-general of Jamaat-e-Islami (the largest Islamist party of Bangladesh) was found guilty of genocide and torture by the International Crimes Tribunal (ICT, set up in 2010) and sentenced to death. On 3 November 2014, the Supreme Court upheld the trial court’s sentence, despite serious fair trial concerns. Kamaruzzaman was not granted a right to appeal. In late October 2014, the ICT had also sentenced party leaders Motiur Rahman Nizami and Mir Quasem Ali to death. The first person executed on orders of the ICT was Jamaat-e-Islami senior leader Abdul Kader Mullah (Abdul Qader Mollah)—in December 2013, following hastily enacted retrospective legislation which is prohibited by international law. In September 2014, the Supreme Court had commuted the death sentence given to party leader Delwar Hossain Sayeedi to life imprisonment. Article 47A (1) of the Constitution specifically stripped war crimes accused of their right to a fair trial. All the crimes had been committed during the nine-month war of independence from Pakistan in 1971. Critics of the ICT said that the government used it to target political opponents, but the Awami League, leading the government, asserted that it was necessary to



help Bangladesh come to terms with its past. (See also NCH *Annual Reports* 2011–2014.)

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 72, 73–74; “Bangladesh Islamist Delwar Sayeedi Death Sentence Commuted,” *BBC News* (17 September 2014; <http://www.bbc.com/news/world-asia-29233639>); “Bangladesh Upholds Islamist Kamaruzzaman Death Sentence,” *BBC News* (3 November 2014; <http://www.bbc.com/news/world-asia-29875827>); Human Rights Watch, “Bangladesh: Halt Execution of War Crimes Accused” (9 November 2014; <http://www.hrw.org/news/2014/11/09/bangladesh-halt-execution-war-crimes-accused>); Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 97, 98.]

The exact number of people killed in the 1971 war was unclear: while official estimates were three million, independent researchers said it was closer to 500,000. In February 2014, a lawyer filed a court application claiming that three articles on the blog *Bangladesh War Crimes Tribunal* (November 2011) by British investigative journalist David Bergman were in contempt of the International Crimes Tribunal (ICT). In the blogs, Bergman had questioned the toll of three million deaths during the 1971 independence war as being unrealistically high. He had referred to a passage in an ICT order, writing: “The Tribunal in its order does not provide or refer to any evidence or material on record to support the figure of 3 million, treating it as a historical fact...Although this number is treated as an official government figure, there is as far as I can see little evidence, if any, to support it.” The ICT demanded an “explanation” of the posts and held an oral hearing. On 17 April 2014, it issued contempt proceedings. At a hearing on 2 December 2014, Bergman was found guilty of contempt and ordered to pay a fine. Bergman, based in Bangladesh, edited the English-language daily *New Age* and wrote for the *Daily Telegraph*. He made the award-winning film *War Crime Files*.

[Sources: David Bergman, “Summary of Legal Argument on Blog Contempt Charges” (<http://bangladeshwarcrimes.blogspot.co.uk/2014/10/summary-of-legal-argument-on-blog.html>); PEN International, “British Journalist Found Guilty of Contempt in Bangladesh for Questioning 1971 War Death Toll,” (2 December 2014; [https://www.ifex.org/bangladesh/2014/12/02/contempt\\_british\\_journalist/?utm\\_source=whatcounts&utm\\_medium=email&utm\\_campaign=itw\\_3december2014](https://www.ifex.org/bangladesh/2014/12/02/contempt_british_journalist/?utm_source=whatcounts&utm_medium=email&utm_campaign=itw_3december2014)).]

Amateur historian Ami Rahman Pail ([1968–]) was assaulted four times in recent years because he criticized the fundamentalists for their role in the 1971 independence war on his blog (since 2006) and Facebook page (53,000 followers). Pail was one of the founders of Shahbagh, a movement supporting the death penalty for leaders of Jamaat-e-Islami (the main Islamist party) who in 2009–2013 were sentenced by the International Crimes Tribunal for war crimes in the 1971 war. Pail’s name topped a hit list of 84 targets compiled by Islamists. Three authors on the list were already murdered in 2015.

Pial's wife and child went into exile. In clashes between Jamaat e-Islami supporters, Shahbagh protesters and security forces in February 2013, more than a hundred people had died.

[Source: Floris van Straaten, "De Bengaalse bloggers zijn doodsbang," *NRC Handelsblad* (7 July 2015), 16–17.]

## **BELARUS**

Previous *Annual Report* entries: 1996–2000, 2005–2007, 2009–2011, 2014.

Eight were arbitrarily arrested during or immediately after they attended a peaceful march commemorating the 1986 Chernobyl nuclear disaster. They were charged with "petty hooliganism" and "disobeying police orders." Eight others, all known for their political activism, were detained in the days before the march under similar charges. (*See also NCH Annual Reports* 1996–1997, 2006–2007, 2014.)

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 75; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 101.]

## **BELGIUM**

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

## **BELIZE**

Previous *Annual Report* entries: 2014.

## **BOLIVIA**

Previous *Annual Report* entries: 2007, 2009–2014.

Five decades after the military and authoritarian regime (1964–1982), no progress in providing justice to victims of political violence or measures to implement a mechanism to unveil the truth of the

human rights violations committed during that period was made. A contributing factor was the unwillingness of the armed forces to provide information on the fate of people killed or disappeared during this period. A proposal to create a truth commission to investigate the crimes—made up of seven members, including four appointed by the government—was pending before the Plurinational Assembly in early 2015. The authorities ignored national and international bodies' concerns about the lack of transparency and unfairness of the reparation process that ended in 2012 and in which just over a quarter of applicants qualified as beneficiaries. In February 2014, a campsite of the victims' organization, Platform of Social Activists against Impunity, for Justice and Historical Memory of the Bolivian People, outside the Ministry of Justice was set on fire and files and documents were destroyed. Preliminary investigations indicated that the fire was caused by an electrical fault. However, the organization complained that it was an intentional attack. Criminal investigations were ongoing at the end of 2014.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 78; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 104–105.]

In July 2014, a second request to extradite former President Gonzalo Sánchez de Lozada to Bolivia was filed in the United States. He faced charges in connection with the “Black October” case, when 67 people were killed and more than 400 injured during protests in El Alto, near La Paz, in late 2003. A previous extradition request was rejected in 2012. In May 2014, a Federal Judge in the United States had allowed a civil lawsuit against the former President and his Minister of Defense for their responsibility in the events.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 78.]

## **BOSNIA and HERZEGOVINA**

Previous *Annual Report* entries: 2001–2014.

Proceedings continued at the International Criminal Tribunal for the former Yugoslavia (ICTY) against former Bosnian Serb leader Radovan Karadžić and former General Ratko Mladić, for genocide, crimes against humanity and violations of the laws or customs of war, including at Srebrenica. In October 2014, the hearing in the Karadžić case ended; a verdict was expected in the second half of 2015. At the national level, progress in ensuring accountability for war crimes and crimes against humanity committed during the various conflicts in the former Yugoslavia remained

slow. The number of new indictments remained low, trials dragged on and political attacks on national war crimes courts continued. War crimes courts, prosecutors and investigative units remained understaffed and under-resourced as the lack of political will to deliver justice increasingly hid behind the expressed desire to move on. The War Crimes Chamber of the State Court of Bosnia and Herzegovina made slow progress in the prosecution of crimes under international law, and was undermined by repeated criticism by high-ranking politicians. During 2014, the Republika Srpska entity prime minister repeatedly challenged the legitimacy of the State Court and Prosecutor's Office, claiming that they were unconstitutional, and called for their abolition. Across the region, civilian victims of war, including victims of sexual violence, continued to be denied access to reparations due to the failure to adopt comprehensive legislation regulating their status and guaranteeing their rights. The Criminal Code continued to fall short of international standards relating to the prosecution of war crimes of sexual violence. Entity courts continued to apply the Criminal Code of the Socialist Federal Republic of Yugoslavia; impunity prevailed in the absence of a definition of crimes against humanity, command responsibility, and crimes of sexual violence. Impunity for war crimes of sexual violence remained rampant; between 2005 and the end of 2014 less than a hundred cases had come to court. The estimated number of victims of rape during the war ranged between 20,000 and 50,000. In July 2014, the State Court began the first retrial of a war crimes suspect among the dozens whose convictions were quashed following a 2013 ruling of the European Court of Human Rights (ECHR) that stated that Bosnian courts had wrongly applied law not in force at the time of the offences committed during the Bosnian war (1992–1995). The decision in November 2014 by the State Court to quash under the ECHR ruling the genocide conviction of Milorad Trbic, a former commander with Bosnian Serb forces, and the prospect of his release from custody pending retrial, prompted concern from United Nations experts, who called on the government of Bosnia and Herzegovina to ensure victim protection, the right to truth and justice, and the adoption of a comprehensive transitional justice strategy. The case had been transferred to the Bosnian court from the International Criminal Tribunal for the Former Yugoslavia in 2007. In September 2014, Croatia, Serbia and Bosnia and Herzegovina signed a regional co-operation agreement with a view to accelerating the to-date slow progress in resolving the fate and returning the bodies of 7,800 people still missing since the conflict. The rights and livelihoods of relatives in all three countries continued to be undermined by the lack of legislation on missing persons. In Bosnia and Herzegovina, the Law on Missing Persons had not been implemented at the end of 2014, leaving the families of the missing with no access to reparation.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 36–37, 81–82; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 111–112.]

*See also* Netherlands, Serbia/Kosovo.

**BRAZIL**

Previous *Annual Report* entries: 1999, 2001–2003, 2005–2014.

In May 2012, a National Truth Commission began investigating the systematic human rights violations that occurred during military rule from 1964 to 1985, including extrajudicial killings, forced disappearances, torture, arbitrary detention, and the curtailment of free expression. This had led to the creation of more than 100 truth commissions in states, cities, universities and trade unions. These engaged in investigations into cases such as the enforced disappearance of former congressman Rubens Paiva in 1971. They also highlighted less well-known violations against indigenous Peoples and rural workers, such as the military attacks (1968–1975) against the Waimiri-Atroari in the Amazon and the torture of peasant farmers during the Araguaia guerrilla conflict (1967–1974). The Truth Commission published its final report on 10 December 2014.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 84; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 119–120.]

In April 2010, the Supreme Court reaffirmed lower court rulings that the 1979 amnesty law barred most prosecutions of state agents for the crimes. However, six months later, the Inter-American Court of Human Rights had 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. The 2014 Truth Commission report repeated the court's view. Federal prosecutors trying to bring the perpetrators of these crimes to justice condemned the law as incompatible with international human rights treaties. To date, judges have rejected these arguments. However, at the end of 2014, three bills were before Congress which proposed changes to the interpretation of the amnesty law so that it would no longer apply to agents of the state charged with crimes against humanity.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 84; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 119–120.]

## BULGARIA

Previous *Annual Report* entries: 1995–1998, 2002, 2006, 2009, 2012, 2014.

On 27 May 2015, the Defense Ministry announced that it had opened the Communist-era military intelligence archives to research. (For background, see *NCH Annual Report 2014*).

[Source: Agence France-Presse, “Bulgaria Opens Up Communist-era Military Archives,” *Global Post* (27 May 2015; <http://www.globalpost.com/article/6562655/2015/05/27/bulgaria-opens-communist-era-military-archives>).]

See also Macedonia.

## BURKINA FASO

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

In a ruling in March 2014, the African Court on Human and Peoples’ Rights held that the Burkinabé state—in its failure to diligently investigate and bring to justice those responsible for the assassination of journalist Norbert Zongo and three of his companions, found burned to death in a car in 1998—had violated the right to freedom of expression by causing “fear and worry in media circles.”

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 90.]

See also Guinea.

## BURUNDI

Previous *Annual Report* entries: 1999, 2001–2003, 2005–2014.

On 15 May 2014, Burundi adopted a law establishing a Truth and Reconciliation Commission (TRC) to cover grave violations of human rights and international humanitarian law committed between 1962 and 2008. The law failed to include clear language on the setting up of a special tribunal to prosecute individuals responsible for crimes under international law, including war crimes and crimes

against humanity. The TRC officially began on 10 December 2014 as eleven Commissioners were sworn into office.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 92; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 131.]

*See also* Rwanda.

## **CAMBODIA**

Previous *Annual Report* entries: 1999–2014.

On 7 August 2014, eight years after the creation of the United Nations-assisted Extraordinary Chambers in the Courts of Cambodia, former Khmer Rouge leaders Nuon Chea (88, the former second-in-command) and Khieu Samphan (83, the former head of state) were sentenced to life imprisonment for crimes against humanity, including extermination and political persecution. They were convicted of the forced relocations of Cambodians from urban areas to the countryside and around the countryside in 1975, during which many were executed. Both appealed the sentences. The two continued to face trial on other charges, including genocide, in connection with Khmer Rouge policies and practices from 1975 to 1979. However, given their advanced age, it was far from certain that a second trial would ever be completed. Prime Minister Hun Sen's public opposition to trials of other Khmer Rouge suspects made it unlikely that others responsible for the deaths of as many as two million people would be held accountable. While the trial had initially generated considerable interest, the drawn-out proceedings over many years resulted in the Cambodian public showing little interest by the trial's end.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 94; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 136.]

## **CAMEROON**

Previous *Annual Report* entries: 2010, 2012–2014.



## CANADA

Previous *Annual Report* entries: 1998, 2000, 2002–2003, 2005–2006, 2008–2009, 2012–2014.

In May 2015, the Royal Canadian Mounted Police admitted that 1,017 indigenous women and girls had been murdered between 1980 and 2012, a homicide rate at least four times higher than that faced by women in the rest of the population. Despite mounting demands, including by provincial and territorial governments, the federal government refused to initiate a national action plan or public inquiry.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 19, 97.]

*See also* Rwanda.

## CENTRAL AFRICAN REPUBLIC

Previous *Annual Report* entries: 2006–2009, 2011–2012, 2014.

The transitional authorities and the United Nations failed to effectively investigate crimes under international law, including war crimes and crimes against humanity committed in the country, therefore perpetuating the cycle of violence and fear. In July 2014, Amnesty International published a dossier naming twenty individuals, including anti-Balaka and Séléka commanders, against whom it had credible evidence to suspect that they could be responsible for war crimes, crimes against humanity and other serious human rights abuses committed since December 2013.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 102.]

On 9 April 2014, interim President Catherin Samba-Panza issued a decree establishing a special investigative cell to prosecute serious crimes committed in the country since 2004. The United Nations (UN) peacekeeping mission also consulted with the transitional government on the establishment of a judicial mechanism to enable the judiciary to work alongside international actors to tackle impunity. In August 2014, the peacekeeping mission and the government signed a Memorandum of Understanding to create a Special Criminal Court to try grave human rights violations and violations of international humanitarian law. On 24 September 2014, the International Criminal Court (ICC) prosecutor announced that her office would open a second investigation in the

country for crimes committed since 2012, following an earlier request from Samba-Panza. In 2007, the ICC had opened its first investigation in the country for crimes committed during the 2002–2003 civil war. The investigation led to the arrest of Jean-Pierre Bemba Gombo, a Congolese national and former vice president of the Democratic Republic of Congo. His trial was ongoing at the ICC in early 2015.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 147–148.]

## CHAD

Previous *Annual Report* entries: 2000–2012.

Former Chadian President Hissène Habré remained in custody awaiting trial before the Extraordinary African Chambers created by the African Union (AU) in 2012 to try him in Senegal. Habré was arrested on 30 June 2013 and charged on 2 July 2013 with crimes against humanity, torture and war crimes committed in Chad between 1982 and 1990. In August 2014, the court rejected the Chadian government's request to be a civil party (*partie civile*) in the case. At the end of 2014, the Chambers was finalizing its investigation into alleged crimes by Habré. If the investigating judges decided that there was sufficient evidence, his trial would start in May 2015.

On 14 November 2014, the trial of 26 former state security agents connected to the Habré era commenced in Chad. International and local human rights organizations expressed concern that the trial could undermine the upcoming trial of Habré in Senegal. In October 2014, the Chambers requested Chad to send these suspects to Dakar but Chad declined to transfer them and refused another request by the Chambers to travel to Chad to interview them. There were also concerns from the victims and human rights organizations that the trial might not meet international fair trial standards. (For background, see previous *NCH Annual Reports*.)

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 104, 318.]

## CHILE

Previous *Annual Report* entries: 1998–2014.

On 31 December 1974, Carlos Guerrero Gutiérrez (1954–?1975), history student at the Universidad

de Chile and activist of the Movimiento de Izquierda Revolucionario (MIR; Revolutionary Left Movement), was arrested by the Dirección de Inteligencia Nacional (DINA; National Intelligence Directorate). A number of witnesses testified that he was held at the detention site Villa Grimaldi and tortured and that he disappeared from there while in the hands of the DINA. He was last seen alive on 25 January 1975. In October 2014, the Supreme Court convicted former DINA members, including its former head Manuel Contreras Sepúlveda, of the enforced disappearance of Guerrero Gutiérrez.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 106; *Report of the Chilean National Commission on Truth and Reconciliation* (Notre Dame/London 1993), 544; "Carlos Eduardo Guerrero Gutiérrez," <http://www.memoriaviva.com/Desaparecidos/D-G/gue-gut.htm>.]

Some progress was made in bringing to justice those responsible for human rights violations committed under General Pinochet's regime (1973–1990). According to the President of the Supreme Court, by March 2014 there were 1,022 active cases, of which 72 related to allegations of torture. Official data from the Ministry of the Interior Human Rights Program indicated that, by October 2014, 279 people had been convicted in connection with the crimes and 75 were serving prison sentences. In September 2014, the government announced its intention to speed up the discussion of a 2006 bill to overturn the 1978 amnesty law. The debate around the law was ongoing before the Congress at the end of 2014. The Observatory of Transitional Justice at Diego Portales University, Santiago, which monitors human rights trials, found that in enforced disappearance cases the Supreme Court often confirmed prison sentences that complied with Chile's obligation to hold perpetrators accountable through appropriate punishments. In extrajudicial execution cases, however, the court often reduced prison terms and allowed alternatives to prison if significant time had elapsed since the criminal act.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 106; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 152.]

In 2014, forty years after the Augusto Pinochet dictatorship, the human rights collective *Londres 38* (named after a former detention center) launched a campaign known as *No más archivos secretos* (no more secret archives) to open up secret archives related to the dictatorship (1973–1990). It labeled secret three types of archives: those of Chile's two official truth commissions, which judges ordered sealed for a period of fifty years; the archives of the German enclave Colonia Dignidad; and those of the armed forces, police and intelligence services.

[Source: Alexia Richardson, "Lifting the Sentence of Secrecy in Chile," *Worldpress.org* (2 September 2014; <http://www.worldpress.org/Americas/4026.cfm>).]

## CHINA

Previous *Annual Report* entries: 1995–2014.

In April 2014, filmmaker Shen Yongping (1980–) was detained and in June formally arrested because he had made a documentary, “A Hundred Years of Constitutionalism,” about the history of China’s constitution. The documentary had been posted online and was freely downloadable. Four thousand copies of it were discovered in Shen’s apartment. In December 2014, Shen was sentenced to one year’s imprisonment for illegal business activities.

[Source: Oscar Garschagen, “Grote Papa Xi doceert China,” *NRC Handelsblad* (2 February 2015), 4; “Shen Yongping,” *Wikipedia* (6 February 2015; [http://en.wikipedia.org/w/index.php?title=Shen\\_Yongping&oldid=641805985](http://en.wikipedia.org/w/index.php?title=Shen_Yongping&oldid=641805985)).]

In May 2014, a book edited by Wang Keming and Song Xiaoming, *We Repent (women chanhui)*—a collection of public apologies mostly from former Red Guards during the Cultural Revolution (“Wenge”; 1966–1976)—was published in simplified Chinese in a censored version by China CITIC Press in Beijing in May 2014. The uncut version (in traditional Chinese) was published by Great Mountain Culture in Hong Kong in June.

[Source: C.K. Martin Chung, “We Repent: Comparing Chinese and European Remembrance of National (Co-) Perpetratorship” (unpublished paper; Hong Kong 2014), 1–2, 16.]

On 26 May 2014, Shi Ping (pen-name: Shi Yu), journalist for *Time Weekly*, was reportedly arrested in connection with his alleged attendance at a small-scale Tiananmen memorial event. He was accused of “gathering a crowd to disturb social order,” but released on bail on 3 July 2014 pending investigation. It remained unclear whether he had been formally charged.

[Source: Pen International Writers in Prison Committee, *Case List January-June 2014* (London: PEN, December 2014).]

In September 2014, writer Tie Liu ([1933–]) (pen name of Huang Zerong) was detained because in an essay he had claimed that Liu Yunshan, President Xi Jinping’s subordinate in charge of ideology and propaganda, undermined the latter’s purported liberal tendencies. On 23 October 2014, the police in Beijing formally charged Tie with “illegal business activities” for privately publishing the testimonies of victims of the 1957 Anti-Rightist campaign. Tie had published these memoirs for many years, but they had been ignored until recently. He was also charged with “creating a disturbance” for a dozen essays he had published on the internet and in Chinese publications abroad criticizing Mao Zedong and other leaders of the Chinese Communist Party. Tie faced several years’ imprisonment if

convicted.

[Source: Chris Buckley, “Beijing Formally Charges Writer Who Published Memoirs of Victims of Mao Era,” *New York Times* (24 October 2014; [http://www.nytimes.com/2014/10/24/world/asia/beijing-charges-writer-tie-liu.html?\\_r=0](http://www.nytimes.com/2014/10/24/world/asia/beijing-charges-writer-tie-liu.html?_r=0)).]

On 10 October 2014, the State Administration for Press, Publication, Radio, Film and Television said it had banned books by at least eight writers and intellectuals, including historian Yu Ying-shih (1930–) without mentioning any reason. An emeritus professor at Princeton University, Yu openly voiced support for pro-democracy movements in mainland China, Taiwan and Hong Kong.

[Sources: Didi Tang, “China Bans Books by Pro-Hong Kong Protest Author,” *AP* (14 October 2014; <http://bigstory.ap.org/article/e44dd8b6939d4f3293f04fe21a02e6e3/china-bans-books-pro-hong-kong-protest-author>); Sui-Lee Wee & Megha Rajagopalan, “China Detains Scholar, Bans Books in Crackdown on Moderate Voices,” *Reuters* (13 October 2014; <http://www.reuters.com/article/2014/10/13/us-china-rights-idUSKCN0I20NU20141013>).]

On 20 October 2014, Xie Chuntao, director of the History Teaching and Research Department of the Chinese Communist Party (CCP) School, which trained officials, said that the CCP would likely never open all the files on its recent past, including the Great Leap Forward (1958–1960) and the Cultural Revolution (1966–1976), and that it saw no need to reassess those periods. He added that certain topics remained almost completely taboo, including Lin Biao’s death in 1971. According to Xie, only a “small number” of the CCP historical files were still sealed. “Some involve the state’s core interests, and some are not convenient to be released,” he added. “From a historical research [viewpoint]...it would be best if they [were] all opened. But I fear this cannot happen, and may never happen.”

[Source: Reuters (Ben Blanchard), “China Likely Will Never Open All Files on Painful Past, Official Says” (20 October 2014; <http://www.reuters.com/article/2014/10/20/us-china-politics-history-idUSKCN0I90R420141020>).]

In January 2015, Education Minister Yuan Guiren urged a tightening of control over textbooks that spread “Western values,” requiring instructors to fill out investigation forms about the presence and use of “foreign textbooks in original languages” in class. Certain academic subjects—journalism, politics, economics, sociology and history—were reportedly singled out. Yuan added that university lecturers were forbidden to complain in the classroom and to transmit “harmful moods” to the students. Universities had to step up propaganda and teaching of Marxism on campus. Western textbooks would be restricted. Critics said that Marxism itself came from the West. (For background, see *NCH Annual Report 2014*.)

[Sources: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 155; Laura He, “China Probes College Textbooks for ‘Western values’,” *Market Watch* (17 March 2015; <http://www.marketwatch.com/story/china-probes-college-textbooks-for-western-values-2015-03-17>); Jeminah Steinfeld, “Return of the Red Guards,” *Index on Censorship* (2015 no. 2), 45; Linda Yeung, “Campus crackdown on ‘Western values’,” *University World News* (6 February 2015; <http://www.universityworldnews.com/article.php?story=20150206084252332>); Verna Yu, “On China’s Campuses, Scholars Battle Ideology and Red Tape,” *Christian Science Monitor* (<http://www.csmonitor.com/World/Asia-Pacific/2015/0607/On-China-s-campuses-scholars-battle-ideology-and-red-tape>; 7 June 2015).]

In April 2015, leading presenter on China Central Television (CCTV) Bi Fujian was filmed at a private banquet singing a song from a Mao-era opera, “Taking Tiger Mountain by Strategy,” but in a parody changing the lyrics to say “We’ve suffered enough” and calling Mao “that old son of a bitch,” prompting fellow guests to laugh. After the video emerged, Bi apologized for his remarks, which had had “a detrimental impact in society.” His annual New Year variety show is reputed the most-watched television program in the world. The video was censored, and Bi had to suspend his anchor activities while the case was investigated.

[Sources: “Chinese TV Anchor Bi Fujian Sorry for Criticising Mao,” *BBC News* (9 April 2015; <http://www.bbc.com/news/world-asia-china-32230844>); *NRC Handelsblad* (11–12 April 2015), 11.]

In the 90-minute documentary “Mr. Deng Goes to Washington” (Chinese title: “Nine Days in the Whirlwind”), about former CCP leader Deng Xiaoping’s nine-day trip to the United States after China established diplomatic ties with the United States in 1979, a reference in English to the 1979 conflict between China and Vietnam was edited out in Chinese. The film, directed by Fu Hongxing (former head of the official China Film Archive), was made ahead of Xi Jinping’s first state visit to the United States as Chinese president in September 2015. Xi was reportedly inspired by Deng.

[Source: “A Mighty Vision: An Historical Documentary Uses the Past To Serve the Present,” *Economist* (23 May 2015), 50.]

In the summer of 2015 it was reported that the CCP-run Liaoning Daily newspaper in north-east China dispatched reporters to spy on teachers in university classrooms in Beijing, Guangzhou, Shanghai, Shenyang and Wuhan. It criticized some teachers for holding a dismissive attitude toward socialist theory, including by comparing Mao Zedong with Chinese emperors.

[Source: Jeminah Steinfeld, “Return of the Red Guards,” *Index on Censorship* (2015 no. 2), 47.]

### Macau

On 4 June 2014, Eric Sautede, a French political scientist at the University of Saint Joseph (2007–2014) in Macau, was dismissed. Sautede, who also wrote an opinion column in the *Macau Daily Times*, suggested three reasons for his dismissal: his recent comments on the outgoing chief executive's lack of charisma; pressure from the Tertiary Education Services Office, which oversees higher education in Macau; and his organization in April 2014 of a conference about a book banned on the mainland, *The Tragedy of Liberation: A History of the Chinese Revolution 1945–1957*. The writer, historian, Frank Dikötter was a speaker at the conference. After the conference, Sautede was replaced as the university's academic events manager. In one of his latest columns, Sautede had reflected on the June 4th vigil in Macau, which had an unprecedented turnout of 2,000 people. "It is unquestionable that [it] appears, if not yet as a turning point, at least as a landmark," he wrote. The university's rector, Peter Stilwell, admitted that Sautede's political commentary was behind his dismissal. He urged the staff not to intervene in local political debates. Sautede said the decision to dismiss him was "contrary to the principle of 'one country, two systems' and contradicts several key points of the Basic Law."

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 112; Raquel Carvalho, "Macau Scholars Warn of Rising Censorship, Loss of Confidence in 'One Country, Two Systems'," *South China Morning Post* (22 July 2014; <http://www.scmp.com/news/china/article/1557068/macau-scholars-warn-rising-censorship-loss-confidence-one-country-two>); Raquel Carvalho, "Hong Kong, Macau Academics Seek Meeting over Firing of Eric Sautede," *South China Morning Post* (29 July 2014; <http://www.scmp.com/news/hong-kong/article/1561331/hong-kong-macau-academics-seek-meeting-over-firing-eric-sautede>); Martin Chung, personal communication (October 2014).]

*See also* Nepal, Russia.

### COLOMBIA

Previous *Annual Report* entries: 1997–1998, 2000, 2004, 2006–2014.

A report published by the official National Center of Historic Memory in 2013 concluded that between 1985 and 2012 almost 220,000 people were killed, 80% of them civilians. At least 25,000 people were victims of enforced disappearances, carried out mostly by paramilitaries and the security forces. Some 27,000 people were kidnapped between 1970 and 2010, mostly by guerrilla groups, and

more than five million people were forcibly displaced between 1985 and 2012. By November 2014, the government had registered more than seven million victims.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 114.]

The Justice and Peace Law (Law 975 of 2005), through which thousands of paramilitaries who laid down their arms in a government-sponsored process were to benefit from a maximum of eight years' imprisonment in return for confessions about human rights violations, failed to respect the right of victims to truth, justice and reparation. The process began in 2005, but by September 2014, only 63 paramilitaries had been convicted of human rights violations under Law 975. Most of the 30,000 paramilitaries who reportedly laid down their arms failed to submit themselves to the limited scrutiny of Law 975.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 115.]

On 23 September 2014, the representative of the guerrilla group Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo (FARC-EP; Revolutionary Armed Forces of Colombia–People's Army) in La Havana, Iván Márquez, called for the end of paramilitarism in Colombia. "Without the end of paramilitarism, and without the elucidation of its origin and responsible people," its end "would be uncertain." He stressed the need "to open-up all the archives, to declassify and lift all the legal prohibitions covering the most responsible people, and to impede the destruction of archives that has been occurring. The general attorneys should explain to the country why the most serious denunciations of the military leaders have been thrown to the bin of indifference and calculated oblivion. They should provide a coherent explanation to the country as to why they have permitted the loss of hours and hours of recordings revealing who were the true authors behind the author." The statement came a few days after the Colombian Senate debated the alleged links between the former president and current senator Alvaro Uribe, paramilitarism and drug traffickers. On 4 March 2015, FARC commander Joaquín Gómez reiterated the demand for the government to declassify secret files on the armed conflict and request documents from the United States on the subject, in order to seek the truth. This would include the creation of a special archive committee.

[Sources: "FARC Demand Declassification of Paramilitary Related Archives," *Telesur* (23 September 2014; <http://www.telesurtv.net/english/news/FARC-Demand-Declassification-of-Paramilitary-Related-Archives-20140923-0067.html>); "FARC Asks Colombian Government to Declassify Archives," *Telesur* (4 March 2015; <http://www.telesurtv.net/english/news/FARC-Asks-Colombian-Government-to-Declassify-Archives-20150304-0033.html>).]



On 10 February 2015, a commission of twelve Colombian historians led by Manuel Moncayo, former National University rector, and Eduardo Pizarro, current ambassador to the Netherlands, presented their 800-page study of the “origins, causes, aggravators and consequences of Colombia’s 50-year long armed conflict” in Cuba, where peace talks were held between the administration of President Juan Manuel Santos and the FARC. Laying the foundation for determining responsibility for the nearly seven million victims, the report was seen as input for a future truth commission. It did not describe one “historic truth” or “official history” but agreement and disagreement among scholars. Scholars agreed that among the main causes of the conflict were decades of rural injustice and inequality, the inability of leftist political forces to assume power without violence, and drug trafficking. They disagreed about other causes: for example, one scholar traced the causes of the conflict back to the 1920s, others to “la Violencia,” a ten-year period of violence in 1948–1958; still others to the surge of guerrilla and paramilitary groups in the 1980s resulting in a massive increase in victimization.

[Sources: “Peace Talks: Historic Commission Releases Report on Causes of Colombia Conflict” (11 February 2015; <http://colombiareports.co/historic-commission-releases-report-causes-colombia-conflict>); “Colombia Peace Talks Resume with Focus on Conflict’s Victims The FARC delegation in Havana for the peace talks,” (3 May 2015; <http://www.telesurtv.net/english/news/Colombia-Peace-Talks-Resume-with-Focus-on-Conflicts-Victims-20150503-0017.html>).]

At the peace talks, the parties agreed on 2 June 2015 to install a Truth Commission following a proposal from FARC delegates. The commission would not have judicial powers and its documentation would not serve as legal evidence but it would gain access to secret state documents.

[Source: “Latin America Colombian Government and FARC Agree to Create Truth Commission,” (4 June 2015; <http://www.telesurtv.net/english/news/Colombian-Government-and-FARC-Agree-Truth-Commission-20150604-0046.html>).]

## **CONGO (Democratic Republic)**

Previous *Annual Report* entries: 1998–2000, 2003–2014.

In 2014 the International Criminal Court (ICC) confirmed the verdict and sentence in the Thomas Lubanga Dyilo case—he had been found guilty in 2012 of the war crimes of enlisting and conscripting children under the age of fifteen and using them to participate actively in hostilities in the Democratic Republic of Congo. On 7 March 2014, the ICC convicted Germain Katanga, commander of the Force de Résistance Patriotique en Ituri (Patriotic Resistance Front in Ituri; FRPI), of crimes

against humanity and war crimes. The crimes were committed on 24 February 2003 during an attack on the village of Bogoro, in Ituri district. On 23 May 2014, he was sentenced to 12 years' imprisonment. He decided not to appeal the decision and issued an apology to the victims. Sylvestre Mudacumura, alleged commander of the armed branch of the Forces Démocratiques de Libération du Rwanda (FDLR), remained at large despite the issuance by the ICC of an arrest warrant for war crimes on 13 July 2012. The leader of the armed group March 23 (M23), General Bosco Ntaganda, had turned himself in at the United States embassy in Kigali in 2013 and asked to be transferred to the ICC, which had issued a warrant for his arrest in 2006. On 9 June 2014, the ICC Pre-Trial Chamber II confirmed charges of war crimes and crimes against humanity against Ntaganda allegedly committed in 2002 and 2003 in Ituri district. The trial was scheduled for June 2015. Other M23 leaders in exile in Uganda and Rwanda continued to enjoy impunity for the crimes they had reportedly committed in Rutshuru and Nyiragongo territories. In May 2014, parliament rejected a legislative proposal on the domestication of the ICC Rome Statute, along with a proposal to create specialized criminal chambers to deal with crimes under international law committed before the entry into force of the Rome Statute in 2002. A draft Congolese law to establish specialized mixed chambers to try war crimes and crimes against humanity committed in Congo since the 1990s was adopted by the Council of Ministers on 22 April 2014 and presented to the National Assembly on 2 May 2014. The proposed chambers would benefit initially from the presence of non-Congolese staff. Citing technical concerns, members of parliament rejected the admissibility of the text on 8 May. Government officials said they would correct the technical errors and resubmit the draft law to parliament.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 10–11, 130, 131; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 191.]

*See also* Central African Republic.

## **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.

In March 2014, Croat army officer Božo Bačelić became the first person to be convicted in national courts for war crimes committed during the Operation Storm in 1995. Two further trials relating to war crimes committed during Operation Storm were ongoing by the end of 2014. In total, eight members of Croatian military formations and 15 members of Serb formations stood trial for war crimes during 2014.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 122.]

The European Court of Human Rights initiated communication with the government on 17 cases submitted by civilian victims of war alleging violations of the right to life due to the failure of the state to carry out effective investigations into the killing or disappearance of their relatives. Croatia continued to stall on the adoption of a comprehensive legislative framework that would regulate the status of, and access to reparation for, all civilian victims of war. In a positive development in March, the Ministry of Veterans' Affairs presented a draft Act on the Rights of Victims of Sexual Violence in the Homeland War (1991–1995), which would grant victims access to psychosocial and medical support, free legal aid, and monetary compensation. However, the draft law failed to specify the level of financial compensation that would be made available. In August 2014, Croatia signed a regional declaration on missing persons, and committed to pursuing measures to establish the fate and whereabouts of the 2,200 still missing in Croatia. Croatia had yet to ratify the 2006 International Convention for the Protection of All Persons from Enforced Disappearance. The rights of relatives of missing persons continued to be undermined by the absence of a law on missing persons.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 122.]

*See also* Bosnia and Herzegovina, Serbia/Kosovo.

## CUBA

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

Members of the Damas de Blanco (Ladies in White)—a group founded by the wives, mothers, and daughters of political prisoners and which the government considers illegal—were routinely detained before or after they attended Sunday mass. On 4 May 2014, for example, more than eighty women were detained before attending mass throughout the island. On 13 July 2014, 129 members of the group were detained as they prepared to attend commemorative ceremonies honoring Cubans who died attempting to leave the island in 1994. (*See also NCH Annual Report 2011.*)

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 182.]

*See also* Colombia, United States.

## CYPRUS

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

In May 2015, the leaders of the two Cypriot communities (President of Cyprus Nicos Anastasiades and Turkish-Cypriot leader Mustafa Akinci) jointly called on “anyone who might possess information on possible burial sites of missing persons to share this information with the Commission on Missing Persons. The Pancyprian Organization of the Relatives of Undeclared Prisoners and Missing Persons called upon the Turkish army to open its archives regarding the fate of their beloved ones. Hundreds disappeared during the intercommunal fighting which took place between 1963 and 1964, and during the Turkish invasion in 1974. Between January and August 2014, the Committee of Missing Persons in Cyprus exhumed the remains of 65 people, bringing the total number of exhumations since 2006 to 948. Between August 2006 and August 2014, the remains of 564 missing individuals (430 Greek Cypriots and 134 Turkish Cypriots) had been identified and restored to their families. However, no perpetrators were identified or prosecuted for the disappearances and killings in either Cyprus or Turkey at the end of 2014.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 125; A. Makris, “Relatives of Missing Persons in Cyprus: Turkish Army Must Open its Archives,” *Greek Reporter* (31 May 2015; <http://greece.greekreporter.com/2015/05/31/relatives-of-missing-persons-in-cyprus-turkish-army-must-open-its-archives>).]

**CZECH REPUBLIC**

Previous *Annual Report* entries: 1997–1998, 2000, 2010, 2013–2014.

In August 2014, over four years after the government's apology for the enforced sterilization of Roma women, the Human Rights Minister announced a draft law offering financial compensation of between 3,500 and 5,000 euros to individual victims. According to the NGO Czech Helsinki Committee, almost 1,000 women were forcibly sterilized between 1972 and 1991 and should be entitled to financial remedy.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 126.]

Following a mission to the country in 2014, Amnesty International reported in 2015 that a majority of schools it visited (23 out of 24) did not include teaching on Roma history or culture in their educational curricula. This fell short of international standards required by the United Nations Convention on the Elimination of All Forms of Racial Discrimination in its *General Comment no. 27* and the Committee of Ministers of the Council of Europe in its *Recommendation R (2000) 4*.

[Source: Amnesty International, *Must Try Harder: Ethnic Discrimination of Romani Children in Czech Schools* (London: Amnesty International, 2015), 32, 43–44, 48–49.]

*See also* 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, 2009–2014.

Efforts to hold Ecuadoran officials to account for human rights violations committed from 1984 to 2008 continued to make slow progress. In December 2013, the National Assembly passed a law guaranteeing the right to reparation to relatives and victims of human rights violations between 1983 and 2008 documented by the Truth Commission established in 2007. In January 2014, former Police Chief Edgar Vaca was arrested in the United States pending his extradition. Vaca was one of ten former police and military officers accused of torture and enforced disappearances during León Febres Cordero's presidency (1984–1988). His extradition was pending in early 2015. This was the first case of members of the security forces being tried for crimes against humanity. 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) documented by the truth commission. In early 2015, prosecutors had brought charges in seven cases, including two in which suspects were convicted and one in which they were acquitted.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 136; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 198.]

In October 2014, the government apologized to the Kichwa [Quechua] People of Sarayaku, accepting that the state had put their lives and livelihoods at risk when in 2002 and 2003 it allowed an oil company to conduct exploration work in their territory. The Kichwa People of Sarayaku had won a legal battle before the Inter-American Court of Human Rights in 2012. However, at the end of 2014 Ecuador had not yet finalized the removal of 1.4 tons of explosives left in the indigenous community's territory and had not regulated the right to consultation and free, prior and informed consent for all indigenous peoples as ordered by the Inter-American Court in 2012.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 136.]

## EGYPT

Previous *Annual Report* entries: 1996–2001, 2003, 2006–2007, 2010–2014.

A court retrying former President Hosni Mubarak on charges of killing protesters during the 2011 uprising dismissed the case against him in November 2014 on a legal technicality. His Interior Minister and several security officials were also acquitted of the same charges. A government-appointed fact-finding committee, established after security forces killed hundreds of protesters on 14 August 2013, announced its findings in November 2014. Ignoring disparities between security forces casualties and protesters, it concluded that protesters had started the violence. The committee downplayed human rights violations by security forces, merely calling for them to receive training in policing demonstrations.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 140.]

In December 2014, Egypt banned the film *Exodus: Gods and Kings* by director Ridley Scott on the grounds of “historical inaccuracies.” The film was based on the Bible’s book *Exodus*. The censors denounced the film’s claims that an earthquake sparked the famous Parting of the Red Sea, rather than a divine miracle, and that Jews built the pyramids. The film was also banned in Morocco but for a different reason (Muslims believe that Moses is a prophet and should not be depicted on the screen). The film was also banned in the United Arab Emirates.

[Sources: Jess Denham, “Exodus: Gods and Kings Banned in Egypt for ‘Historical Inaccuracies,’” *Observer* (26 December 2014; <http://www.independent.co.uk/arts-entertainment/films/news/exodus-gods-and-kings-banned-in-egypt-for-historical-inaccuracies-9945523.html>); *NRC Handelsblad* (31 December 2014), 15.]

In March 2015, a curriculum development panel at the Education Ministry recommended deletion of some religious texts and passages on historical Islamic figures from primary and secondary school curricula. These figures included historical heroes such as Uqba ibn Nafi (622–683), the Arab general who led the Islamic conquest of the Maghreb for the Umayyad dynasty, and Saladin ([1137]–1193), the Muslim ruler who liberated Jerusalem from the Crusaders in 1187. Some fatwas and hadith (sayings of Prophet Muhammad) were also omitted (including one saying, “I was ordered to fight people until they testify that there is no god but Allah”). Prime Minister Ibrahim Mehleb endorsed the recommendations, saying that radical Islamic ideologies exploited outdated ideas to incite youngsters to violence. Leaders of the Al-Nour and Salafist Call political parties condemned the deletions as a distortion of history. In January 2015, the Education Ministry had also revised psychology and



sociology curricula and texts that had been altered previously by the Muslim Brotherhood government (2012–2013). One high school course removed was “The Difference between a Revolution and a Coup.” Textbooks that included biographies of Islamist leaders were pulped and reprinted after amendments were made.

[Source: Jamie Dettmer, “Egypt Reforms School Textbooks to Counter Extremism,” *Voice of America* (22 April 2015; <http://m.voanews.com/a/egypt-reforms-school-textbooks-to-counter-extremism/2730247.html>).]

On 2 July 2015, a French sociology student (known as “Fanny”) from the School for Advanced Studies in the Social Sciences (EHESS) in Paris was deported after being arrested by a unit of security forces, in apparent relation to her research on the 6 April youth movement. She had interviewed members of the movement in the Nile Delta city of Damietta for her master’s degree. The 6 April movement was a key pro-democratic protest force during the 25 January Revolution and subsequent demonstrations. Following a crackdown on activism after the July 2013 regime change, however, the movement was driven underground and in 2014 it was banned.

[Source: Emil Nader, “French Student Arrested, Deported from Egypt for Researching 6 April,” *Daily News Egypt* (7 July 2015; <http://www.dailynewsegypt.com/2015/07/07/french-student-arrested-deported-from-egypt-for-researching-6-april>).]

## EL SALVADOR

Previous *Annual Report* entries: 2001–2014.

The 1993 amnesty law, which for over two decades has ensured impunity for those responsible for human rights violations during the 1980–1992 conflict, remained in place. In October 2013, the authorities issued a decree establishing a reparations Program for survivors who suffered human rights violations during the conflict. At end of 2013, the Attorney General’s Office reopened the investigation into the 1981 El Mozote massacre in which more than 700 civilians, including children and elderly people, were tortured and killed by the military in the village of El Mozote and nearby hamlets over a three-day period. The investigation was continuing at the end of 2014. In February 2014, the Supreme Court ordered that an investigation be reopened into the San Francisco Angulo massacre in which 45 people, mostly women and children, were killed, allegedly by members of the army, in 1981. The investigation was continuing at the end of 2014. In August 2014, 32 years after the events, the state finally acknowledged the 1982 El Calabozo massacre, in which more than 200 people were killed by the army. However, no one had been brought to justice for the crime by the end of

2014. In October 2014, in its ruling in the case of *Rochac Hernandez et al. v. El Salvador*, the Inter-American Court of Human Rights found the state responsible for failing to investigate the enforced disappearance of five children between 1980 and 1982 in the context of military counter-insurgency operations during the conflict.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 143.]

## **ERITREA**

Previous *Annual Report* entries: 2008.

## **ESTONIA**

Previous *Annual Report* entries: 2007, 2010.

On 12 October 2014, Russian ethnologist and historian Valery Tishkov, member of the Russian Academy of Sciences and noted scholar of Chechnya, was denied entry into Estonia when he landed at Tallinn airport to attend an event organized by a press club. He was not told the reason despite having a valid visa. He brought his case in a court in Tallinn.

[Source: Valery Tishkov, "Estonian Case Highlights Issue of EU Bans on Russian Academics, Celebrities," *Transitions Online* (20 November 2014; <http://www.tol.org/client/article/24570-kosovo-parties-break-deadlock-russian-scholar-sues-estonia-for-entry-ban.html>).]

## **ETHIOPIA**

Previous *Annual Report* entries: 1998–2011.

According to Amnesty International, the government interpreted expressions of Oromo history and culture as manifestations of dissent: hundreds of people were arrested, including in 2011 and 2012, for celebrating their cultural identity as Oromos, wearing traditional clothing, singing or writing about their culture, often during traditional Oromo festivals. Participating in societies to discuss and promote Oromo culture and history also caused harassment and, in some cases, arrest. Writing or singing about Oromo history, including representing it as a history of oppression, was met with

hostility by the government as expressions of dissent. A young man who had published a book of poems which he said related to Oromo history, culture and language was arrested for a week and interrogated about the political intentions of his poems.

[Source: Amnesty International, *“Because I Am Oromo”: Sweeping Repression in the Oromia Region of Ethiopia* (London: Amnesty International, 2014), 22, 37, 44–45, 117.]

Early in 2014, a “study” conducted by the Press Agency and Ethiopian News Agency and published in the government-run *Addis Zemen* newspaper targeted seven independent publications, alleging that they had printed several articles which “promoted terrorism,” denied economic growth, belittled the legacy of former Prime Minister Meles Zenawi (governed 1995–2012), and committed other “transgressions.” In August 2014, the government announced that it was bringing charges against several of the publications, causing over twenty journalists to flee the country. In October 2014, the owners of three of the publications were sentenced in their absence to over three years’ imprisonment each for allegedly inciting the public to overthrow the government and publishing unfounded rumors.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 149.]

## **FIJI**

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

## **FINLAND**

Previous *Annual Report* entries: 2011–2012.

## **FRANCE**

Previous *Annual Report* entries: 1996–1999, 2001–2009, 2011–2014.

*See* Algeria, Egypt, Rwanda.

**GEORGIA**

Previous *Annual Report* entries: 1998, 2003, 2010–2012, 2014.

**GERMANY**

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

In early December 2014, Peter Burschel, director of the Humboldt University history department, issued a statement calling on students and teaching staff to counter what he called a campaign against historian Jörg Baberowski. The student branch of the Trotskyist Party for Social Equity had repeatedly criticized Baberowski who advocated an aggressive stance toward the Islamic State and called him an intellectual trailblazer for a worldwide German war policy. In February 2014, Baberowski had caused controversy when he told *Der Spiegel* that he shared Ernst Nolte's views in the 1986 "Historikerstreit" on the singularity of the Holocaust.

[Source: Michael Gardner, "University Defends Controversial Scholar," *University World News* (5 December 2014; <http://www.universityworldnews.com/article.php?story=2014120412203676>).]

*See also* Greece, Rwanda, United States.

**GHANA**

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

**GREECE**

Previous *Annual Report* entries: 1995, 1999, 2004–2011, 2013–2014.

Police used excessive force and misused chemical irritants against protesters and journalists on several occasions throughout 2014. A large number of the reported abuses took place during two student protests, one against a university lock-out on 13 November 2014, and another during a protest for the anniversary of the 1973 students' uprising on 17 November.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's*

*Human Rights* (London: Amnesty International, 2015), 165.]

On 28 August 2014, the parliament passed a new anti-racist law that, among others, criminalized denial of genocide, war crimes, and crimes against humanity, provided they were recognized as such by international courts or the Greek parliament. A group of Greek historians warned that such a blanket criminalization could lead to the prosecution of scholars. In March 2015, a prosecutor in Crete decided to indict German historian Heinz Richter (formerly of the University of Mannheim) over a book he wrote on the May 1941 battle of Crete on the grounds that it constituted a “denial of the crimes of Nazism against the Cretan people with derogatory content.” The trial was scheduled for 2 September 2015.

[Sources: Antonis Liakos, personal communication (23 March 2015); Damian Mac Con Uladh, personal communication (23 March 2015); Σε δίκη παραπέμπει τον καθηγητή Χ. Ρίχτερ ο εισαγγελέας Πεθύμνο (18 March 2015; <http://www.neakriti.gr/?page=newsdetail&DocID=1221065>).]

## **GRENADA**

Previous *Annual Report* entries: 2007.

## **GUATEMALA**

Previous *Annual Report* entries: 1995–2014.

The right to truth, justice and reparation for victims of crimes against humanity during the internal armed conflict (1960–1996), in which 200,000 people were killed and 45,000 people were forcibly disappeared, remained a concern. In May 2013, former President Efraín Ríos Montt was convicted of committing genocide and crimes against humanity against members of the Maya-Ixil indigenous community during his presidency and sentenced to 80 years’ imprisonment. The Constitutional Court overturned his conviction ten days later on a technicality, a devastating outcome for victims and their relatives who had waited for more than three decades for justice. Ríos Montt was the President and Commander-in-Chief of the Army in 1982–1983 when 1,771 Mayan-Ixil indigenous people were killed, tortured, subjected to sexual violence or displaced during conflict. A retrial was scheduled to commence in 2015. In February 2014, the Attorney General’s term was cut short by the Constitutional Court. There were concerns that her removal was the result of her role in ensuring that Ríos Montt was brought to trial, and her commitment to investigate human rights violations that occurred during

the internal armed conflict. Ríos Montt has also been charged in a separate case involving the massacre of 300 men, women, and children in the town of Dos Erres in 1982. The trial was stalled pending the resolution of an appeal by defense attorneys who had called into question the independence of the presiding judge.

In May 2014, Congress passed a non-binding resolution stating that genocide had not occurred during the internal armed conflict. The resolution directly contradicted a 1999 United Nations investigation which concluded that genocide, war crimes and crimes against humanity had occurred during the internal armed conflict. Over 80% of those killed and disappeared were of indigenous Maya ethnicity. President Otto Pérez Molina (president since 2012) had previously expressed his support for a public letter signed by a group of politicians calling genocide charges against former military officers a “fabrication.”

In June 2014, three former members of the National Police were arrested in connection with the murder of prominent human rights activist Myrna Mack. Mack was killed in 1990 for her role in documenting abuses committed during the civil war. In July 2014, Felipe Solano Barillas became the first ex-guerrilla to be convicted in connection with atrocities committed during the civil war (1960–1996). Found guilty of ordering the massacre of 22 residents of the town of El Aguacate in 1988, he was ordered to serve ninety years’ imprisonment.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 16, 166–167; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 257–258.]

## GUINEA

Previous *Annual Report* entries: 2007, 2009–2014.

Investigations continued into the massacre in the Grand Stade de Conakry on 28 September 2009, when security forces killed more than a hundred peaceful demonstrators and injured at least 1,500 others. Dozens of women were raped and others disappeared. Moussa Dadis Camara, then head of the military junta, was questioned in Burkina Faso in July 2014. Since 2009 Guinea has remained under preliminary investigation by the prosecutor of the International Criminal Court (ICC) for the crimes. She concluded that there were reasonable grounds to believe that these amounted to crimes against humanity, including murder, torture, rape and other forms of sexual violence, persecution and enforced disappearances. A delegation from her office visited Guinea in February 2014 and noted that investigations had advanced, but not sufficiently. In June 2014, Sékouba Konaté, then Minister of Defense, submitted a list of suspects to the prosecutor. In September 2014, on the fifth anniversary of

the Guinea stadium killings, the High Commissioner for Human Rights urged the government to take steps to advance the investigation and ensure accountability for those responsible. The Office of the United Nations Special Representative of the Secretary-General on Sexual Violence in Conflict continued to support accountability for crimes committed during the 2009 stadium massacre and rapes.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 169; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 263, 266.]

In 2014, the Reflection Commission, created by presidential decree in June 2011 to promote reconciliation, made little progress in fulfilling its mandate.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 262, 265.]

## **GUINEA-BISSAU**

Previous *Annual Report* entries: 1999, 2012.

By the end of 2014, no one had been held accountable for human rights violations committed in the context of the 2012 coup, nor for the political killings that had occurred since 2009.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 170.]

## **GUYANA**

Previous *Annual Report* entries: 1997.



## HAITI

Previous *Annual Report* entries: 1997, 2000–2003, 2006, 2008–2009, 2013–2014.

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 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. An appellate court heard testimony in a challenge to the ruling in 2013, with Duvalier appearing in court and answering questions posed by the court and victims' attorneys. In a historic ruling on 20 February 2014, the Port-au-Prince Court of Appeal found that the statute of limitations could not be applied to crimes against humanity and ordered additional investigation into charges against Duvalier. In May 2014, the Inter-American Commission on Human Rights called on all Organization of American States (OAS) member states to make their archives and official files on the human rights abuses committed under Duvalier open for use as evidence in the investigation. It was unknown whether OAS member states had complied with the commission's request. However, Duvalier died on 4 October 2014 without having been brought to trial. In early 2015, a reopened investigation into crimes committed by Duvalier's collaborators was still pending.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 173; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 268, 270.]

## HONDURAS

Previous *Annual Report* entries: 1995, 1998, 2001–2002, 2009–2014.

Following a military coup in June 2009, the de facto government 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, causing several deaths, scores of injuries, and thousands of arbitrary detentions. A truth commission established by former President Porfirio Lobo published a report in July 2011 that documented twenty cases of excessive use of force and killings by security forces. In August 2014, José Arnulfo Jiménez, a former military officer, was sentenced to five years' imprisonment for the arbitrary closure of

Channel 36 in June 2009. In early 2015, there had been little progress in prosecuting other abuses committed during the post-coup period.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 272.]

## HONG KONG

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

## HUNGARY

Previous *Annual Report* entries: 1995, 1997, 2004, 2007–2014.

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 National Archives. He said that the 2012 amendment to the archives law obliged the PTI to hand over the documents to the National 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).]

*See also* United Kingdom.

## INDIA

Previous *Annual Report* entries: 1996–1997, 2000–2014.

Progress in investigations and trials in cases related to the 2002 violence in Gujarat, which killed at least 2,000 people, mostly Muslims, continued to be slow. In November 2014, the Nanavati-Mehta Commission, appointed in 2002 to investigate the violence, submitted its final report to the Gujarat state government. The report was not made public. Perpetrators of past violations in Jammu and Kashmir, Nagaland, Manipur, Punjab and Assam continued to evade justice. November 2014 marked the thirtieth anniversary of violence in Delhi in 1984 which led to the massacre of thousands of Sikhs. [Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 28, 179, 181.]

Weeks after the Hindu nationalist BJP-led National Democratic Alliance (NDA) government was elected in May 2014, the Minister for Human Resources Development, Smriti Irani, announced that the government would “Hinduize” the content of textbooks. In July 2014, she appointed Yellapragada Sudershan Rao, history professor at Kakatiya University in Telengana and openly linked to the Hindu nationalist Rashtriya Swayamsevak Sangh (RSS), as chairman of the Indian Council of Historical Research (ICHR; a supposedly autonomous body of the education ministry), a decision which was much criticized. In May 2015, the ICHR disbanded the editorial board and advisory committee for its journal *Indian Historical Review*, including advisory board member Romila Thapar. After his appointment, Rao told *The Telegraph* (Calcutta) that he would help fund projects seeking to prove the historical legitimacy of the Hindu epics *Ramayana* and *Mahabharata*—something deemed impossible because these were mythological works. Out of the eighteen new members appointed to the ICHR, four were selected from RSS affiliates.

[Sources: Suchitra Behal, “Amartya Sen Row with Government over ‘Dream’ University,” *University World News* (27 February 2015; [universityworldnews.com/article.php?story=20150227081045897](http://universityworldnews.com/article.php?story=20150227081045897)); Alya Mishra, “Higher Education Policy Lacks Direction, Say Academics,” *University World News* (21 May 2015; <http://www.universityworldnews.com/article.php?story=20150521173238702>); Siddharth Narrain, “Text Messaging,” *Index on Censorship* (2014 no. 3), 87; Suhrith Parthasarathy, “Ideas Under Review,” *Index on Censorship* (2015 no. 2), 28–29.]

On 21 August 2014, the Indian government barred the release of the film *Kaum de Heere* (Diamonds of the Community). The film was based on the 31 October 1984 assassination of former Prime Minister Indira Gandhi by two Sikh guards. The movie had already obtained a clearance from the Central Board of Film Certification (CBFC) but the certified film was reexamined during a new

screening attended by the Home Ministry. National security grounds were cited; in addition, the film's title was deemed provocative.

[Source: Hartosh Bai & Omair Ahmad, "A New Initiative To Defend Free Speech in India," *Free Speech Debate* (2 October 2014; <http://freespeechdebate.com/en/discuss/a-new-initiative-to-defend-free-speech-in-india>).]

December 2014 marked the thirtieth anniversary of the Bhopal gas leak disaster (2–3 December 1984). Survivors continued to experience serious health problems linked to the leak and to continuing pollution from the factory site. In November 2014, a Bhopal court asked for its criminal summons against the Dow Chemical Company to be re-issued, after the company failed to comply with an earlier summons. In the same month, the government agreed to use medical and scientific data to increase a multi-million US dollar compensation claim against Union Carbide. The Indian government had yet to clean up the contaminated factory site.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 30, 180.]

In December 2014, Anand Patwardhan's socio-political documentary film *Ram Ke Naam* (1992), about the politics of religion leading to the December 1992 demolition of the Babri Masjid mosque in Ayodhya (see *NCH Annual Reports 2002–2004, 2006–2007, 2010–2011*), was to be screened at the Indian Law Society college in Pune. It was called off, however, after the college received threats. Another documentary maker, Sanjay Kak, whose film *Jashn-e-Azadi* (2007) was critical of the army's role in Kashmir, was attacked on venues that planned to show it.

[Source: Meena Vari, "Creative and Academic Freedom under Threat from Religious Intolerance in India," *The Conversation* (1 July 2015; <http://theconversation.com/creative-and-academic-freedom-under-threat-from-religious-intolerance-in-india-43743>).]

See also Sri Lanka.

## INDONESIA

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

Victims of past human rights violations and abuses continued to demand justice, truth and reparation for crimes under international law which occurred under the rule of former President Suharto (1965–1998) and during the subsequent *reformasi* period. These included unlawful killings, rape and other

crimes of sexual violence, enforced disappearances, and torture and other ill-treatment. No progress was reported on numerous cases of alleged gross violations of human rights that were submitted by the National Human Rights Commission (Komnas HAM) to the Attorney General's office after a preliminary pro-justicia inquiry [an investigation, which could eventually lead to prosecution in a human rights court] was conducted by the Commission.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 26, 185; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 292.]

More than ten years after the murder of prominent human rights defender Munir Said Thalib, the authorities had failed to bring all the perpetrators to justice. No progress was reported in 2014 on a new law on a national Truth and Reconciliation Commission. The government failed to implement recommendations made by the bilateral Indonesia-Timor-Leste Commission of Truth and Friendship, in particular to establish a commission for disappeared persons tasked with identifying the whereabouts of all children from Timor-Leste who were separated from their parents around the 1999 independence referendum.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 185.]

By the end of 2014, the National Human Rights Commission Komnas HAM had completed only two out of five pro-justicia inquiries into "gross human rights violations" during the Aceh conflict (1989–2005). These included the 1999 Simpang KKA incident in North Aceh when the military shot dead 21 protesters and the Jamboe Keupok case in South Aceh where four people were shot dead and twelve burned alive by soldiers in May 2003. An Aceh Truth and Reconciliation by-law (*qanun*) passed in December 2013 was not implemented.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 185.]

On 25 April 2014, ten political activists from Maluku province were arrested by police in Ambon for planning to commemorate the anniversary of the Republic of South Maluku (RMS) movement's 1950 declaration of independence and carrying "Benang Raja" flags—a prohibited symbol of the movement. Nine of them were subsequently charged with "rebellion" under Articles 106 and 110 of the Criminal Code (crimes against the security of the state). Their trial began in September 2014 and had not been completed by the end of 2014.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 184; Human Rights Watch, *World Report*

2015 (Washington: Human Rights Watch, 2015), 291.]

On 29 December 2014, *The Look of Silence*, a secretly filmed documentary of American director Joshua Oppenheimer, was banned because it did not encourage religion or the nation's unity. It was also called "subjective" because the protagonist was the son and brother of supposed Indonesian Communist Party members (who died during the 1965–1966 murders). Pre-ban stagings of the film (an estimated 25) generated intimidation and protests, including in Malang and at Gajah Mada University in Yogyakarta, Java, where the hard-line Islamic People's Forum interrupted the film because it "encouraged the revival of communism." The film's protagonist, Adi Rukun, moved from North Sumatra to an unknown place in Indonesia. The film was the sequel of *The Act of Killing* (see *NCH Annual Report 2013*).

[Sources: Dana Linssen, "De gruwel van het zwijgen," *NRC Handelsblad* (1 April 2015), C5; Willem van Rooijen, "'Op deze film hebben we ons hele leven gewacht'," *Wordt Vervolgd* (March 2015), 24–27.]

See also Netherlands, Timor-Leste.

## IRAN

Previous *Annual Report* entries: 1996–2014.

On 23 September 2014, at a war exhibition by the Sepah (Revolutionary Guard Corps) to mark the anniversary of the Iran-Iraq War (1980–1988) in Tehran, it was remarked that independent historians could not yet investigate the subject to examine the government's official version. Possibly as many as 190,000 Iranians were killed and 672,000 were injured in the war. Shirzad Abdollahi, a Tehran-based social analyst, said that the official narrative of the Iran-Iraq War had three themes: the conflict between Islam and infidels (religious); imperial powers attempting to destroy the Islamic Republic (political); defending honor, dignity and land (emotional). After the emergence of the Green Movement, under the leadership of Mir-Hossein Mousavi following the 2009 presidential elections, the Iran-Iraq War gradually had become a topic of serious discussion among political activists because Mousavi had been Iran's prime minister during the war.

[Source: A Correspondent in Tehran, "Iran-Iraq War Off-Limits to Historians in Iran," *Al Monitor* (6 October 2014; [http://www.al-monitor.com/pulse/originals/2014/10/iran-iraq-war-saddam-hussein-irgc.html?utm\\_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm\\_campaign=61068533d7-October\\_7\\_2014&utm\\_medium=email&utm\\_term=0\\_28264b27a0-61068533d7-93088897#](http://www.al-monitor.com/pulse/originals/2014/10/iran-iraq-war-saddam-hussein-irgc.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=61068533d7-October_7_2014&utm_medium=email&utm_term=0_28264b27a0-61068533d7-93088897#)).]

*See also* Argentina, Iraq, United States.

## IRAQ

Previous *Annual Report* entries: 1998, 2000–2014.

On or around 6 August 2014, fighters of the Islamic State (IS; formerly Islamic State of Iraq and Syria, ISIS) stormed the city of al-Hamdaniya (also referred to as Qaraqosh). Many witnesses stated that they pillaged and destroyed buildings, including historic Christian cathedrals and churches. Staff from the Centre numérique des manuscrits orientaux (CNMO; Digital Center for Oriental Manuscripts) fled to Erbil in the face of the advance by IS. The staff managed to bring the manuscripts of the Dominican Priory of Mosul and the Chaldean Patriarchate in Baghdad with them. After the Dominicans had been compelled to leave Mosul in 2008, the CNMO had been reestablished in Qaraqosh.

[Sources: Columba Stuart, “Update from HMML about Manuscripts in Iraq and Syria,” (<https://groups.google.com/forum/#!topic/nascas/I1O-RfC5uZU>; 12 September 2014); United Nations Human Right Council, *Report of the Office of the United Nations High Commissioner for Human Rights on the Human Rights Situation in Iraq in the Light of Abuses Committed by the So-called Islamic State in Iraq and the Levant and Associated Groups* (13 March 2015; [ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A\\_HRC\\_28\\_18\\_AUV.doc](http://ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_18_AUV.doc)).]

In September 2014, in the territories occupied by the IS (including Mosul in Iraq and Raqqa in Syria), classes in many disciplines, including history, were removed from the school curriculum because they were deemed incompatible with the law of God. Biology teachers could not refer to the evolution theory. The concepts of nationalism and patriotism became taboo and were supposed to be replaced with the idea of the caliphate (Islamic state). Classes about Christianity were annulled. Sufi and Shiite clerics were forbidden from giving Koranic lessons at mosques. Many universities were closed; European culture and history and similar subjects were abolished. Saudi textbooks were reportedly used in IS-held areas.

[Sources: CBS/AP, “ISIS Eradicates Art, History and Music from Curriculum in Iraq” (15 September 2014; [www.cbsnews.com/news/isis-eradicates-art-history-and-music-from-curriculum-in-iraq](http://www.cbsnews.com/news/isis-eradicates-art-history-and-music-from-curriculum-in-iraq)); Zaid Al Fares, “Frontline Isis: How the Islamic State is Brainwashing Children with Stone Age School Curriculum,” *International Business Times* (1 September 2014; <http://www.ibtimes.co.uk/frontline-isis-how-islamic-state-brainwashing-children-stone-age-school-curriculum-1463474>); “ISIL Teaching

Saudi Textbooks at Schools in Syria, Iraq: Report” (7 October 2014; <http://www.presstv.ir/detail/2014/10/07/381388/isil-teaching-saudi-textbooks-at-school>); Gilgamesh Nabeel, “Islamic State Advance in Iraq Closes Eight Universities,” *al-FanarMedia* (22 August 2014; <http://www.al-fanarmedia.org/2014/08/islamic-state-advance-iraq-closes-eight-universities>); Gilgamesh Nabeel, “What Education Is Like Under the Islamic State,” *al-FanarMedia* (14 September 2014; <http://www.al-fanarmedia.org/2014/09/education-like-islamic-state>).]

On 29 and 30 September 2014, a Kurdish delegation received an electronic copy of the documents known as the Captured Iraqi Secret Police Files (spanning the period from the 1960s to 1991) at the University of Boulder, Colorado, where they had been stored since 1998. The repatriated files would be housed at the Zheen Archive Center in Sulaimaniyah (Kurdistan region of Iraq). *See also NCH Annual Report 2008*, United States entry.

[Source: “Visiting Kurdish Delegation to Receive Iraqi Secret Police Documents from CU-Boulder Human Rights Archive” (22 September 2014; <http://www.colorado.edu/news/releases/2014/09/22/visiting-kurdish-delegation-receive-iraqi-secret-police-documents-cu>).]

In January 2015, a spokesperson of the Kurdish Democratic Party said that Islamic State (IS) militants blew up large parts of the 2,700-year old, restored wall of Nineveh in the al-Tahrir quarter of Mosul. Nineveh was an ancient Mesopotamian city, capital of the Neo-Assyrian Empire, located on the Tigris. The IS also destroyed graves and grave monuments, including the mosque shrines of the prophets Seth, Jirjis and Jonah (Yunus). In February 2015, they further destroyed parts of the Central Library of Mosul (this included burning the collection of Iraqi newspapers from the early twentieth century and maps and books from the Ottoman Empire) and the University of Mosul’s library. An anonymous history professor at the university declared that there was heavy damage to the archives of the Sunni Muslim library of the 265-year-old Latin Church and Monastery of the Dominican Fathers and the Mosul Museum Library (which contained works dating back to 5000 BCE). Member of parliament Hakim al-Zamili compared the IS to raiding medieval Mongols, who in 1258 ransacked Baghdad.

[Sources: Sinan Salaheddin & Sameer N. Yacoub, “Iraqi Libraries Ransacked by Islamic State Group in Mosul” *AP* (31 January 2015; <http://bigstory.ap.org/article/1ec4e2a1bb5b4dce97faa462478f7c0e/iraqi-libraries-ransacked-islamic-state-group-mosul>); Dirk Vlasblom, “Koerden: IS blies stadsmuren van Nineveh op,” *NRC Handelsblad* (30 January 2015), 12.]

On 26 February 2015, the Islamic State released a video in which its members were seen destroying



statues in Mosul at the Nergal Gate, the Ninawa Museum, and the palace of King Sennacherib. This included a stone winged-bull Assyrian protective deity from the seventh century BCE and a statue of Assyrian King Sargon II [reigned 722 – 705 BCE]. UNESCO labeled the intentional destruction of heritage an act of “cultural cleansing” and a “war crime,” called for an emergency meeting of the United Nations Security Council to discuss how to protect Iraq’s cultural heritage as an issue of national security, and appealed to the International Criminal Court’s prosecutor to launch an investigation. IS militants said that the statues were “false idols.” On 5 March 2015, IS militants also began bulldozing the ruins of the ancient Assyrian city of Nimrud (founded in the 13th century BCE; originally called Kalhu), located on the Tigris, south-east of Mosul and reputedly the best preserved Assyrian site in Iraq. On 7 March 2015, IS militants Islamic State militants destroyed ruins at the ancient temple city of Hatra (Arab name: al-Hadr), south-west of Mosul (founded in the third or second century BCE during the Seleucid Empire and later a part of the Parthian Empire). There were also reports of destruction in other IS-occupied cities such as Tal Afar (Ottoman city walls), Tikrit (Islamic tombs) and Bashir (Shiite mosques and graves).

[Sources: Association of Art Museum Directors, Archaeological Institute of America, Society for American Archaeology, American Schools of Oriental Research, American Anthropological Association and Oriental Institute of the University of Chicago, *Joint Statement on Cultural Destruction in Iraq* (26 February 2015; <http://www.archaeological.org/news/aianews/18742>); Toon Beemsterboer & Dirk Vlasblom, “Hoe rovers en beeldenstormers erfgod slopen,” *NRC Handelsblad* (4 March 2015), 10–11; “Islamic State ‘Demolishes’ Ancient Hatra Site in Iraq,” *BBC News* (7 March 2015; <http://www.bbc.com/news/world-middle-east-31779484>); “Islamic State ‘Destroys Ancient Iraq Statues in Mosul’,” *BBC News* (26 February 2015; <http://www.bbc.com/news/world-middle-east-31647484>); “Islamic State Statue-Smashing in Iraq Was ‘War crime,’ UN Says,” *BBC News* (27 February 2015; <http://www.bbc.com/news/world-middle-east-31663557>); “Islamic State: Ancient Nimrud Ruins ‘Bulldozed’ in Iraq,” *BBC News* (5 March 2015; <http://www.bbc.com/news/world-middle-east-31759555>); “Nimrud: Outcry as IS Bulldozers Attack Ancient Iraq Site,” *BBC News* (6 March 2015; <http://www.bbc.com/news/world-middle-east-31760656>); Jane O’Brien, “IS Looting Provokes Call for Global Response,” *BBC News* (17 April 2015; <http://www.bbc.com/news/magazine-32329681>); “UNESCO Calls for Mobilization to Stop ‘Cultural Cleansing’ in Iraq,” (27 February 2015; [http://www.unesco.org/new/en/media-services/single-view/news/unesco\\_calls\\_for\\_mobilization\\_to\\_stop\\_cultural\\_cleansing\\_in\\_iraq/#.VPCr6-JzGYQ](http://www.unesco.org/new/en/media-services/single-view/news/unesco_calls_for_mobilization_to_stop_cultural_cleansing_in_iraq/#.VPCr6-JzGYQ)); United Nations Security Council, *Resolution 2199* (12 February 2015; <http://www.un.org/en/sc/documents/resolutions/2015.shtml>); Dirk Vlasblom, “Assyrische stad zou door IS zijn verwoest,” *NRC Handelsblad* (7–8 March 2015), 5.]

On 16 March 2015, the mausoleum of ousted leader Saddam Hussein (1937–2006) was destroyed in

the village of al-Awja, near Tikrit, when Iraqi forces and Iranian-backed Shia militias drove Islamic State (IS) militants from Tikrit.

[Source: “Iraq Conflict: Saddam's Tomb Destroyed In Tikrit Fighting,” *BBC News* (16 March 2015; [bbc.com/news/world-middle-east-31901568](http://bbc.com/news/world-middle-east-31901568)).]

*See also* Syria, United Kingdom.

## IRELAND

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

In February 2013, the government published a report purporting to clarify the state’s interaction with the religious-run “Magdalene Laundries.” The report and the voluntary compensation scheme announced thereafter fell below adequate standards of truth, justice and reparations. In June 2014, following international outcry at allegations of past abuses of women and children in so-called “mother and baby homes,” operated by religious orders with state funding between the 1920s and 1990s, the government committed to establishing an independent Commission of Investigation.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 196.]

*See also* United Kingdom.

## ISRAEL

Previous *Annual Report* entries: 1996, 1998, 2000–2003, 2008–2014.

*See* Argentina, Jordan, United States.

## ITALY

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

**IVORY COAST (Côte d'Ivoire)**

Previous *Annual Report* entries: 2004, 2006–2014.

In December 2013, the government renewed the mandate of the Special Investigation Commission tasked with investigating crimes committed during the 2010–2011 post-electoral violence as well as the mandate of the Commission for Dialogue, Truth and Reconciliation (CDVR). The CDVR published its findings in December 2014 and expressed concern about selective justice. In March 2014, Ivory Coast surrendered Charles Blé Goudé, a former youth minister and leader of a pro-Gbagbo militia accused of crimes against humanity committed during the post-electoral violence, to the International Criminal Court (ICC). In December 2014, the ICC confirmed four charges of crimes against humanity against him and committed him to trial. Former President Gbagbo remained in custody of the ICC. In June 2014, the ICC confirmed the charges against him and committed his case to trial. He would be tried for crimes against humanity. The trial was set for July 2015. In December 2014, the ICC Pre-Trial Chamber rejected Ivory Coast's challenge to the admissibility of the case against Simone Gbagbo, who was charged by the ICC in February 2012 with murder, sexual violence, persecution and other inhuman acts, allegedly committed during the post-electoral crisis. Ivory Coast filed an appeal against the decision.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 11, 120–121; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 174, 175–176.]

## JAPAN

Previous *Annual Report* entries: 1995–2014.

In June 2014, the results were made public of a government-appointed study which re-examined the drafting process of the Kono Statement (a landmark government apology made in 1993 to the survivors of the military sexual slavery system before and during World War II). Although previous discussions and decisions were respected, the review itself increased tensions with neighboring countries such as the Republic of Korea, as it was seen as an attempt to deny governmental responsibility. Several high-profile public figures made statements to deny or justify the system. The government continued to refuse to officially use the term “sexual slavery,” and to deny effective reparation to its survivors.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 29, 206.]

In December 2014, the controversial national security law (*see NCH Annual Report 2014*) took effect; the government was estimated to designate around 460,000 documents as “special secrets.”

[Sources: Eric Johnston, “State Secrets Law Could Constrain Researchers,” *Japan Times* (14 January 2015; <http://www.japantimes.co.jp/news/2015/01/14/national/state-secrets-law-could-constrain-researchers-some-say-although-impact-remains-unclear/#.VLooky6wmQd>); Kyodo, “Under New Law, about 460,000 Documents Likely To Become ‘Special Secrets’,” *Japan Times* (1 December 2014; <http://www.japantimes.co.jp/news/2014/12/01/national/politics-diplomacy/new-law-460000-documents-likely-called-special-secrets/#.VH1qDsm26nkv>).]

In December 2014, Hokusei Gakuen University, a Christian college in Hokkaido, northern Japan, decided to renew the part-time teaching contract of former *Asahi Shimbun* journalist Takashi Uemura (1958–), despite demands from ultranationalists since August 2014 that he be dismissed. The university had received threats of bombings and students endured attacks because of newspaper articles that Uemura wrote in 1991 about Korean comfort women. In October 2014, a group of more than thousand scholars, lawyers and journalists formed to support Uemura. In the same month, the police had arrested a 64-year-old man in Niigata, a region to the north of Tokyo, for making phone calls in which he threatened to “hurt students” and “blow up the university” if it did not dismiss Uemura. Uemura and his relatives had faced many personal attacks and threats for his journalistic work written in 1991 and based on the testimony of a former Korean “comfort woman.” In January 2015, Uemura filed a defamation suit against a publisher and against Tsutomu Nishioka, a right-wing professor at Tokyo Christian University, who denied the crimes against comfort women. The attacks

against Uemura had begun when the liberal newspaper *Asahi Shimbun* in August 2014 suddenly retracted eighteen stories from the 1980s and 1990s about the comfort women that it admitted were based on the false testimony of a single former Japanese soldier. In the wake of the withdrawal, more than 10,000 ultranationalists had sued the newspaper for compensation for vilification of the national honor.

[Sources: Martin Fackler, “Japanese University Retains Ex-Journalist Facing Far Right’s Ire,” *New York Times* (17 December 2014; [http://www.nytimes.com/2014/12/18/world/asia/hokusei-gakuen-university-retains-takashi-uemura-in-japan.html?\\_r=1](http://www.nytimes.com/2014/12/18/world/asia/hokusei-gakuen-university-retains-takashi-uemura-in-japan.html?_r=1)); Suvendrini Kakuchi, “Scholars Welcome Global Challenge to Revisionism,” *University World News* (12 May 2015; <http://www.universityworldnews.com/article.php?story=20150512145634690>); Floris van Straaten, “Troostmeisjes? Klopt niks van,” *NRC Handelsblad* (29 January 2015), C17.]

The book *Traditions and Encounters: A Global Perspective on the Past*, written by Jerry Bentley and Herbert Ziegler (1999; fifth edition, 2010; McGraw Hill), historians at the University of Hawaii-Manoa, contained two sentences about the comfort women issue, saying that the Japanese army “forcibly recruited, conscripted, and dragooned as many as 200,000 women aged 14 to 20 to serve in military brothels, called ‘comfort houses’” and that the Japanese imperial army “massacred large numbers of comfort women to cover up the operation.” In late 2014, Ziegler reportedly received an e-mail from an official in the Japanese Consulate in Hawaii, requesting a meeting to discuss the passages. After he declined, two officials reportedly showed up in his university office and told him that he was wrong. Ziegler called the Japanese request to remove the paragraphs an infringement of his freedom of speech and academic freedom. McGraw Hill refused to change the textbook, saying that “scholars are aligned behind the historical fact of ‘comfort women’” and that it “unequivocally” stood behind the book. Recently, Prime Minister Shinzo Abe had declared in parliament that he was “shocked” by the textbook and that the government had to step up its efforts to disseminate the “correct” view abroad. In February 2015, a group of nineteen American historians, led by Alexis Dudden from the University of Connecticut, issued a call to their Japanese counterparts to remain steadfast in the face of pressure from the Abe government to play down the issue of “comfort women.” On 5 May 2015, an international group of 187 scholars wrote an *Open Letter in Support of Historians in Japan* to conservative Prime Minister Shinzo Abe calling for an end to the nationalistic distortion of the sexual slavery practised by the Imperial Army in World War II. It also criticized the government for whitewashing past war crimes and called for further research “free from government manipulation, censorship and private intimidation.”

[Sources: Anna Fifield, “U.S. Academics Condemn Japanese Efforts To Revise History of ‘Comfort Women’,” *Washington Post* (9 February 2015; [http://www.washingtonpost.com/world/asia\\_pacific/american-academics-condemn-japanese-efforts-](http://www.washingtonpost.com/world/asia_pacific/american-academics-condemn-japanese-efforts-)

[to-revise-history-of-comfort-women/2015/02/09/e795fc1c-38f0-408f-954a-7f989779770a\\_story.html](http://www.universityworldnews.com/article.php?story=20150512145634690)); Suvendrini Kakuchi, “Scholars Welcome Global Challenge to Revisionism,” *University World News* (12 May 2015; <http://www.universityworldnews.com/article.php?story=20150512145634690>).]

*See also* Korea, North, Russia.

## **JORDAN**

Previous *Annual Report* entries: 2003–2004.

In 2014, a controversy broke out after the Education Ministry deleted a lesson in the third grade history book about a Jordanian pilot killed in the 1967 war with Israel. Many argued that the deletion was required by the peace agreement with Israel. The ministry denied the accusation and said it was modernizing the curriculum.

[Source: Benjamin Plackett, “Arab Classrooms Frequently Ignore History,” *Al-Fanar Media* (10 March 2015; [al-fanarmedia.org/2015/03/arab-classrooms-frequently-ignore-history](http://al-fanarmedia.org/2015/03/arab-classrooms-frequently-ignore-history)).]

**KAZAKHSTAN**

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

**KENYA**

Previous *Annual Report* entries: 1999–2000, 2002–2005, 2007, 2009–2014.

The International Criminal Court (ICC) trial of Deputy President William Samoei Ruto and journalist Joshua arap Sang for alleged crimes against humanity committed during the 2007–2008 post-election violence continued throughout 2014. The trial was undermined by alleged witness intimidation and bribery, and the withdrawal of other witnesses. The Trial Chamber issued summonses to nine prosecution witnesses who no longer wished to appear voluntarily. By the end of 2014, three of the nine witnesses had testified via video-link from an undisclosed location in Nairobi.

On 5 December 2014, the ICC prosecutor withdrew charges against President Uhuru Kenyatta. He had been charged with crimes against humanity committed during the post-election violence. The prosecutor explained that the evidence at her disposal was insufficient to prove Kenyatta's alleged criminal responsibility beyond reasonable doubt. She stated that efforts by her office to gather relevant evidence had been hampered by the death of several key witnesses, intimidation of prosecution witnesses leading to the withdrawal of at least seven testimonies, and non-cooperation by the Kenyan government. On 3 December 2014, while rejecting the prosecutor's request for a further adjournment of the case, the ICC Trial Chamber ruled that the Kenyan government's conduct in the case fell short of the standard of good faith cooperation but declined to refer a formal finding of non-cooperation to the Assembly of States Parties. The government continued its efforts to discredit and weaken the ICC. In March 2014, Kenya submitted to the United Nations Secretary-General five proposed amendments to the ICC Statute, including that Article 27 be amended to preclude the ICC from prosecuting heads of state and government while in office. In November 2014, the Kenyan government requested the inclusion of a supplementary agenda item titled "Special session to discuss the conduct of the Court and the Office of the Prosecutor," to the provisional agenda of the 13th session of the Assembly of State Parties in December. The request was denied.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 10, 213–214; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 334.]

Perpetrators of crimes committed during the post-election violence of 2007–2008 remained unpunished at the national level. In February 2014, the Director of Public Prosecutions announced that a review of more than 4,000 post-election investigation files had failed to identify any prosecutable cases due to lack of evidence. No concrete steps were taken to establish the International Crimes Division of the High Court or to implement the recommendations of the Truth, Justice and Reconciliation Commission. In October 2014, an opposition political party submitted to Parliament a draft bill titled “The Post-Election Violence Tribunal Bill—2014.” The draft bill proposed the establishment of a tribunal to try perpetrators of crimes against humanity committed during the post-election violence. Provisions in the draft bill included trials in the absence of the accused, the death penalty and posthumous convictions. The draft bill was pending at the end of 2014.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 214.]

## KOREA, NORTH

Previous *Annual Report* entries: 2001, 2006–2007, 2009–2011, 2013–2014.

In 2014, it became mandatory for secondary schools to introduce the history of supreme leader Kim Jong-un's life as an official school subject.

[Sources: “N Korea: Schools Begin 81-hour Course on Kim Jong-un,” *BBC News* (<http://www.bbc.com/news/blogs-news-from-elsewhere-30208609>; 26 November 2014); “N. Korea Requires Students to Take 81-hour Course on Kim Jong-un” ([http://world.kbs.co.kr/english/news/news\\_Po\\_detail.htm?No=106892](http://world.kbs.co.kr/english/news/news_Po_detail.htm?No=106892); 25 November 2014).]

In May 2014, the government engaged in meetings with Japan to address the issue of abductions, and launched a special committee to reinvestigate cases of Japanese nationals abducted during the 1970s and 1980s. The initial report of the reinvestigation was, however, rejected by Japan as it contained no new information about the twelve Japanese nationals already officially admitted by North Korea as having been abducted from Japan by North Korean security agents.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 218.]

*See also* Japan.



## **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.

The Communist-era secret-police (KGB) files remaining in Latvia— hundreds of thousands—were accessible to the public, but the names of the 30,000 KGB agents and informers remained coded. Their real identities were listed on 4,300 cards, stored in sacks and guarded by the authorities. The last KGB chief in Latvia, Edmunds Johanson, declared that “opening up the files...would tear Latvian society apart”: key data was taken back to Moscow when the Soviets left in 1991, leaving the remaining documents incomplete and unreliable.

[Sources: Damien McGuinness, “Latvians Refuse to Lift Lid on KGB Past,” *BBC News* (20 May 2015; <http://www.bbc.com/news/world-europe-32788317>); International Council on Archives Human Rights Working Group, *News* (May 2015).]

## LEBANON

Previous *Annual Report* entries: 2000–2003, 2006–2014.

The trial of four defendants (members of Hezbollah) accused in connection with the assassination of former Prime Minister Rafik Hariri in 2005 opened in January 2014 before the Special Tribunal for Lebanon (STL) in the Netherlands. The four defendants, and a fifth whose trial was joined to theirs by the STL in February, all remained at large and were tried in their absence.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 229; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 352.]

The fate of thousands who were forcibly disappeared, abducted or otherwise unlawfully deprived of their liberty during and after the 1975–1990 civil war, mostly remained undisclosed. 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 1975–1990 civil war. The cabinet formed a ministerial committee to examine the draft, but no further action was taken in 2014. In March 2014, however, the Shura Council ruled that the full, as yet unpublished, report of the 2000 Official Committee of Inquiry to Investigate the Fate of Kidnapped and Missing Persons in Lebanon should be made available to the families of those missing. After the dismissal of appeals against this decision (on the grounds that it might endanger civil peace), the full

report was provided to a lawyer representing the families in September 2014. Lebanon signed the International Convention against Enforced Disappearance in 2007 but had yet to ratify it.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 229; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 352.]

On 22 December 2014, Education Minister Elias announced that in January 2015 the government would receive a long-awaited draft of a unified history curriculum covering Lebanon's modern history. The old history curriculum ended with Lebanon's independence in 1943 but the new one would cover the period until the 2005 assassination of Prime Minister Rafik Hariri.

[Source: Wassim Mroueh, "Bou Saab: Modern Lebanese History Curriculum Imminent," *Daily Star* (23 December 2014; <http://www.dailystar.com.lb/News/Lebanon-News/2014/Dec-23/282000-bou-saab-modern-lebanese-history-curriculum-imminent.ashx>.)]

## **LIBERIA**

Previous *Annual Report* entries: 2000–2001, 2004–2014.

In 2013, the Special Court for Sierra Leone upheld the fifty-year prison sentence of former Liberian President Charles Taylor for his role in Sierra Leone's armed conflict (1991–2002), completing the court's mandate to try those bearing the greatest responsibility for crimes committed during the conflict. However, thousands suspected of committing crimes during the conflict have not been investigated and brought to justice. The issue of accountability for human rights violations was highlighted when the United Nations Panel of Experts on Liberia uncovered the presence of alleged arms dealer Ibrahim Bah, a Senegalese national, in Sierra Leone in 2013. A private prosecution was brought against him by victims of the conflict supported by a civil society organization, the Center for Accountability and Rule of Law. Sierra Leone deported Ibrahim Bah to Senegal days before he was due to appear in court.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 323.]

## LIBYA

Previous *Annual Report* entries: 2003, 2005–2014.

The authorities failed to carry out meaningful investigations into alleged war crimes and serious human rights abuses committed during the 2011 armed conflict or to address the legacy of past violations under Mu'ammār al-Gaddafi's rule (1969–2011), including the 1996 mass killing of over 1,200 detainees in Abu Salim Prison. The trial of 37 former officials from Mu'ammār al-Gaddafi's rule for their alleged roles during the 2011 revolution began in March 2014 amid serious due process concerns. Defense lawyers were denied access to some evidence, given insufficient time to prepare, and were intimidated. Saif al-Islam al-Gaddafi, one of Mu'ammār al-Gaddafi's sons and the main defendant, appeared in court only by video link as he remained in militia custody in Zintan, casting doubt on the court's authority over him. Authorities controlling al-Hadba Prison complex, which hosts the courtroom, denied access to some independent trial observers including Amnesty International. A video of the "confessions" of another of Mu'ammār al-Gaddafi's sons, Saadi al-Gaddafi, was broadcast on Libyan television following his extradition from Niger and imprisonment at al-Hadba. Prison authorities interrogated him without access to a lawyer, and denied access to him by the United Nations Support Mission in Libya (UNSMIL), Amnesty International and others, despite the prosecution authorizing these visits. In Zawīya, west of Tripoli, scores of al-Gaddafi loyalists were detained for periods of up to 18 months beyond the date they should have been released, as sentencing did not take into account the period of arbitrary detention by militias.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 233, 273; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 357–358.]

The authorities failed to surrender Saif al-Islam al-Gaddafi to the International Criminal Court (ICC) to face prosecution on charges of crimes against humanity. In May, the ICC Appeals Chamber confirmed Libya's legal obligation to transfer him to ICC custody. In July, the ICC Appeals Chamber upheld a decision that Abdallah al-Senussi [Sanussi], a former military intelligence chief accused of crimes against humanity, could be tried domestically. Serious concerns remained, however, about violations of his due process rights, including restricted access to a lawyer of his choice. The ICC prosecutor initiated a second case and began compiling evidence against suspects residing abroad in accordance with a 2013 agreement with the Libyan government on prosecutions of former al-Gaddafi officials. Despite expressing concern in November 2014 that "crimes within the ICC jurisdiction are being committed," the ICC prosecutor failed to begin investigations into crimes committed by militias.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 233–234.]

In September 2014, forces of the Islamist coalition Libya Dawn reportedly raided the offices of the National Commission for Human Rights and removed its archive of individual complaints, raising concerns of reprisals against victims of abuses.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 232.]

## LITHUANIA

Previous *Annual Report* entries: 2005, 2009.

In 2014, Russian historian Aleksandr Dyukov, a member of the Historical Memory Foundation, - Russia, was denied entry to the country without explanation.

[Source: Valery Tishkov, “Estonian Case Highlights Issue of EU Bans on Russian Academics, Celebrities,” *Transitions Online* (20 November 2014; <http://www.tol.org/client/article/24570-kosovo-parties-break-deadlock-russian-scholar-sues-estonia-for-entry-ban.html>).]

## LUXEMBOURG

Previous *Annual Report* entries: —.

*See* Turkey.

## MACEDONIA

Previous *Annual Report* entries: 1999, 2006–2008, 2010–2014.

Impunity continued for war crimes and crimes against humanity which occurred during the 2001 internal armed conflict. No measures were taken to locate the bodies of 13 persons still missing after the armed conflict.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 236.]

On 31 July 2014, Parliament had 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 had 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 had 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. Since 2009, the commission had combed over 29,000 personal files and uncovered more than 140 people who allegedly collaborated with the Yugoslav Communist-era police or ordered surveillance of others for ideological reasons.

In October 2014, the commission said that, after reviewing classified police archives, it had concluded that the most prominent historian from Yugoslav-era Macedonia and Macedonia's early independence years, Ivan Katardziev (1926–), had been an informer for the Communist secret police and spied on history students who came from Pirin Macedonia in Bulgaria in the 1950s, when he was head of the University Library in Skopje and of the Diaspora Office, as well as secretary of the Macedonian National History Institute. Katardziev denied the claims and insisted that he had been under police surveillance himself, adding that as head of the Diaspora Office, he had to submit reports to the authorities by virtue of his position. In the past few years, Katardziev, who was born in western Bulgaria, had publicly opposed the tendency of the ruling VMRO DPMNE political party to rehabilitate some Ottoman-era revolutionaries who had been blacklisted in Communist Yugoslavia for being too close to the Bulgarian cause. Katardziev told local media that he had no intention to submit a complaint to the administrative court about the commission's decision.

[Sources: Sinisa Jakov Marusic, "New Macedonia Lustration Commission Resumes Collaborator Probe," *Balkan Insight* (1 August 2014); <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/macedonia-lustrates-its-leading-historian?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=414d537400-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-414d537400-311109073)); Sinisa Jakov Marusic, “Macedonia Names Top Historian as Communist Informer,” *Balkan Insight* (15 October 2014; [http://www.balkaninsight.com/en/article/macedonia-lustrates-its-leading-historian?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=c78187cced-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_561b9a25c3-c78187cced-311109073](http://www.balkaninsight.com/en/article/macedonia-lustrates-its-leading-historian?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=c78187cced-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-c78187cced-311109073)).]

## **MALAYSIA**

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

*See also* Philippines, Sri Lanka.

## **MALAWI**

Previous *Annual Report* entries: 2011–2012.

## **MALDIVES**

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

## **MALI**

Previous *Annual Report* entries: 2011, 2013–2014.

The government made little progress in holding to account those from all warring factions responsible for laws of war violations committed during the 2012–2013 armed conflict. The government’s provisional release in 2014 of over forty men associated with the conflict, including several commanders credibly implicated in abuses, raised concern of a de facto amnesty for these crimes. The

government characterized the releases, which began in late 2013, as “confidence building measures” in advance of negotiations. They were carried out without regard as to whether the men might have been responsible for serious crimes in violation of international law. Supreme Court orders passed in 2013 permitted a Bamako court to hear criminal cases from the three northern provinces, and during 2014, dozens of families filed complaints to judicial authorities. With few exceptions, the latter failed to investigate any of these cases or others that human rights groups and journalists brought to their attention. There was, however, meaningful progress in the investigation into the torture and enforced disappearance of 21 elite “Red Berets” in 2012. In late 2013 and early 2014, some 25 soldiers, including former coup leader General Amadou Haya Sanogo, were charged in connection with the crimes. In July 2012, Mali, 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 of Mali, and during 2014, ICC investigators conducted several missions to the country.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 243; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 374.]

After assuming office in September 2013, President Ibrahim Boubacar Keita dissolved a pre-existing truth commission and, by two executive orders, established a Truth, Justice and Reconciliation Commission; on 20 March 2014, the National Assembly ratified the orders. The commission had a three-year mandate, would cover the period from 1960 to 2013, and consist of 15 members and 7 working groups. It would function under the Ministry of National Reconciliation and Development of the North. By late 2014, the commissioners had yet to be appointed and the body's credibility was limited because of the failure to consult sufficiently with a wide variety of stakeholders on its members, mandate powers, and degree of independence.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 242; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 374–375.]

## **MALTA**

Previous *Annual Report* entries: 2012.



## MARSHALL ISLANDS

Previous *Annual Report* entries: 2013.

A lawsuit by the Marshall Islands accusing the United States of failing to begin negotiations for nuclear disarmament was thrown out of a federal court in California in February 2015. The Marshall Islands also pursued legal action against India, Pakistan and the United Kingdom in the International Court of Justice, for failing to negotiate nuclear disarmament as required in the 1968 Nuclear Non-Proliferation Treaty. In the past, the United States had accepted responsibility for the damage caused by experimental nuclear tests between 1946 and 1958 and established a compensation fund administered by a Tribunal set up by the Marshall Islands government. (For background, *see NCH Annual Report 2013*.)

[Source: Josh Butler, “Marshall Islands Lawsuit Against US Thrown Out Of Court,” *IPS* (14 February 2015; [eurasiareview.com/14022015-marshall-islands-lawsuit-us-thrown-court/?utm\\_source=feedburner&utm\\_medium=email&utm\\_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29](http://eurasiareview.com/14022015-marshall-islands-lawsuit-us-thrown-court/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29)).]

## MAURITANIA

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

## MAURITIUS

Previous *Annual Report* entries: 2012.

## MEXICO

Previous *Annual Report* entries: 1997, 1999, 2001–2014.

Abductions and enforced disappearances continued to occur widely. The whereabouts of most victims remained undisclosed. During 2014, federal officials made a series of contradictory statements regarding the number of persons reported disappeared or missing and whose whereabouts remained undisclosed. In August, the government acknowledged some 22,611 missing persons, 9,790 of whom

went missing during the present administration and 12,821 during the administration of President Felipe Calderón (2006–2012). The government failed to make public how it had arrived at this figure. Impunity remained the norm for cases of enforced disappearance. In April 2014, the government stated that only seven convictions had ever been achieved for the crime of enforced disappearance at the federal level between 2005 and 2010.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 247, 248–249.]

On 26 September 2014, more than 100 students from the Raúl Isidro Burgos Rural Teachers' College of Ayotzinapa traveled to the nearby city of Iguala to protest what they argued was a lack of funding for their school. They aimed to raise money to send a student delegation to Mexico City, where they hoped to join a march commemorating the 2 October 1968 Tlatelolco massacre, in which Mexican troops fired on and killed scores, possibly even hundreds, of student protesters. Following a confrontation with municipal police, as they returned to campus, 43 of them were kidnapped. Shots were fired and six people were killed, including three students. Witnesses alleged that police subsequently took a number of the students into custody, and handed them over to a local narcotics gang known as Guerreros Unidos. Media reports suggest that the gang members killed them. An investigation of the case was ongoing. The authorities arrested Iguala's mayor and his wife on suspicion of involvement in the abduction.

[Source: Scholars at Risk, *Free to Think: Report of the Scholars at Risk Academic Freedom Monitoring Project* (New York: Scholars at Risk, 2015; [http://salsa4.salsalabs.com/o/50943/content\\_item/freetothink](http://salsa4.salsalabs.com/o/50943/content_item/freetothink)), 18.]

In mid-March 2015, the PRI government implemented the 2012 Federal Law of Archives by reclassifying previously accessible documents related to the Guerra Sucia (Dirty War), which between 1964 and 1982 left an estimated 2,000 people disappeared and an unknown number of political dissenters dead, most of them leftist guerrillas, college students, and activists. The documents had been open to the public since 2001 (under the National Action Party government) but the reclassification made access conditional upon approval by the intelligence agency CISEN and expired only after thirty years (and if they contained personal information after seventy years). Critics argued that evidence about human rights violations should not be considered as a personal matter, but as a matter of public interest and as part of the national memory, and feared that the measure could also impact other records, such as those related to the thousands of disappearances that occurred during the Felipe Calderón administration (2006–2012) (see above).

[Source: Gabriela Gorbea & Andrea Noel, "Mexico Quietly Placed Archives Related to Its 'Dirty War' Under Lock and Key," *VICE News* (1 April 2015; <https://news.vice.com/article/mexico-quietly->

[placed-archives-related-to-its-dirty-war-under-lock-and-key](#)).]

## **MOLDOVA**

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

## **MONGOLIA**

Previous *Annual Report* entries: 2007, 2013.

*See* Iraq.

## **MONTENEGRO**

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

In June 2014, both the United Nations Committee against Torture and the United Nations Working Group on Enforced Disappearances found that the courts had failed to fully apply domestic law and misinterpreted international humanitarian law in cases prosecuted since 2008. On 31 December 2013, a former Yugoslav Army commander and seven reservists were acquitted of the murder in April 1999 of 18 refugees from Kosovo in the village of Kaluđerski Laz near Rozaje. In February 2014, the Appellate Court upheld the conviction of four former Yugoslav Army reservists for the torture and other ill-treatment of around 250 Croatian war prisoners at Moringj detention camp in 1991–1992. They were sentenced to periods of imprisonment that were less than the statutory minimum and failed to reflect the gravity of their crimes. In March 2014, seven former prisoners held at Moringj camp were each awarded compensation of between 20,000 and 30,000 euros for their ill-treatment. A further two hundred former prisoners were claiming reparation. Also in March, former police officials acquitted of war crimes in 2013 opened a case for compensation against Montenegro for 1 million euros, on the grounds that they were unlawfully detained and deprived of their liberty. In August 2014, Montenegro signed a regional declaration on missing persons, and committed to establishing the fate and whereabouts of 61 missing people.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 254.]

**MOROCCO / WESTERN SAHARA**

Previous *Annual Report* entries: 2000–2013.

Despite progress on judicial reforms, the authorities made no progress on other key recommendations of the Equity and Reconciliation Commission concerning security sector reform and a national strategy to combat impunity. Victims of the serious human rights violations perpetrated between 1956 and 1999 continued to be denied justice, and several cases of enforced disappearance remained unresolved.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 258.]

Moroccan authorities continued to clamp down on all advocacy of Sahrawi self-determination in Western Sahara, annexed by Morocco in 1975. Sahrawi political activists, protesters, human rights defenders and media workers faced an array of restrictions affecting their rights to freedom of expression, association and assembly, and were liable to arrest, torture and other ill-treatment and prosecution. The authorities did not permit protests and forcibly dispersed gatherings when they did occur, often using excessive force. Moroccan officials in Western Sahara frustrated attempts by human rights groups such as the Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State (ASVDH) to obtain official registration, which they required to operate legally, have official premises, hold public events, and apply for funding. At least 39 foreign journalists and activists reported that Moroccan authorities barred them from entry or expelled them from Western Sahara in 2014. In April 2014, the United Nations (UN) Security Council again extended the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) for a year, but without adding a human rights monitoring component.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 257.]

*Polisario Camps*

The Tindouf camps in Algeria's Mhiriz region that accommodated Sahrawis who fled Western Sahara at the time of its annexation by Morocco (1976) continued to lack regular independent human rights monitoring. The Polisario Front took no measures to end impunity for those accused of committing human rights abuses in the camps during the 1970s and 1980s.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 259.]

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*See also* Egypt.

## **MYANMAR (BURMA)**

Previous *Annual Report* entries: 1997–2001, 2003, 2005–2006, 2008–2014.

Immunity from prosecution for past violations by the security forces and other government officials remained codified in Article 445 of the 2008 Constitution. Victims of past human rights violations and their families continued to be denied truth, justice, compensation and any other form of reparation.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 264.]

## NAMIBIA

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

## NEPAL

Previous *Annual Report* entries: 2007–2014.

On 25 April 2014, the parliament passed the Truth and Reconciliation Commission (TRC) Act, establishing two commissions, a Truth and Reconciliation Commission (TRC) and a Commission on Enforced Disappearances, with the power to recommend amnesties, including for serious human rights violations. This was despite a Supreme Court ruling in January that a similar 2013 TRC ordinance with the power to recommend amnesties contravened international human rights law and the spirit of the 2007 Interim Constitution. Victims' families filed a petition with the Supreme Court for the provisions on amnesties to be amended. In July 2014, the United Nations (UN) Office of the High Commissioner on Human Rights issued a technical note pointing out that the TRC Act did not conform to Nepal's international legal obligations, including because it allowed amnesties for serious international crimes. Five experts at the UN Human Rights Council voiced similar concerns.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 267; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 395–396.]

A coalition government led by Nepali Congress leader Sushil Koirala took power in February 2014 after months of political stalemate but there was little progress on justice for serious abuses committed during the civil war (1996–2006), in which an estimated 13,000 people died. Efforts to ensure prosecutions in civilian courts for serious human rights and humanitarian law violations during the conflict remain stalled. While Nepal delivered interim monetary and in-kind compensation to the families of those who were disappeared or killed during the conflict, other victims, such as victims of sexual violence or torture, did receive no compensation from the state.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 395.]

Tibetans in Nepal were forbidden from participating in public celebrations of the Dalai Lama's birthday or the Tibetan New Year. Buddhist religious sites and monasteries were openly under government surveillance. (*See also* NCH *Annual Report 2009*.)

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 397.]

*See also* Sri Lanka.

## NETHERLANDS

Previous *Annual Report* entries: 1995, 2004–2005, 2007–2014.

On 6 September 2013, the Netherlands Supreme Court found the Dutch state liable for the deaths of three men during the 1995 Srebrenica genocide. Dutch troops serving as United Nations peacekeepers in Srebrenica sent three Bosniak Muslim men, part of a larger group of over 300 men, away from a “safe area” on 13 July 1995, effectively handing them over to Bosnian Serb forces, who killed the majority of those handed over. In July 2014, the Hague District Court ruled that the Dutch state was liable for the loss suffered by the families of the more than 300 men and boys mentioned above, but not for the acts of the Dutch troops prior to the fall of Srebrenica, or the failure of those troops to hold the “safe area.” The court ordered compensation payments to the victims.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 270; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 114.]

In July 2014, the United Nations Working Group of Experts on People of African Descent welcomed the debate on the traditional “Black Pete” (Zwarte Piet) figure of the Sinterklaas festival and called for a respectful tone by media during the discussions.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 243.]

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 had made accessible a file of eleven 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 twelve 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>).]

On 4 September 2014, a lecture by Catalan author Albert Sánchez Piñol about his historical novel, *Victus: The Fall of Barcelona* (2014), was canceled at the Cervantes Institute in Utrecht after the Spanish embassy intervened. The institute was financed by the Spanish government. The novel treated the end of Catalan independence in 1714, a sensitive issue in light of the referendum about Catalan independence on 9 November 2014.

[Source: Sabine Kok, “Teleurstelling na afblazen lezing Piñol door Spaanse ambassade” (5 September 2014; <http://www.boekblad.nl/teleurstelling-na-afblazen-lezing-pinol-door.239489.lynkx>).]

A report on an archival search commissioned by the Ministry of Defense, published on 20 November 2014, did not corroborate the excessive violence and execution thesis in the case of the train hijack by South Moluccan activists in 1977 ending in the execution of six of the hijackers (*See NCH Annual Report 2014*.)

[Sources: Bas Blokker, “‘Uitschakelen. Niet doodschieten’,” *NRC Handelsblad* (8–9 November 2014), 4–5; Emilie van Outeren, “Ook zonder verzet werd geschoten,” *NRC Handelsblad* (20 November 2014), 3.]

*See also* Colombia, Lebanon, Rwanda, Serbia/Kosovo.

## NEW ZEALAND

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

*See* Australia.

## NICARAGUA

Previous *Annual Report* entries: 1998.



## **NIGER**

Previous *Annual Report* entries: 2009, 2013.

*See* Libya.

## **NIGERIA**

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

*See* South Sudan.

## **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, 2014.

*See* Bangladesh.

**PALESTINIAN AUTHORITY**

Previous *Annual Report* entries: 1996, 1998–2002, 2008–2010, 2013–2014.

One history student (name unknown) was reported injured during the hostilities between Israelis and Palestinians in Gaza (7 July to 26 August 2014).

[Source: UNESCO & Enabling Education Network CIC (EENET), *Rapid Assessment of Higher Education Institutions in Gaza: Data Analysis Report* (Paris: UNESCO, 2015; <http://www.eenet.org.uk/resources/docs/UNESCO%20HEI%20Assessment%20Gaza%20Report%20FINAL-January%202015.pdf>), 21.]

**PANAMA**

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

In September 2014, the Supreme Court of Justice decided that Manuel Noriega, former de facto ruler of the country (1983–1989), should face trial for his alleged role in the killing of a soldier in 1969. The decision came as Noriega was serving sentences related to the killing of two political opponents. He also faced new trials for enforced disappearances and killings during his presidency.

Despite previous pledges to search for people forcibly disappeared during the 1970s and 1980s, the government failed to make any progress. A Special National Commission to search for victims of enforced disappearance, which the government pledged to create in 2012, had still not been established by the end of 2014.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 288–289.]

## PAPUA NEW GUINEA

Previous *Annual Report* entries: 2014.

## PARAGUAY

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

On 4 November 2013, writer and teacher Nelson Aguilera was sentenced to 30 months' imprisonment for alleged plagiarism of Maria Eugenia Garay's novel *El túnel del tiempo* (Criterio Ediciones 2005; The Tunnel of Time) in his novel for children *Karumbita: La patriota* (Alfaguara Infantil 2010; Karumbita: The Patriot). The lawsuit had been filed on 1 July 2010. In June 2014, his conviction and sentence were upheld by the Chamber of Appeal in Asunción. Aguilera lodged an appeal to the Supreme Court of Justice. Six independent experts and writers found that the similarities in the two works could not be described as plagiarism, but, according to Aguilera, 40 witnesses were prevented from testifying in his defense during the trial as the judge ruled that they had been presented too late. In the story, the magical turtle Karumbita dreams that she builds a time machine with two children allowing them to participate in Paraguay's struggle for independence in May 1811. In the dream the characters meet several figures of historical significance. Garay's novel told the story of two children, Jerónimo and Rodrigo, who also travel through time, meeting various mythological and historical characters along the way. One of their stops is the Paraguayan declaration of independence.

[Sources: Jorge Coronel, "Escritores lamentan sentencia por plagio," *ABC Color* (4 November 2013; <http://www.abc.com.py/espectaculos/cultura/escritores-lamentan-sentencia-por-plagio-635803.html>); PEN International, "Paraguay: On Day of the Imprisoned Writer, PEN calls for the release of Nelson Aguilera" (12 November 2014; <http://www.concernedhistorians.org/ca/75.pdf>); Pen International Writers In Prison Committee, *Caselist* (January–December 2014), 101; Wolfgang Streich, "Yo no soy un plagio, sentenció Nelson Aguilera," *Prensa Mercosur* (no date; <http://prensamercosur.org/mercosur/index.php/paraguay/1672-yo-no-soy-un-plagiario-sentencio-nelson-aguilera.html>).]

In April 2014, the Aché National Federation filed in Argentina an additional criminal complaint to the one already presented in 2013 by victims of human rights violations committed during the regime of General Alfredo Stroessner (1954–1989), in view of the persistent reluctance of the authorities to investigate those crimes. The criminal complaint was subject to an investigation under universal jurisdiction.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 291.]

In June 2014, after more than twenty years of fighting for their traditional land, an expropriation law was passed to return land to the Sawhoyamaya indigenous community. In September 2014, a constitutional action to revoke the expropriation law was rejected by the Supreme Court. However, indigenous peoples in the region continued to encounter social, political and economic threats to their collective well-being and their very existence. Their cultural heritage, ancestral lands and right to self-determination were under constant attack. Both state and non-state actors, such as businesses and powerful landowners, continued to forcibly remove them from their lands in the name of social and economic development. Development programs often resulted in environmental and cultural destruction and community displacement. Those living in voluntary isolation were at even greater risk, particularly in the Amazon Basin.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 19, 291.]

## PERU

Previous *Annual Report* entries: 2001–2014.

The 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. In a landmark trial, former President Alberto Fujimori was sentenced in 2009 to 25 years' imprisonment 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 disappearances. Courts made much less progress in addressing violations that occurred under the earlier administrations of Fernando Belaúnde (1980–1985) and Alan García (1985–1990). 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 consolidate a specialized judicial system with sufficient staff and resources to bring most cases to court. As of 2013, 48 percent of 2,880 cases of human rights violations during the armed conflict reported to prosecutors had been dismissed, largely because the latter were unable to identify perpetrators and the Ministry of Defense was unwilling to

provide documents to facilitate investigations. Only about two percent of the cases had been brought to trial, according to Human Rights Trials in Peru, a project based at George Mason University that monitored human rights prosecutions. In 2014, court hearings continued in their fourth year in two emblematic cases: torture and disappearances at the Los Cabitos military base in Ayacucho in 1983 and a massacre at Accomarca in 1985 in which an army unit killed 62 peasants. In a recent trend, the Supreme Court overturned an increasing number of convictions on appeal. While the court sometimes based its decisions on contradictions in witness testimony, it ruled in a January 2014 verdict that the disappearance in 1983 of six people whose bodies were found and identified more than twenty years later was subject to a statute of limitations, contravening Peru's obligations to hold accountable those responsible for enforced disappearances. In June 2014, President Ollanta Humala appointed as minister of the interior Daniel Urresti, a former army intelligence officer who was facing charges for his alleged role in the 1988 murder of Hugo Bustíos, the Ayacucho correspondent for *Caretas* magazine. Two soldiers were convicted in 2007 for Bustíos's murder, one of whom testified that Urresti had commanded the soldiers who ambushed and shot Bustíos before blowing up his body with a grenade. Urresti's appointment was highly questionable considering the gravity of the charge and that his public position as minister could influence the judicial outcome of his case and undercut the right to justice of Bustíos's relatives. In addition, Humala's public statements in advance of the trial supporting Urresti's claims of innocence were an inappropriate interference in ongoing judicial proceedings.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 431–432.]

In January 2014, the Public Prosecutor's Office in Lima closed the cases of over 2,000 indigenous and campesino women who were allegedly forcibly sterilized in the 1990s. After an investigation, which started in 2004 and lasted nearly ten years, the prosecutor only filed charges against some health professionals allegedly responsible in one of the cases. No charges were filed against any of the government authorities responsible for implementing the family planning program, which resulted in these sterilizations.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 294.]

## PHILIPPINES

Previous *Annual Report* entries: 2011–2014.

The Philippines acknowledged state accountability for human rights violations during the martial law under the Ferdinand Marcos regime (1965–1986) and established a Human Rights Victims' Claims Board to determine the eligibility of claims for human rights violations and award reparations.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 294.]

Trials in the civil and criminal cases relating to the 2009 Maguindanao massacre, in which state-armed militias led by government officials killed 58 people including 32 media workers, were ongoing. However, most of the proceedings were bail hearings only. By the end of 2014, around 85 of the 197 suspects for whom arrest warrants had been issued remained at large and no convictions had been handed down. Witnesses to the massacre and their families remained at risk of attacks, including killings, highlighting a lack of government protection. In November 2014, Dennis Sakal and Butch Saudagal, both of whom were due to testify against primary suspects in the massacre, were shot by unidentified gunmen in Maguindanao province, killing Dennis Sakal. In December, Kagui Akmad Ampatuan, who reportedly convinced these witnesses to testify for the prosecution, survived a similar ambush in Maguindanao. At least eight witnesses and their family members had been killed in similar attacks since November 2009. No one was held accountable for these killings.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 295–296.]

In [September 2014], the government and the Moro Islamic Liberation Front (MILF) established a three-person Transitional Justice and Reconciliation Commission during their peace talks in Kuala Lumpur, Malaysia. The commission was to “undertake a study and recommend...appropriate mechanisms to address legitimate grievances of the Bangsamoro [or Moro] people, correct historical injustices and address human rights violations and marginalization through land dispossession toward healing and reconciliation.” The commission, which was given one year to submit its report, was part of the Mindanao peace process leading to the establishment of a new Bangsamoro autonomous entity and would be headed by senior Swiss diplomat Mo Bleeker. The MILF agreed to disarm its 12,000 armed members, and “private armies” in the area were also to disarm.

[Sources: International Council on Archives Human Rights Working Group, *News of October 2014* (2014), 8; Manolo B. Jara, “Manila, MILF Form Panel for Reconciliation,” *The Gulf Today* (2 October 2014; <http://gulftoday.ae/portal/1b2e517a-0b7c-4976-9f00-8c7ecd3899e2.aspx>).]

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**POLAND**

Previous *Annual Report* entries: 1995–1998, 2000–2001, 2004–2005, 2007–2011, 2014.

In Communist Poland, Donald Tusk (1957–) was a historian, a dissident journalist (writing under the pseudonym “Anna Barycz”) and an activist for the Solidarity Trade Union. During and after the 1981 martial law, he was blacklisted for employment in state-operated institutions because of his anti-Communist convictions. He did all sorts of menial jobs. In 1991, however, he was elected in the *Sejm* (parliament). From 2007 until 2014, he was Prime Minister of Poland. In 2014, he became President of the European Council. In the 1990s, he compiled a bestselling book with photographs about the prewar German past of the city of Gdansk.

[Source: “De keizer van Europa,” *NRC Handelsblad* (29–30 November 2014), 15–16.]



## **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, 2008–2014.

The perpetrators of the 2009 killing of leading Chechen human rights defender and historian Natalia Estemirova had still not been brought to justice in early 2015 (*See NCH Annual Reports 2010–2012.*) [Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 448.]

On 24 September 2014, the Justice Ministry filed a lawsuit against the NGO Memorial over technical issues related to its legal registration with a view to dissolving it. On 28 January 2015, the Supreme Court dismissed the lawsuit because Memorial had addressed all of the ministry's complaints. (For background, *see NCH Annual Reports 2013–2014.*)

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 308; Michael Birnbaum, "Russia's Justice Ministry Targets Memorial, a Human Rights Defender," *Washington Post* (13 October 2014; [http://www.washingtonpost.com/world/europe/russias-justice-ministry-targets-memorial-a-human-rights-defender/2014/10/13/8d20755a-52e0-11e4-b86d-184ac281388d\\_story.html](http://www.washingtonpost.com/world/europe/russias-justice-ministry-targets-memorial-a-human-rights-defender/2014/10/13/8d20755a-52e0-11e4-b86d-184ac281388d_story.html)); Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 444; Wacław Radziwinowicz, "Sans l'association Memorial, le Kremlin pourra réécrire l'histoire russe," *Gazeta Wyborcza* (14 October 2014; <http://www.courrierinternational.com/article/2014/10/14/sans-l-association-memorial-le-kremlin-pourra-ecrire-son-histoire>); Alexei Timofeichev, "Victory for Memorial in Court Ruling but Survival Battle is Only Half-won" (3 February 2015; [http://rbth.com/politics/2015/02/03/victory\\_for\\_memorial\\_in\\_court\\_ruling\\_but\\_survival\\_battle\\_is\\_only\\_half\\_won\\_43343.html](http://rbth.com/politics/2015/02/03/victory_for_memorial_in_court_ruling_but_survival_battle_is_only_half_won_43343.html)).]

In December 2014, the European Court of Human Rights declared inadmissible the application of Yevgeny Dzhugashvili regarding statements allegedly defamatory of Joseph Stalin in two *Novaya Gazeta* articles. It held that the articles concerned an event of significant historical importance and that both the event and historical figures such as Stalin inevitably remained open to public scrutiny and criticism. The Court reaffirmed that "[I]t is an integral part of freedom of expression, guaranteed under Article 10 of the Convention, to seek historical truth. It is not the Court's role to arbitrate the

underlying historical issues, which are part of a continuing debate between historians (...). A contrary finding would open the way to a judicial intervention in historical debate and inevitably shift the respective historical discussions from public forums to courtrooms.” (For background, see *NCH Annual Reports 2010–2011*.)

[Source: European Court of Human Rights, *Dzhugashvili versus Russia* (2014; <http://www.concernedhistorians.org/le/378.pdf>).]

In 2014, at the request of the Federal Security Bureau (FSB; the successor agency to the Soviet-era KGB), a Moscow court denied historian Sergei Prudovsky access to a set of documents dealing with Japan’s efforts to recruit right-wing Russian émigrés as spies. When the security service SBU in Ukraine (most notably, chief archivist Ihor Kulyk), heard this, it published its copy of these “top secret,” Stalin-era files. The papers, signed off in 1937 by Stalin’s secret police chief Nikolai Yezhov, regarded the tens of thousands of Russians who had fled the 1917 Bolshevik Revolution and escaped to Harbin in China. In 1931–1935, thousands of these Russians reentered the USSR to escape the Japanese occupation of Harbin. According to Memorial, almost 50,000 of these Russians were arrested on charges of having spied for Japan, and more than 30,000 of them were shot.

[Source: “Ukraine: Secret Service Publishes Stalin Files,” *BBC News* (1 August 2014; <http://www.bbc.com/news/blogs-news-from-elsewhere-28604779>).]

In 2014 and 2015, about four foreign scholars [names unknown] were denied access to, or removed from state archives by migration officials due to alleged visa violations. Among them were a scholar (male) studying the nineteenth-century Russian economy who was fined, deported and banned for five years and a PhD student (female) from the University of Nottingham working on female prostitution in Russia between 1900 and 1930 in the Arkhangelsk region.

[Source: RFE/RL, “Western Scholars Alarmed by Russian Deportations, Fines,” *EurasiaNet.org* (31 March 2015; <http://www.eurasianet.org/node/72811>).]

On 12 March 2015, the rector’s office of St. Petersburg State University canceled Ivan Kurilla’s professorship opening at its Smolny College. Kurilla, a historian of American-Russian relations and the sole applicant for the position, had arrived from Volgograd University on a temporary contract in February. On 25 March 2015, he was informed that the position was canceled because it had been opened in error and an administrative review had determined that existing staffers could manage the teaching workload. After students organized a petition on his behalf which gathered 15,000 signatures, Kurilla’s contract was extended until the end of the semester. Some saw a purge pattern: in the same month of March, Dmitry Dubrovsky, a lecturer on international relations and human rights, was dismissed; in May 2015, political science lecturer Pavel Kononenko’s contract was not renewed.

All taught courses in Smolny College's international relations, political science and human rights major. Kurilla believed that he was eventually not hired after the rector possibly saw his Facebook posts, which included links to an article he wrote in business daily *RBC* about the February 2015 murder of opposition leader Boris Nemtsov.

[Source: Matthew Luxmoore, "Students Allege Political Purge at Russia's Oldest University," *Aljazeera* (23 May 2015; <http://america.aljazeera.com/articles/2015/5/23/students-allege-political-purge-at-russias-oldest-university.html>).]

Crimean Tatars, an ethnic group indigenous to the Crimea peninsula (deported to remote parts of the Soviet Union in 1944 and not allowed to return until the late 1980s), were particularly targeted by the de facto authorities for the public expression of pro-Ukrainian views. Starting in March 2014, there were a number of abductions and beatings of Crimean Tatars which the de facto authorities failed to investigate. On 3 March Reshat Ametov, a Crimean Tatar, was led away by three men from the "self-defense" forces after staging a one-man protest in front of the Crimean Council of Ministers building in the region's capital Simferopol. His body was found almost two weeks later, showing signs of torture. His abductors were not identified. The de facto authorities started a campaign to close the Mejlis, a body elected by the Crimean Tatar assembly (Kurultai) and recognized by the Ukrainian authorities as the representative organ of the Tatar community. Mustafa Dzhemiliev [Dzehmiliev], a veteran human rights defender and founder of the Mejlis, was banned from entering Crimea. He was repeatedly denied entry, including on 3 May when he tried to cross through a checkpoint at Armyansk. Hundreds of Crimean Tatars came to meet him. The de facto authorities claimed that this was an unlawful assembly, and dozens of participants were fined. The homes of several Crimean Tatar leaders were subsequently searched and at least four Crimean Tatars were arrested, charged with "extremism" and transferred to Russia for investigation. On 5 July 2014, Refat Chubarov, who succeeded Dzhemiliev as the leader of the Mejlis, was also prevented from returning to Crimea and banned for five years. The newly appointed de facto Prosecutor of Crimea travelled to the border crossing to warn him that the activities of the Mejlis violated the Russian law on extremism. On 19 September, the Russian authorities confiscated the headquarters of the Mejlis on the grounds that its founder (Dzhemiliev) was a foreign citizen, who had been banned from entering Russia. On 16 May 2014, just two days before the planned annual events to mark the 70th anniversary of the deportation of Crimean Tatars in 1944, the de facto Prime Minister of Crimea Sergei Aksionov announced that all mass meetings in Crimea would be banned until 6 June 2014, in order to "eliminate possible provocations by extremists" and to prevent "disruption of the summer holiday season." Just one commemorative Crimean Tatar event was allowed on the day, on the outskirts of Simferopol, with a heavy police presence. *See also NCH Annual Report 2014.*

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 386–387.]

*See also* Estonia, Lithuania, Ukraine, United Kingdom.

## **RWANDA**

Previous *Annual Report* entries: 1998, 2000–2014.

Trials of people suspected of involvement in the 1994 Rwandan genocide continued in national courts outside Rwanda. On 18 February 2014, former mayor Onesphore Rwabukombe was found guilty of aiding and abetting genocide and was sentenced to fourteen years' imprisonment by a German court. On 14 March, a former Rwandan army captain, Pascal Simbikangwa, was found guilty by a French court of complicity in genocide and crimes against humanity. The court found that he played a key role in drawing up lists of Tutsi and moderate Hutu leaders to be targeted and contributed to the setting up of Radio Mille Collines, which broadcast messages inciting violence. He was sentenced to 25 years in prison. It was the first time a French court had tried a genocide suspect. Six other genocide suspects in France were awaiting trial or on trial at the end of 2014. On 7 May 2014, the Québec Superior Court upheld Désiré Munyaneza's conviction by a Canadian court for genocide, crimes against humanity and war crimes. On 19 June 2014, a Swedish court confirmed the sentence of life imprisonment for Stanislas Mbanenande for his role in five massacres in Kibuye during the genocide. Extradition trials of four genocide suspects in the United Kingdom continued during the year. In April 2014, a Norwegian court sentenced Sadi Bugingo to 21 years' imprisonment for his role in the genocide. His appeal was pending at the end of 2014. The request to the Norwegian authorities for the extradition of another genocide suspect was approved, but pending appeal at the end of 2014. In the Netherlands, the extraditions of two men were pending at the end of 2014 and in Denmark another genocide suspect was awaiting trial. The International Criminal Tribunal for Rwanda (ICTR) prepared to close down its operations. It had one case pending appeal at the end of 2014. The tribunal had completed 75 cases, 14 of which ended in acquittals and ten were transferred to national jurisdictions. Nine suspects wanted by the ICTR continued to evade justice. The ICTR and the United Nations mechanism for international criminal tribunals launched a new initiative in July 2014 to track and arrest these remaining fugitives.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 156, 162, 279–280, 312–313; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 458.]

Déogratias Mushayidi, a former journalist and outspoken government opponent in exile, was arrested in Burundi in March 2010 and handed over to Rwandan authorities. In September 2010 he was acquitted of “divisionism” and “minimization of the genocide” but convicted and sentenced to life imprisonment on other charges. In June 2014, he was released after serving a four-year sentence for endangering national security and divisionism (*see NCH Annual Report 2011*).

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 311; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 453.]

On 24 October 2014, the Rwanda Utilities Regulatory Authority (RURA) suspended the British Broadcasting Corporation's (BBC) Kinyarwanda service's broadcasts in Rwanda. RURA said it had received complaints of incitement, hatred, divisionism, genocide denial and revision from members of the public after the 1 October 2014 BBC television documentary, “Rwanda's Untold Story,” was broadcast. On 19 November 2014, a commission of inquiry, established by RURA and headed by former Prosecutor General Martin Ngoga, began investigations into these allegations against the BBC. It was expected to produce its report in three months.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 456.]

*See also* Congo, Democratic Republic.

**SAINT VINCENT**

Previous *Annual Report* entries: 2014.

**SAUDI ARABIA**

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

*See* Iraq, Tunisia.

**SENEGAL**

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

*See* Chad, Liberia.

**SERBIA / KOSOVO**

Previous *Annual Report* entries: 2008–2014.

Investigations continued into the murders of independent journalists, Dada Vujasinović, Slavko Ćuruvija and Milan Pantić, allegedly killed by state agents in 1994, 1999 and 2001 respectively. Four suspects were charged with the murder of Ćuruvija, including former national security chief, Radomir Marković, previously convicted for the assassination of former President Ivan Stambolić in 2000.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 320.]

In January 2014, the Appeals Chamber at the International Criminal Tribunal for the former Yugoslavia (ICTY) upheld the conviction of Vlastimir Djordjević, former Serbian Assistant to the Minister of the Interior, for murder and persecution—including sexual assaults as crimes against humanity—and the forced deportation of 800,000 Kosovo Albanians. His sentence was reduced on appeal, along with those of three other senior officials, Nikola Šainović, Sreten Lukić and Vladimir Lazarević. Former military commander Nebojša Pavković's 22-year sentence was affirmed. Vojislav

Šešelj, leader of the Serb Radical Party, indicted in 2003 for war crimes and crimes against humanity, including the forced deportation and persecution of non-Serbs in Bosnia and Herzegovina, Croatia and Vojvodina, was granted provisional release in November 2014 to receive treatment for cancer and returned to Serbia after twelve years in detention. Domestic prosecutions were hampered by insufficient resources in the Office of the War Crimes Prosecutor and inadequate police investigations. Five indictments were published, and verdicts reached at first instance in only one case. The Head of the Witness Protection Unit, which was alleged to have intimidated protected witnesses, was dismissed in June 2014, allegedly for corruption. Prosecutors, police and witnesses received threats from war veterans while investigating the abduction of 19 civilians by Bosnian Serb paramilitaries in Štrpci in 1992. Fifteen suspects were subsequently arrested in December 2014, in a joint operation with the Bosnian authorities. An investigation started in August 2014 into Major General Dragan Živanović's command responsibility for war crimes in Kosovo, between 1 April and 15 May 1999, when he was commander of the 125th Motorized Brigade. He was suspected of failing to prevent "a campaign of terror against Albanian civilians," including murder, the destruction of houses, plunder and forced expulsion. A new law proposed in December 2014 failed to ensure adequate reparation for civilian victims of war, including relatives of the missing and victims of sexual violence.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 319–320.]

### *Kosovo*

In April 2014, the Kosovo parliament approved the establishment of a special court located outside Kosovo and presided over by international judges to adjudicate criminal prosecutions arising from the work of the European Union (EU) Special Task Force established in 2011 to investigate serious abuses during and after the Kosovo war (1998–1999). The Special Task Force based its work on findings of a 2010 Council of Europe report. The court will be based in the Netherlands and was expected to become operational once the Kosovo Assembly adopted necessary legislative changes. The mandate of the European Union-led Police and Justice Mission (EULEX) was extended until June 2016. Under the new agreement, international judges no longer formed the majority on judicial panels in cases of serious crimes. In July 2014, a Special Investigative Task Force, established by EULEX to investigate allegations against senior Kosovo Liberation Army (KLA) members, announced that unnamed individuals would be indicted for war crimes and crimes against humanity, including the unlawful killing, abduction, illegal detention, sexual violence against and forced displacement of Kosovo Serbs and Albanian civilians, unlawfully transferred to Albania in 1999. Suspects would be indicted and tried by a special court, yet to be established, outside of Kosovo in order to ensure effective witness protection. In September 2014, the retrial opened of Fatmir Limaj



and nine others accused of the torture and ill-treatment of Albanian civilians at the Klečka/Klecka camp in 1999. They had been acquitted in September 2013, following the suicide of a protected witness on which the prosecution case relied. Kosovo Serb political leader Oliver Ivanović, arrested in January 2014, was indicted in August for incitement to commit war crimes in 1999, and incitement to aggravated murder in February 2000. In March 2014, President Atifete Jahjaga launched a national council for the survivors of wartime sexual violence, to encourage them to come forward to claim reparation, including compensation, as set out in legal amendments adopted by the Assembly later that month. Despite the exhumation of the bodies of 53 Kosovo Albanian civilians at Raška, where they had been reburied in 1999, and further investigations at Batajnica, where over 800 bodies were exhumed in 2000–2001, there was no progress in bringing to justice those who organized the transfer of the bodies from Kosovo. Relatives of the disappeared protested against legal provisions ending their monthly compensation of 135 euros after the body of their family member was found. By November 2014, 1,655 people remained missing after the armed conflict.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 320, 321–322; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 471–473.]

In March 2014, the Council of Europe Venice Commission published its opinion on an amendment of the Law on Freedom of Religion in Kosovo, outlining the need for a number of improvements, including expanding the list of religious communities that “constitute the historical, cultural and social heritage of the country” from five groups to include all other established religious groups.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 476.]

*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.

See Liberia.

**SINGAPORE**

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

On 10 September 2014, the Media Development Authority (MDA) banned Tan Pin Pin's documentary, *To Singapore with Love*, on the grounds that it undermined national security. This award-winning documentary contained a series of interviews with former activists who fled Singapore rather than face political persecution and possible detention under the abusive Internal Security Act (ISA), some already for five decades. The title referred to the fact that the film was shot entirely outside Singapore. The MDA said that "legitimate actions of the security agencies to protect the national security and stability of Singapore are presented in a distorted way," that "the individuals in the film have given distorted and untruthful accounts of how they came to leave Singapore and remain outside Singapore," and that "a number of these self-professed 'exiles' were members of, or had provided support to, the proscribed Communist Party of Malaya (CPM)." Tan appealed the MDA decision, stating that people should be able to air "differing views about our past, even views that the government disapproves," and meanwhile did not agree to any private screenings of the film. On 12 November 2014, the Film Appeals Committee rejected the appeal by a 9–3 vote. Tan Pin Pin had been on the board of the National Archives of Singapore (2007–2009).

[Sources: Patrick Frater, "Banned Singapore Director Tan Pin Pin To Be Part of Celebratory 'Jubilee'" (25 September 2014; <http://variety.com/2014/film/news/banned-singapore-director-tan-pin-pin-to-be-part-of-celebratory-jubilee-1201313553>); Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 477; "Tan Pin Pin," *Wikipedia* (6 October 2014); "Singapore Film Ban Creates Free Speech Issue" *Voice of America* (26 October 2014; <http://www.voanews.com/content/singapore-film-ban-creates-free-speech-issue-for-yale-nus-college/2494081.html>).]

On 27 March 2015, sixteen-year-old Amos Yee (1998–) was arrested and charged with wounding religious feelings, harassment and obscenity for uploading an eight-minute YouTube video on former Prime Minister Lee Kuan Yew (1923–2015), considered Singapore's founding father, who had died

on 23 March. The video was entitled “Lee Kuan Yew is Finally Dead!”, likened Lee to Jesus Christ and harshly criticized both and Christians in general. Later, Yee posted a cartoon depicting Lee having sex with Margaret Thatcher, a personal and political ally of Lee’s. On 12 May 2015, Yee was convicted to a suspended sentence.

[Source: “Amos Yee,” *Wikipedia* ([http://en.wikipedia.org/wiki/Amos\\_Yee](http://en.wikipedia.org/wiki/Amos_Yee); retrieved 13 May 2015); Tessa Wong, “Amos Yee: The Boy Who Criticised Lee Kuan Yew,” *BBC News* (12 May 2015; <http://www.bbc.com/news/world-asia-32604122>).]

On 29 May 2015, the National Arts Council (NAC) withdrew a publishing grant of 8,000 Singapore dollar from the graphic novel *The Art of Charlie Chan Hock Chye* by artist-illustrator Sonny Liew. Khor Kok Wah, senior director of the NAC’s literary arts sector, said: “The retelling of Singapore’s history in the work potentially undermine[d] the authority or legitimacy of the government and its public institutions, and thus breache[d] our funding guidelines.” The book contained the story of comic-book artist Charlie Chan during the formative years of Singapore’s modern history, and featured personalities such as first Prime Minister Lee Kuan Yew (1923–2015) and opposition politician Lim Chin Siong (1933–1996), and events such as the Hock Lee bus riots (12 May 1955) and Operation Spectrum (or “Marxist Conspiracy,” 1987). News of the withdrawal boosted sales of the book; the first print run sold out in a weekend.

[Source: Mayo Martin, “Graphic Novel ‘Undermines Govt’s Authority’: NAC,” *Channel NewsAsia* (3 June 2015; <http://www.channelnewsasia.com/news/singapore/graphic-novel-undermines/1889140.html>).]

## SLOVAKIA

Previous *Annual Report* entries: 1997, 2002, 2007, 2009, 2011, 2013–2014.

In September 2014, the official (Slovak) Institute of National Memory (ÚPN; established to provide access to the records of the Štátna Bezpečnosť—ŠtB; secret police—of communist Czechoslovakia in 1949–1989) complained that the Czech Republic did not carry out a 2007 agreement to provide Slovakia with Slovakia-related files. It noted that the Czech Republic archived its files in a way that violated the 2007 agreement and considered them to be its own property. The Czech Security Services Archive in Kanice claimed that it would be impossible to provide only Slovakia-related documents since these could not be easily separated from other documents. Later it was agreed that Slovakia would receive digital copies of the central registry of ŠtB archives and of records that included data on Slovak citizens.

[Sources: “Files of Slovak Communist Agents Still in Czech Republic,” *Slovak Spectator* (22 September

2014;

[http://spectator.sme.sk/articles/view/55338/10/files\\_of\\_slovak\\_communist\\_agents\\_still\\_in\\_czech\\_republi\\_c.html](http://spectator.sme.sk/articles/view/55338/10/files_of_slovak_communist_agents_still_in_czech_republi_c.html)); International Council on Archives Human Rights Working Group, *News of October 2014* and *News of December 2014*.]

## **SLOVENIA**

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

Despite some positive measures, the authorities failed to guarantee the rights of some former permanent residents of Slovenia originating from other former Yugoslav republics, known as the “erased,” whose legal status was unlawfully revoked in 1992. The 2010 Legal Status Act, which offered an avenue for the erased to restore their legal status, expired in July 2013. About 12,000 of the 25,671 “erased” had had their status restored by this date. In December 2013, legislation was adopted creating a compensation scheme for those whose status had been regulated. The scheme provided 50 euros for each month spent without legal status.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 327–328.]

## **SOMALIA**

Previous *Annual Report* entries: 2001–2003, 2006, 2012–2014.

## **SOUTH AFRICA**

Previous *Annual Report* entries: 1996–2004, 2006–2010, 2012–2014.

On 9 March 2015, students at the University of Cape Town (UCT) called for the removal of the statue of British colonial figure Cecil John Rhodes (1853–1902) [prime minister of the Cape colony, mining magnate, British imperialist and philanthropist] from the campus center, labeling it a symbol of the colonial past and of white supremacy and racism. Vice-chancellor Max Price and Higher Education Minister Blade Nzimande supported relocation of the statue. On 8 April 2015, the university decided to effectively remove the statue, unveiled in 1934. At Rhodes University, Grahamstown (Eastern

Cape province), students wanted the name of the university changed. In Zimbabwe (formerly South Rhodesia), most monuments dedicated to Rhodes were removed after the 1980 independence. Rhodes had funded the creation and operation of universities such as Cape Town, the Witwatersrand and Rhodes (the last one named after him). Elsewhere, in the capital Pretoria, a statue of Afrikaner leader and former President Paul Kruger (1825–1904) was vandalized with green paint.

[Sources: Munyaradzi Makoni, “Student Revolt against the Statue of Cecil John Rhodes,” *University World News* (27 March 2015; [universityworldnews.com/article.php?story=20150326130155803](http://universityworldnews.com/article.php?story=20150326130155803)); Reitumetse Pitso, Shaun Smillie & Poppy Louw, “‘Rhodes Rage’ Shifts Up a Gear,” *Times Live* (19 March 2015; [timeslive.co.za/thetimes/2015/03/19/rhodes-rage-shifts-up-a-gear](http://timeslive.co.za/thetimes/2015/03/19/rhodes-rage-shifts-up-a-gear)); Reuters, “South African University to Remove Rhodes Statue Following Student Protests,” *University World News* (8 April 2015; <http://www.reuters.com/article/2015/04/08/us-safrica-rhodes-idUSKBN0MZ24420150408>); Bram Vermeulen, “De koloniale held moet van de sokkel, eisen studenten,” *NRC Handelsblad* (19 March 2015), 19.]

## **SOUTH SUDAN**

Previous *Annual Report* entries: 2013.

The government did not conduct prompt, thorough, impartial and independent investigations with a view to prosecuting and holding accountable individuals suspected of crimes under international law and serious violations of human rights. President Salva Kiir established a committee to investigate human rights abuses allegedly committed during an attempted coup on 15 December 2013. The committee’s eight members were selected by the President’s Office, its activities were funded by the presidency and it was mandated to report directly to the President. No report, or update on its findings, was made public by the end of 2014. On 30 December 2013, the African Union (AU) Peace and Security Council called for the establishment of an AU Commission of Inquiry into human rights violations and abuses committed during the armed conflict (December 2013–January 2014). Its mandate included recommending measures to ensure accountability and reconciliation. Members of the commission, chaired by the former president of Nigeria, Olusegun Obasanjo, were sworn in by March 2014. In its June 2014 interim report, the commission said it was not yet in a position to determine whether crimes under international law had been committed. The commission submitted its final report to the AU in October, but it had not been publicly released by the end of 2014.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 336, 337, 339.]

## SPAIN

Previous *Annual Report* entries: 1997, 1999, 2002–2014.

The definitions of enforced disappearance and torture in Spanish legislation continued to fall short of international human rights standards. Amendments to legislation governing universal jurisdiction in Spain that entered into force on 14 March 2014 limited the powers of Spanish authorities to investigate crimes under international law, including genocide, enforced disappearance, crimes against humanity and torture, committed outside Spain. The reforms were criticized by the United Nations (UN) Working Group on Enforced or Involuntary Disappearances and the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence in July 2014, when the Spanish authorities were urged to strengthen efforts to establish the fate and whereabouts of persons disappeared during Francisco Franco's rule (1939–1975).

More in general, the rights to truth, justice and reparation for victims of crimes committed during the Civil War (1936–1939) and under Franco's rule continued to be denied. Spanish authorities failed to adequately assist the Argentine judiciary, which has been exercising universal jurisdiction to investigate crimes under international law committed during the Franco era. In April 2014, the Spanish Court of Justice rejected petitions to extradite two former security agents to Argentina.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 61, 342; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 246.]

In July 2015, the mayor of Madrid, Manuela Carmena, announced that she intended to remove 168 street names which referred to General Francisco Franco's dictatorship (1939–1975), including the Avenida del Comandante Franco.

[Source: Koen Greven, "Linkse burgemeester verwijdt dictator Franco na 40 jaar uit straatbeeld," [NRC Handelsblad](#) (7 July 2015).]

*See also* Netherlands.

**SRI LANKA**

Previous *Annual Report* entries: 1998–2004, 2008–2014.

Serious violations of international law committed during the civil war (1983–2009), including enforced disappearances, extrajudicial executions and the intentional shelling of civilians and protected areas such as hospitals, remained unaddressed. The government continued to deny that such violations occurred until 15 July 2014, when it announced that it was expanding its Disappearances Commission to investigate other alleged crimes under international law. The ad hoc Presidential Commission to Investigate into Complaints Regarding Missing Persons (the Disappearances Commission) was appointed in August 2013 to examine complaints between 10 June 1990 and 19 May 2009. It received some 15,000 civilian complaints as well as some 5,000 cases of missing armed forces personnel. By August 2014, the commission had reportedly begun inquiries into less than five percent of these cases, or 462 complaints. Some complaints, which the commission said were being analyzed for further investigation, were potentially over a decade old.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 61, 343–344.]

Between the end of the civil war (1983–2009), in which the army defeated Tamil Tiger separatists, and 2015, the Tamil were not allowed to publicly commemorate their dead. Political party offices and media institutions were watched and roads to Hindu religious shrines closed in order to deny any attempts at commemoration. Only after the new President, Maithripala Sirisena, was elected in January 2015, did this change. The name of the official celebration to mark the end of the war was changed from “Victory Day” into “Remembrance Day” to mark the sacrifices made by all sides, irrespective of ethnicity. On 18 May 2015, Tamil politicians in the former war zones in the north and east were allowed to hold a memorial event for dead civilians for the first time on the beach of Mullivaayikkal in Mulaithivu district, the place of the final battle. According to United Nations estimates, between 80,000 and 100,000 people were killed in the conflict. About 40,000 Tamil civilians may reportedly have been killed in the final few weeks.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 345; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 505; “Sri Lanka Shift on Civil War Anniversary,” *BBC News* (19 May 2015; <http://www.bbc.co.uk/news/world-asia-32805544>).]

The 2013 British documentary *No Fire Zone: The Killing Fields of Sri Lanka*, directed by Callum Macrae, was banned until the presidential elections of January 2015 brought a government change.

The film treated the final 138 days of the civil war (1983–2009), in which thousands of Tamil people were shelled or extrajudicially executed by the Sri Lankan Army. Screening the film was also obstructed or banned in India, Malaysia and Nepal.

[Source: “No Fire Zone: The Killing Fields of Sri Lanka,” *Wikipedia* (9 April 2015; [wikipedia.org/wiki/No\\_Fire\\_Zone](http://wikipedia.org/wiki/No_Fire_Zone)).]

The United Nations Human Rights Council initiated an international inquiry into reports of war crimes committed during the civil war (1983–2009). Government officials and supporters threatened human rights defenders not to have contact with the investigators or to contribute to the inquiry.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 4, 26–27.]

## **SUDAN**

Previous *Annual Report* entries: 2002–2003, 2006–2014.

The International Criminal Court (ICC) had charges pending against five individuals, including President Omar al-Bashir, for war crimes, crimes against humanity, and genocide in connection with atrocities in Darfur. Khartoum refused to cooperate with the ICC and obstructed its work. In September, the ICC issued an arrest warrant and vacated the November 2014 trial start for Abdallah Banda, a Darfur rebel commander accused of attacking a United Nations base in 2007.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 513.]

## **SURINAME**

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

Following a request by the accused in 2013, the Court of Justice ordered the resumption of Edgar Ritfeld’s trial in a military court in January 2014. Ritfeld, who claimed to be innocent, was one of 25 people accused of the extrajudicial executions of fifteen opponents of the then military government in December 1982. The trial had been halted since 2012 following an amendment to the 1992 amnesty law granting immunity for the alleged torture and extrajudicial executions committed in December 1982. The 25 accused, including current President Desiré Delano “Dési” Bouterse, who was the country’s military leader at the time of the killings, were put on trial before a military court in



November 2007 for the killings. Although the Court of Justice decided that the Rittfeld case should resume, the military court decided in October 2014 not to resume the trials of the 24 others, including Bouterse. In August 2014, families of the fifteen people killed in December 1982 filed a case before the Inter-American Commission on Human Rights.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 349.]

## **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, 2014.

## **SYRIA**

Previous *Annual Report* entries: 2001–2002, 2004–2014.

In March 2012, Bassel Khartabil (also known as Bassel Safadi) was imprisoned. A specialist in open-source software development, he co-founded the research company Aiki Labs and was the chief technology officer of Al-Aous, a publishing and research institution dedicated to archaeological sciences and arts in Syria. His work included a 3D photorealistic reconstruction of the old city of Palmyra in Syria. In December 2014, he was still reported in prison.

[Source: “Break the Silence: Campaign for Jailed Human Rights Activists,” (<http://advocacy.globalvoicesonline.org/2014/12/10/break-the-silence-campaign-for-jailed-human-rights-activists>; 10 December 2014).]

In May-June 2014, a new wave of organized archaeological looting began at Dura-Europos, the Ottoman period gate at the eastern Syrian city of Deir Ez-Zor was bombed, a medieval Christian graveyard was desecrated, and the Jewish Synagogue in Jobar and the Omayyad mosque in Aleppo were 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. [Source: Syrian Coalition, “Interim Government Establishes Heritage Task Force” (National Coalition of Syrian Revolution and Opposition Forces; <http://www.etilaf.us/heritagetf>; 24 June 2014).]

In September 2014, fighters from the Islamic State (IS) reportedly desecrated an Armenian genocide memorial complex in Deir Ez-Zor. Near the site, vast numbers of Armenian refugees were forced to march to their deaths in 1915. The complex encompassed a church (containing the remains of victims of the Armenian genocide), a museum, a monument and an archive, and was often compared to the Auschwitz death camp in Poland. In February 2015, the United Nations Security Council banned all trade in artefacts from Syria, accusing IS militants of looting cultural heritage to strengthen its ability “to organize and carry out terrorist attacks.” On 21 February 2015, Turkish troops entered northern Syria to evacuate the tomb of Suleyman Shah (c. 1178–1230), grandfather of the founder of the Ottoman Empire, Osman I, in order to prevent it from falling into the hands of IS. According to a 1921 treaty, the site was a Turkish exclave.

[Sources: Simon Cox, “The Men Who Smuggle the Loot that Funds IS,” *BBC News* (17 February 2015; <http://www.bbc.com/news/magazine-31485439>); “IS Is Said to Destroy Armenian Genocide Memorial,” *Times of Israel* (22 September 2014; <http://www.timesofisrael.com/is-reportedly-destroys-armenian-genocide-memorial>).]

*See also* Australia, Germany, Iraq.

**TAIWAN**

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

*See* China.

**TANZANIA**

Previous *Annual Report* entries: 2010.

**THAILAND**

Previous *Annual Report* entries: 1995, 1999, 2001–2002, 2005, 2007–2014.

In October 2013, Patiwat Saraiyaem ([1991–]), a student at Khon Kaen University's Fine and Applied Arts Faculty, and activist Pornthip Munkong [Mankong] (f) ([1989–]), a graduate of the Faculty of Political Science at Ramkhamhaeng University, performed the play *Jao Sao Ma Pa* (*The Wolf Bride*), about a fictitious monarchy, performed to commemorate the fortieth anniversary of the October 1973 pro-democracy student protest at Thammasat University. In mid-August 2014, they were arrested, imprisoned and in October 2014 charged with *lèse majesté*. Denied bail, they pleaded guilty on 29 December 2014 in order to reduce their sentence. On 23 February 2015, they were each sentenced to two and a half years' imprisonment.

[Sources: Charlie Campbell, "The Draconian Legal Weapon Being Used to Silence Thai Dissent," *Time Magazine* (31 December 2014; <http://time.com/3650981/thailand-lese-majeste-article-112>); PEN International Rapid Action Network, "Thailand: Student Activists Sentenced for Insulting the Monarchy in a Play" (24 February 2015); "Thammasat University" (<http://monitoring.academicfreedom.info/reports/2014-10-27-thammasat-university>; 27 October 2014).]

In August 2014, the new military junta ordered high school students to use the history textbook written by Thanom Anarmwat under a new curriculum that aimed to instill patriotism in Thai youth. The junta emphasized the themes of the monarchy and the glories of the ancient kingdoms of Siam. In September 2014, the author declared that the Ministry of Education cut the name of former Prime Minister Thaksin Shinawatra (2001–2006) from his textbook. To coup supporters, Thaksin was seen

as a threat to their power. Winai Rodjay, the chairman of a committee on the teaching of history and civic duty, said that the omission of Thaksin was an error that he could not explain. The new textbook described Thaksin's government as one that used "many policies designed to gain popularity from people through huge budgets." A subheading described the protests that preceded Thaksin's ouster by the military in 2006 as "the people's movement against dictatorial power, corruption and embezzlement." Before the May 2014 coup, schools were allowed to choose from a variety of history textbooks. The one in use since August 2014 was commissioned by the previous military junta, which seized power from Thaksin in 2006. Thaksin's sister, Yingluck Shinawatra, was prime minister from 2011 until she was removed from office in May 2014.

[Source: Thomas Fuller, "Loved and Hated, Former Premier of Thailand Is Erased from Textbook," *New York Times* (15 September 2014; <http://www.nytimes.com/2014/09/16/world/asia/loved-and-hated-thaksin-shinawatra-former-premier-of-thailand-is-erased-from-textbook.html>).]

On 18 September 2014, a number of academics and student activists were detained for holding a public forum on democracy, entitled "The Fall of Foreign Dictatorships" and held at Thammasat University's Rangsit campus. It was staged for thirty minutes before dozens of police and military officers intervened. The four speakers, including Niddhi Eoseewong (1940–), a historian retired from Chiang Mai University, and the student organizers were interrogated and released after a few hours. A letter issued by the military prior to the event explained that the forum "could affect the government's attempts to fix national problems" and might create "rifts in society."

[Sources: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 534; Lamubol, "Academics, Students Arrested."; "Thammasat University" (<http://monitoring.academicfreedom.info/reports/2014-09-18-thammasat-university>; 18 September 2014).]

In early September 2014, Thammasat University in Bangkok pre-emptively ordered a ban on the annual 6 October commemoration of the student crackdown and ensuing massacre at the university on 6 October 1976. University administrators declared that this was done to prevent rifts and division in society. On 6 October 2014, the commemoration of the 38th anniversary of the massacre was effectively canceled. Under conditions set by the university, only a religious service and ceremonial speeches were allowed, but the traditional academic panel on the historical context of the massacre was forbidden. The order was in line with the military junta's ban on all political activities. Law student and student leader Rangsiman Rome said that Thammasat University wanted to "erase" the student massacre from history. In defiance of the ban, however, the Thai Student Center for Democracy (TSCD) organized a mini-concert in commemoration of the massacre. Prominent social critic Sulak Sivaraksa (1933–) (see below and *see NCH Annual Reports 1995 and 2008*) attended the

event and said in a speech that Thammasat University administrators had turned themselves into “servants of the dictators.” The 1976 massacre was carried out by police officers and hooligans who stormed the university’s Tha Prachan campus to disperse thousands of leftist students who were holding a peaceful rally there. Official records says 46 people were killed in the crackdown, but historians believe that between 50 and 100 leftist student protesters were tortured and killed, hundreds more injured, and thousands arrested. The United States National Archives and Records Administration opened more than 75 declassified records about the event. The Thai government was called upon to open its own archives on the massacre.

[Sources: Khaosod English, “Student Activist Decries University’s ‘Silencing’ of 1976 Massacre” (6 October 2014; <http://www.khaosodenglish.com/detail.php?newsid=1412603816>); Suluck Lamubol, “Academics, Students Arrested for Democracy Forum,” *University World News* (<http://www.universityworldnews.com/article.php?story=20140919125856959>; 19 September 2014); Emily Willard, “Declassified U.S. Documents Help Fill Void Left by Thailand’s Silence on 38th Anniversary of Thammasat University Massacre” (10 October 2014; <http://nsarchive.wordpress.com/2014/10/10/declassified-u-s-documents-help-fill-void-left-by-thailands-silence-on-38th-anniversary-of-thammasat-university-massacre>).]

On 20 October 2014, two retired army officers filed a complaint for *lèse majesté* against veteran social campaigner Sulak Sivaraksa (1933–) (see above and *see NCH Annual Reports 1995 and 2008*) over remarks he made at an academic seminar entitled “Construction and Deconstruction of Thai History” on 12 October 2014 about Naresuan the Great (1555–1605), a king of the Ayutthaya kingdom (1590–1605) known for his campaigns to free Siam from Burmese invaders. He questioned the traditional accounts of an elephant battle featuring King Naresuan. If convicted, Sulak could be imprisoned for up to fifteen years.

[Sources: Mark Fenn, “Battle Royal,” *Index on Censorship* (2014 no. 4), 24; Reuters, “Thai Scholar Faces Royal Insult Charge over Mediaeval King,” (20 October 2014; <http://www.reuters.com/article/2014/10/20/thailand-lesemajeste-idUSL3N0SF1TH20141020>).]

In December 2014, historian Somsak Jeamteerasakul—living in exile following martial law declared by the National Council for Peace and Order (NCPO; the military junta) on 22 May 2014—submitted his resignation but in February 2015 Thammasat University summarily dismissed him instead, which caused him to lose his university pension. There was no appeal possibility. Thammasat University rector Somkid Lertpaitoon issued the order on 24 February 2015; the grounds cited was that he had ignored orders to report for duty for fifteen consecutive days. (For background, *see NCH Annual Report 2014*.)

[Sources: “Scholars Condemn Somsak’s Dismissal,” *Thai PBS* (5 March 2015;

<http://englishnews.thaipbs.or.th/scholars-condemn-somsaks-dismissal>); Suluck Lamubol, “International Outcry over Eroded Academic Freedom,” *University World News* (13 March 2015; <http://www.universityworldnews.com/article.php?story=20150312205039591>).]

## **TIMOR-LESTE**

Previous *Annual Report* entries: 2003–2013.

Little progress was made in addressing crimes against humanity and other human rights violations committed by Indonesian security forces and their auxiliaries from 1975 to 1999. Many suspected perpetrators remained at large in Indonesia where they were safe from prosecution. In August 2014, the Court of Appeal upheld the sentence of a former AHI (Aileu Hametin Integrasaun) militia member imprisoned for crimes against humanity committed in Aileu district around the 1999 independence referendum. The Timorese government failed to implement recommendations from the Commission for Reception, Truth and Reconciliation (CAVR) and the bilateral Indonesia-Timor-Leste Commission of Truth and Friendship (CTF) relating to impunity. Parliament continued delaying consideration of two draft laws providing for a National Reparations Program and the establishment of a “Public Memory Institute,” a body which would implement the recommendations of the CAVR and CTF, including the reparations Program. A commission to examine enforced disappearances, recommended by the CTF, had not been established by the end of 2014. Initiatives undertaken with the Indonesian government to reunite children separated from their families in 1999 lacked transparency and adequate consultation with civil society.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 366–367.]

*See also* Australia, Indonesia.

## **TOGO**

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

## TUNISIA

Previous *Annual Report* entries: 2001, 2011–2014.

Since 2011, Tunisian authorities have taken some steps to prosecute perpetrators of human rights violations, notably those committed during the uprising that began on 17 December 2010, and ended in February 2011. An official investigation concluded that the authorities' attempt to crush the uprising using excessive force caused the deaths of 132 protesters and injuries to hundreds more. The trials of those accused of responsibility for these killings began in late 2011 before military courts, which had sole jurisdiction over cases involving members of the military and security forces. First instance military courts that began investigations in July 2011 determined that the accused should stand trial in groups, organized geographically, and trials opened in the military tribunals of Tunis and Le Kef in November and December 2011. Defendants included the former President Zine el-Abidine Ben Ali, charged in absentia, two former interior ministers, five general directors of the Interior Ministry, and several high- and mid-level security force commanders. When the tribunals delivered their verdicts in June and July 2012, they convicted Ben Ali, his interior minister at the time, and five directors of the Interior Ministry and imposed prison sentences ranging from 15 years to life. On 12 April 2014, the military court of appeals confirmed the life imprisonment sentence in absentia of Ben Ali but significantly reduced the sentences of all other former senior officials. The government's failure to press effectively for Ben Ali's extradition from Saudi Arabia to stand trial in Tunisia undermined accountability.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 543.]

Following the adoption of a Transitional Justice law in December 2013, an Instance Vérité & Dignité (IVD; Truth and Dignity Commission) was established in June 2014 to investigate human rights violations and arbitrate on cases of official corruption between 1 July 1955 and December 2013. An independent body chaired by Sihem Bensedrine (a former journalist and human rights activist, considered by some as too close to the conservative party Ennahda), the IVD was also mandated to provide both material and symbolic reparations to victims and to draft recommendations to prevent the recurrence of human rights violations and the misuse of public funds and to promote democracy. The IVD, which has a four-year mandate extendable for up to one year, began its work in December 2014 after developing its rules and methods of operation. Public hearings were scheduled to begin in June 2015. Plaintiffs could lodge complaints up until 14 December 2015 and the IVD would be able to access government archives. On 26 December 2014, however, the IVD had a conflict with the national archives: instead of accessing and consulting the presidential archives, it wanted to take them over. The December 2013 law also established mechanisms for institutional reform, vetting of civil

servants, and national reconciliation, and provided for the establishment of Special Judicial Chambers to investigate and prosecute human rights violations committed by state agents. In March 2014, the Ministry of Justice appointed a technical committee to draft a decree on how these specialized chambers would function.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 372; Carlotta Gall, "Women in Tunisia Tell of Decades of Police Cruelty, Violence and Rape," *New York Times* (28 May 2015; [http://www.nytimes.com/2015/05/29/world/africa/women-in-tunisia-tell-of-decades-of-police-cruelty-violence-and-rape.html?\\_r=0](http://www.nytimes.com/2015/05/29/world/africa/women-in-tunisia-tell-of-decades-of-police-cruelty-violence-and-rape.html?_r=0)); Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 544; Julie Schneider, "Tunisian Truth Commission Opens Despite Internal Turmoil," *International Justice Tribune* (17 December 2014; <https://www.justicetribune.com/articles/tunisian-truth-commission-opens-despite-internal-turmoil>); Julie Schneider, "Tunisia's Truth Commission Carries on Despite Red Tape and Lacking Funds" (28 January 2015; <https://www.justicetribune.com/articles/tunisias-truth-commission-carries-despite-red-tape-and-lacking-funds>); TAP, "Le DG des Archives nationales appelle l'IVD à revoir sa méthode de travail" (2 January 2015; <http://www.gnet.tn/actualites-nationales/le-dg-des-archives-nationales-appelle-livd-a-revoir-ses-methodes-de-travail/id-menu-958.html>); "Tunis: L'IVD autorisée à accéder aux archives de la Présidence," *African Manager* (27 May 2015; <http://www.africanmanager.com/186558.html>).]

In April 2014, the authorities released some of the former senior officials imprisoned in connection with the unlawful killings of protesters during the 2010–2011 uprising after the Military Court of Appeal amended the charges on which they had previously been convicted by military courts and reduced their sentences. Those released included former Minister of the Interior Rafiq Haj Kacem, whose twelve-year sentence was reduced to a three-year term, including time spent in custody awaiting trial. Several family members of people killed or injured during the uprising went on hunger strike in protest.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 372.]

On 18 March 2015, two armed men attacked the Bardo Museum, adjacent to the parliament in Tunis, much visited by tourists because of its rich archaeological collection, killing at least twenty foreign tourists and two Tunisians. The Islamic State (IS) claimed responsibility for the assault. The gunmen were killed.

[Source: Human Rights Watch, "Tunisia: Deadly Attack on Museum-goers: Response of Authorities Will Test Commitment to Rights" (18 March 2015; [hrw.org/news/2015/03/18/tunisia-deadly-attack-museum-goers](http://hrw.org/news/2015/03/18/tunisia-deadly-attack-museum-goers)).]



## TURKEY

Previous *Annual Report* entries: 1995–1998, 2000–2014.

The retrial of a group of young men for the January 2007 murder of journalist Hrant Dink continued. In July 2014, the Constitutional Court ruled that the murder investigation had not been conducted in an effective manner. (For background, *see NCH Annual Reports 2006–2014*.)

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 552.]

In November 2014, the General Staff removed from its website archival documents under the heading “Armenian activities in 1914–1918,” which included photographs of Turks massacred by Armenian rebels. This move was interpreted as underscoring Turkey’s desire for the centenary of the 1915 genocide to pass in a calm atmosphere.

[Source: Tulay Cetingulec, “Armenians Dig Out Their Ottoman Land Deeds,” *Almonitor: Turkey Pulse* (12 November 2014; [http://www.al-monitor.com/pulse/originals/2014/11/armenians-dig-out-ottoman-title-deeds.html?utm\\_source=Al-Monitor+Newsletter+\[English\]&utm\\_campaign=8d63b8d54a-November\\_13\\_2014&utm\\_medium=email&utm\\_term=0\\_28264b27a0-8d63b8d54a-93088897](http://www.al-monitor.com/pulse/originals/2014/11/armenians-dig-out-ottoman-title-deeds.html?utm_source=Al-Monitor+Newsletter+[English]&utm_campaign=8d63b8d54a-November_13_2014&utm_medium=email&utm_term=0_28264b27a0-8d63b8d54a-93088897)].]

On 24 December 2014, police arrested a sixteen-year-old student, listed by the initials MEA, on charges of insulting President Recep Tayyip Erdogan after criticizing the ruling AK Party during a speech given to commemorate the killing of a Turkish soldier by Islamists in the 1920s at a student protest in the city of Konya. In the speech, the student defended secularism and Kemalist principles and criticized Erdogan over recent corruption allegations, as the crowd chanted “everywhere is bribery, everywhere is corruption.” On 28 December 2014, the student was released after dozens of lawyers had signed a petition on his behalf.

[Sources: “Turkish Police Arrest Boy, 16, for Insulting Erdogan,” *BBC News* (<http://www.bbc.com/news/world-europe-30602250>; 25 December 2014); “Turkey Teenager Accused of Insulting President Released,” *BBC News* (<http://www.bbc.com/news/world-europe-30603709>; 26 December 2014).]

In early 2015, Reşat Barış Ünlü, a historian of political movements during the Ottoman Empire (1299–1918) at Ankara University’s political sciences department, asked his students to analyze the 1978 Kurdistan manifesto written by Abdullah Öcalan, the imprisoned leader of the Kurdistan Workers Party (PKK). The newspaper *Vahdet* wrote that this amounted to treachery and concluded that some academics hid their “terrorist activities” “behind the cloak of freedom of expression.”

Because of the article and a hate campaign on social media, Ünlü received multiple death threats. Ünlü was the biographer of socialist leader Mehmet Ali Aybar (1908–1995).

[Source: Kaya Genç, “Silence on Campus,” *Index on Censorship* (2015 no. 2), 10–11.]

In [February] 2015, students from Istanbul University’s communication faculty planned to show a documentary film about the Dersim massacre, a military operation that resulted in the deaths of thousands of Kurds in 1936–1938 (*see NCH Annual Reports 1998, 2002, 2008 and 2012.*) The university administration considered the showing of the film on its premises unacceptable (although President Erdogan had apologized for the massacre in 2013).

[Source: Kaya Genç, “Silence on Campus,” *Index on Censorship* (2015 no. 2), 12.]

In March 2015, Istanbul University’s art history club decided to organize a panel called A History of Beauty: Through the Lens of Art History. The event was promoted with a poster featuring Tiziano’s 1514 painting, “Amor sacro e Amor profano” (“Sacred and profane love”; also: “Venus and the bride”). The university administration told students that the image was “too explicit” and asked them to remove it from the poster.

[Source: Kaya Genç, “Silence on Campus,” *Index on Censorship* (2015 no. 2), 12.]

When academics from Turkish universities and the University of California wanted to organize a conference about the 1915 Armenian genocide, at the same venue, Bilgi University, of a similar 2005 conference (*see NCH Annual Report 2006*), the university refused, saying that it had not received an application. The organizers responded that the university had not only accepted their application but even announced the event before deleting it from its website.

[Source: Kaya Genç, “Silence on Campus,” *Index on Censorship* (2015 no. 2), 13.]

During April and May 2015, Turkey withdrew its ambassadors from Austria, Luxembourg and the Vatican, because the latter recognized that the 1915 massacres of Armenians had a genocidal character.

[Source: “Turkije roept weer ambassadeur terug om genocide-erkenning,” *Volkskrant* (7 May 2015; <http://www.volkskrant.nl/buitenland/turkije-roept-weer-ambassadeur-terug-om-genocide-erkenning~a4006648>).]

*See also* Australia, Cyprus, Syria.

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**TURKMENISTAN**

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

According to the Turkmen Initiative for Human Rights (TIHR), a Vienna-based group, several books written by and about President Gurbanguly Berdymukhamedov, who used the title “Arkadag” (Protector), were added to the secondary-school curriculum in January 2014, replacing the study of writings by former President Saparmurat Niyazov. TIHR also reported that in May 2014, parents of school children in Ashgabat were obliged to sign a pledge to raise their children in accordance with Turkmen traditions. In one school, the pledge obliged students to “become faithful sons and daughters” of the president.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 555.]

## UGANDA

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

International Criminal Court arrest warrants issued in 2005 remained in force for Joseph Kony, the Lord's Resistance Army (LRA) leader, and three LRA commanders. The men were still at large at the end of 2014. Former LRA commander Thomas Kwoyelo, who in 2011 pleaded not guilty before the International Crimes Division of the High Court to charges of murder, willful killing and other offences committed in the context of the conflict in northern Uganda, remained remanded in prison. The government appeal against the Constitutional Court's decision that Kwoyelo was entitled to amnesty under the Amnesty Act of 2000 remained pending before the Supreme Court. A complaint submitted by Kwoyelo to the African Commission on Human and Peoples' Rights challenging his continued detention by the government remained pending.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 382.]

*See also* Congo (Democratic Republic).

## UKRAINE

Previous *Annual Report* entries: 1996, 2009–2011, 2014.

On 28 September 2014, nationalist protesters tore down a statue of Lenin in the center of Kharkiv; they were supported by the governor of the region. *See also* NCH *Annual Report 2014*.

[Source: "Ukraine Nationalists Tear Down Kharkiv's Lenin Statue," *BBC News* (28 September 2014; <http://www.bbc.com/news/world-europe-29405089>).]

On 18 June 2014, Sergei Dolgov, editor of *Vestnik Pryazovya* and *Khochu v SSSR* ("I want to go to the USSR"), was abducted from his office in Mariupol by six masked men in civilian dress bearing automatic weapons. His whereabouts and the identity and motive of his abductors remained unknown for five days. On 23 June 2014, the Security Service of Ukraine in Mariupol announced that he was "alive and in good health" and being held at an anti-terrorism center in Zaporozhye. In December 2014, however, the Security Service reportedly told Amnesty International that it had no record of Dolgov's detention. Dolgov's wife said that she had been contacted by an anonymous source who alleged that he had been held with Dolgov in military base A1978 in Zaporozhye until the former's

release in October 2014. Dolgov's colleagues thought that his abduction was linked to *Khochu v SSSR*, which publishes historical articles about the Soviet era.

[Source: Pen International Writers in Prison Committee, *Case List January-December 2014* (London: PEN, May 2015), 230–231.]

The ministry of education introduced patriotic history education at schools and universities. In their turn, universities on the territory of the self-declared republics abolished the history of Ukraine as a separate course and proposed their own vision of Ukraine's history, based on Russian textbooks.

[Source: Tatyana Malyarenko, "Universities under Fire in Ukraine's War," *Index on Censorship* (2015 no. 2), 17.]

*See also* Russia.

## UNITED ARAB EMIRATES

Previous *Annual Report* entries: 2013.

*See* Egypt.

## UNITED KINGDOM

Previous *Annual Report* entries: 1996, 1998–2001, 2003–2004, 2006–2014.

In May 2013, the High Court ruled that the Iraq Historic Allegations Team (IHAT), a unit within the Ministry of Defence set up to investigate allegations of abuses of Iraqi civilians by United Kingdom (UK) armed forces between March 2003 and July 2009, was failing to meet its obligations to uphold the right to life. The judge ruled that small inquiries modelled on inquests were needed, but rejected the claimants' arguments that IHAT lacked independence and should be replaced by a single, public inquiry. In May 2014, the prosecutor of the International Criminal Court reopened a preliminary investigation into allegations that UK armed forces committed war crimes involving systematic detainee abuse in Iraq.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 390–391.]

In 2014, Thomas Docherty, professor of English and comparative literature at the University of Warwick, was suspended, barred from contacts with colleagues and students, barred from campus and prevented from attending and speaking at a conference about historian E. P. Thompson (1924–1993) after he had been accused of “undermining a colleague and asking critical questions of [his] superiors.” None of the charges were upheld at a university tribunal later.

[Source: Thomas Docherty, “Open-door Policy?” *Index on Censorship* (2015 no. 2), 37–39.]

In June 2014, the Irish television channel RTÉ broadcast newly discovered archival material suggesting that the United Kingdom (UK) had misled the European Court of Human Rights in [Ireland v. UK](#) (1978; Application no. 5310/71), over the use of five torture techniques used by British security forces in Northern Ireland in 1971–1972. In December 2014, the Irish government sought a reopening of the case by the court. Lawyers for the victims also called for an independent, human rights-compliant investigation in the UK into the new evidence.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 392.]

Secret files disclosed in a redacted format on 24 October 2014 revealed that the security service MI5 had subjected historians Eric Hobsbawm (1917–2012) and Christopher Hill (1912–2003) to persistent surveillance for decades, tapping their telephone, intercepting their correspondence and monitoring their contacts because they were Communist Party of Great Britain (CPGB) members. The surveillance started in 1935 (Hill—when he visited the USSR) and 1942 (Hobsbawm). There was no evidence in the files of any attempt by either Hobsbawm or Hill to spy for the USSR. Hobsbawm was refused access to his files when he asked to see them in 2009. According to transcripts of MI5's bugged conversations, the files showed that the CPGB leadership considered dismissing Hobsbawm in 1956 after he, Hill and the writer Doris Lessing attacked its “uncritical support...to Soviet action in Hungary” in a letter referring to the crushing of the uprising there. That support was “the undesirable culmination of years of distortion of facts.” After the CPGB paper, *Daily Worker*, refused to publish the letter, it was later run by the left-wing weekly *Tribune*. MI5 also opened personal files on historian A.J.P. Taylor (1906–1990) after he had signed a letter supporting a march against the nuclear bomb in 1959.

[Source: Richard Norton-Taylor, “MI5 Spied on Leading British Historians for Decades, Secret Files Reveal,” *Guardian* (24 October 2014; <http://www.theguardian.com/world/2014/oct/24/mi5-spied-historians-eric-hobsbawm-christopher-hill-secret-files>).]

In May 2015, it became known that British Foreign and Commonwealth Office in 2014 had located a new cache of colonial-era government documents (170,000 historic files), including from the former

Colonial Office's Intelligence and Security Department (ISD).

[Source: Katie Engelhart, "Exclusive: The UK Has Just Unearthed New 'Top Secret' Colonial-Era Government Files," *VICE News* (11 May 2015; <https://news.vice.com/article/exclusive-the-uk-has-just-unearthed-new-top-secret-colonial-era-government-files>).]

### *Northern Ireland*

In Northern Ireland, the mechanisms and institutions mandated to address "legacy" (conflict-related or historical) human rights violations in previous decades operated in a fragmented and incremental manner. The Historical Enquiries Team (HET), mandated since 2006 to re-examine all deaths attributed to the conflict in Northern Ireland, was closed following wide criticism. In July 2013, Her Majesty's Inspectorate of Constabulary had found that the HET reviewed cases involving the state with less rigor than non-state cases. The transfer, announced in December 2013, of some of HET's work to a Legacy Investigative Branch within the Police Service of Northern Ireland (PSNI) prompted concerns over the independence of future case reviews. Positive reforms to the Office of the Police Ombudsman for Northern Ireland (OPONI) continued throughout 2013 and 2014. A 30 September 2014 report by Criminal Justice Inspection Northern Ireland found that confidence in the OPONI's investigation of historical cases had been "fully restored." However, on the same day, cuts to the OPONI's budget led to a loss of 25% of staff working on legacy cases, and to serious concerns about the OPONI's ability to complete "legacy" casework. The government remained unwilling to establish public inquiries into legacy cases. In September 2013, inter-party talks chaired by former United States diplomat Richard Haass began with the aim of reaching agreement on parades and protests; the use of flags, symbols and emblems; and how to deal with "the past." The talks ended without agreement on 31 December 2013. The draft Haass proposals detailed two mechanisms: a Historical Investigation Unit (HIU) and an Independent Commission for Information Retrieval (ICIR). Further talks, which concluded in December 2014, agreed in principle to take forward the Haass proposals of an HIU and ICIR, although details of finance, resourcing, timeframes and legislation were not completely resolved at the end of 2014.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 37, 391–392.]

The legal battle to get access to some of the Boston tapes (*see NCH Annual Reports 2012–2014*) continued in 2015. In the Winston "Winkie" Rea case, the European Court of Human Rights in late May or early June 2015 refused to grant an interim prohibition as part of efforts to stop the Police Service of Northern Ireland (PSNI) from obtaining his taped testimony.

[Sources: "Boston College Tapes: Police Get Access to Ex-Loyalist Prisoner Winston Rea's Interviews," *BBC News* (5 June 2015; <http://www.bbc.com/news/uk-northern-ireland-33017930>);

Alan Erwin, “Court Refuses to Hear Winkie Rea’s Appeal over Boston Tapes,” *Irish Times* (19 May 2015; <http://www.irishtimes.com/news/crime-and-law/court-refuses-to-hear-winkie-rea-s-appeal-over-boston-tapes-1.2218168>); Alan Erwin, “Ex-loyalist Prisoner Seeks Emergency Hearing to Block Boston Tapes; Winston ‘Winkie’ Rea to Have Final Roll of Dice in European Court of Human Rights,” *Irish Times* (21 May 2015; <http://www.irishtimes.com/news/crime-and-law/ex-loyalist-prisoner-seeks-emergency-hearing-to-block-boston-tapes-1.2221052>).

*See also* Bangladesh, Russia, Rwanda.

## UNITED STATES

Previous *Annual Report* entries: 1995–2014.

On 19 July 2013, an appeals court in Virginia ruled that *New York Times* reporter James Risen had to testify at the criminal trial of former Central Intelligence Agency (CIA) agent Jeffrey Sterling who was prosecuted on charges of espionage for leaking classified information to Risen which was subsequently included in the latter’s book *State of War: The Secret History of the CIA and the Bush Administration* (2006). The court maintained that Risen could not claim a reporter’s privilege. On 15 October 2013, a federal appeals court declined to hear Risen’s appeal. On 2 June 2014, the Supreme Court rejected Risen’s appeal. Non-compliance with the subpoena (first issued in 2008) could result in a prison sentence or heavy fine. On 12 January 2015, when federal prosecutors filed a motion before a district court that Risen not be called as a witness in the case against Sterling, the United States Department of Justice eventually withdrew its subpoena. Critics asked the department to revise the guidelines on media subpoenas. The leaked information concerned a top-secret CIA operation to sabotage Iran’s alleged nuclear program.

[Sources: Committee to Protect Journalists, “U.S. Will Not Force Risen to Testify in Leak Case” (14 January 2015; [https://www.ifex.org/united\\_states/2015/01/14/risen\\_subpoena\\_withdrawn/?utm\\_source=whatcounts&utm\\_medium=email&utm\\_campaign=itw\\_14january2015](https://www.ifex.org/united_states/2015/01/14/risen_subpoena_withdrawn/?utm_source=whatcounts&utm_medium=email&utm_campaign=itw_14january2015)); Pen International Writers in Prison Committee, *Case List January-December 2014* (London: PEN, May 2015), 106–107.]

The United States (US) appeared before three United Nations treaty bodies in 2014. In April, the Human Rights Committee criticized the US on a range of issues—including the lack of accountability for abuses in the counter-terrorism context, solitary confinement in prisons, racial disparities in the criminal justice system, targeted killings by drones, excessive use of force by law enforcement



officials, the treatment of migrants and the death penalty. In August, the Committee on the Elimination of Racial Discrimination also made numerous recommendations to the US. In November, the Committee against Torture's concluding observations similarly covered a range of issues.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 393.]

In [the summer of] 2014, the Advanced Placement United States history course (APUSHC)—based on a newly revised “framework” for teachers—was the target of intense criticism for weeks from conservatives who charged that it was anti-American. In August 2014, the Republican National Committee (RNC) adopted a resolution attacking the APUSHC because it “emphasize[d] negative aspects of our nation’s history while omitting or minimizing positive aspects.” The RNC said that it did not give sufficient weight to important American historical figures, such as George Washington, Benjamin Franklin or Martin Luther King, Jr., and spent too much time on the darker episodes in American history (like slavery, Japanese internment camps, and the A-bomb). In their turn, high school students and teachers from the Jefferson County District in Colorado protested against this attempt to make the course more patriotic. As a result of the conflict, the College Board, which owned the APUSHC and denied that it belittled American history, published a revised version of the framework in late September with new instructions (but unchanged historical content) to try to assuage critics of the framework’s first version. On 17 February 2015, Oklahoma House Republicans on the Common Education Committee voted to ban Advanced Placement United States history courses, because they thought that the latter showed “what was bad about America.” This reportedly included subjects such as the lynchings of African-Americans and the killing of Native Americans at Washita Battlefield.

[Sources: Rebecca Klein, “Fox News’ Ben Carson Thinks New AP U.S. History Course Will Make Students Join ISIS,” *The Huffington Post* (1 October 2014; [http://www.huffingtonpost.com/2014/10/01/ben-carson-ap-us-history\\_n\\_5910982.html](http://www.huffingtonpost.com/2014/10/01/ben-carson-ap-us-history_n_5910982.html)); Valerie Strauss, “College Board Says It ‘Revised’ Controversial AP U.S. History Framework (Update),” *Washington Post* (1 October 2014; <http://www.washingtonpost.com/blogs/answer-sheet/wp/2014/10/01/college-board-says-it-revised-controversial-ap-u-s-history-framework>); Steven Thrasher, “Sorry, Oklahoma: You Don’t Get To Ban History You Don’t Like,” *Guardian* (18 February 2015; <http://www.theguardian.com/education/commentisfree/2015/feb/18/oklahoma-ban-advanced-placement-history>).]

In August 2014, President Barack Obama acknowledged that the United States (US) used torture in its response to the 11 September 2001 terrorist attacks (“9/11”), under a secret detention program authorized by his predecessor, George W. Bush, and operated by the Central Intelligence Agency

(CIA). He stated that torture was carried out under “some” of the “enhanced interrogation techniques” used in the program, not just the one known as “waterboarding” (a mock execution by interrupted drowning). Nevertheless, Obama remained silent on accountability and redress, reflecting the US’s continuing refusal to meet its international obligations on these issues. Neither did he make any reference to enforced disappearance, a crime under international law to which most, if not all, of those held in the secret program were subjected, some of them for years. On 3 April 2014, the Senate Select Committee on Intelligence (SSCI) voted to submit for declassification the summary of its report into the CIA’s secret detention and interrogation program operated between 2002 and 2008. Release of the summary came on 9 December 2014 and the 500-page document contained some new details on the program and the torture and other human rights violations committed in it. The full 6,700 page report—containing “details of each detainee in CIA custody, the conditions under which they were detained, [and] how they were interrogated”—remained classified top secret, held, according to SSCI Chairperson Senator Dianne Feinstein, “for declassification at a later time.” Although there has for years been much information in the public domain about the CIA program, no one has yet been brought to justice for the human rights violations, including the crimes under international law of torture and enforced disappearance, carried out under that program. By the end of 2014, 127 men remained in indefinite military detention at the United States naval base at Guantánamo Bay in Cuba. [Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 21–22, 393–394.]

In November 2014, Bill Harbaugh, economics professor at the University of Oregon (UO), requested and on 3 December 2014 received 25,000 pages of unfiltered electronic records of four former UO presidents from the UO archives. The records contained emails, reports and other papers, including confidential data about students and staff. Harbaugh returned them in January 2015 at the request of the UO administration. The two archivists involved were placed on paid administrative leave pending an investigation after UO accused them of not having first filtered out identifying information or other records the UO wished to withhold under exemptions to the Oregon public records law. One of the two archivists, James Fox, director of UO Special Collections and University Archives and associate professor in the UO history department, was dismissed (effective 30 June 2015). The other, Kira Homo, electronic records archivist at UO Special Collections and the secretary of the union United Academics, resigned for personal reasons on 1 March 2015. Fox said that Homo acted without informing him and intended to sue UO for defamation. Over the past four years, Harbaugh had formally asked the UO for public records 229 times and posted many of them on his watchdog blog uomatters.com. UO had learned about the release after Harbaugh had posted a memo from a UO lawyer (saying that the staff gave up its voice in university governance when it unionized and advocating dissolution of the UO Senate) on his blog. Harbaugh declared he had no intention of

harming the university but rather had wished to point to UO's obsessive secrecy.

[Sources: Diane Dietz, "University Of Oregon: Professor Returns UO Documents," *The Register-Guard* (<http://registerguard.com/rg/news/local/32704897-75/story.csp>; 29 January 2015); Laura Frazier, "UO Archivist Involved in Records Leak Left Job for Personal Reasons, Union Says," *The Oregonian/OregonLive* (27 March 2015; [http://oregonlive.com/education/index.ssf/2015/03/university\\_of\\_oregon\\_archivist\\_1.html](http://oregonlive.com/education/index.ssf/2015/03/university_of_oregon_archivist_1.html)); "University Of Oregon: Professors' Letter Urges Archivist's Reinstatement: More than 100 UO Faculty Members Sign a Document in Support of James Fox, Who Lost His Job at the Library," *The Register-Guard* (<http://registerguard.com/rg/news/local/32974405-75/more-than-100-uo-profs-sign-letter-urging-archivists-reinstatement.html.csp>; 13 April 2015); Richard Read, "Archivist James Fox Says UO Interim President Scott Coltrane's Team Betrayed, Scapegoated Him," *The Oregonian/OregonLive* ([http://www.oregonlive.com/education/index.ssf/2015/04/archivist\\_james\\_fox\\_says\\_uo\\_in.html](http://www.oregonlive.com/education/index.ssf/2015/04/archivist_james_fox_says_uo_in.html); 17 April 2015).]

On 4 January 2015, three anti-Israel resolutions submitted by Historians against War at the annual meeting of the American Historical Association (AHA) in New York were not voted on. The resolutions had been submitted on 22 December 2014, weeks after the 1 November deadline, and AHA members declined by a vote of 144 to 54 to suspend the AHA bylaws. One resolution accused Israel of violating academic freedom, saying Israel "arbitrarily limits the entry of foreign nationals who seek to lecture, teach and attend conferences at Palestinian universities." Another resolution called on the AHA to condemn the "acts of violence and intimidation by the State of Israel against Palestinian researchers and their archival collections, acts which can destroy the Palestinians' sense of historical identity as well as the historical record itself." It also accused Israel of bombing the Islamic University in Gaza in August 2014.

[Source: JTA & Rebecca Shimoni Stoil, "American Historical Association Rejects Anti-Israel Resolutions Vote," *Times of Israel* (11 January 2015; <http://www.timesofisrael.com/american-historical-association-rejects-anti-israel-resolutions-vote>).]

On 4 March 2015, after years of delay, the National Security Archive filed suit against the State Department under the Freedom of Information Act (FOIA) to force release of the last 700 transcripts of former Secretary of State Henry Kissinger's telephone calls (telcons). Kissinger had removed more than 16,000 telcons from the State Department when leaving office in late 1976 but returned them, when notified to do so, in 2001. The State Department released most of them but, starting in 2007, withheld some 700, claiming they were "pre-decisional" or covered by executive privilege—claims that according to the National Security Archive should long since have expired in the case of forty-year-old records.

[Source: National Security Archive, “Archive Sues State Department Over Kissinger Telcons” (4 March 2015).]

In April 2015, the estate of Joseph Goebbels (minister of propaganda in Nazi Germany) sued Random House for royalties for the use of extensive extracts from his diaries in the English translation of a Goebbels biography (2010) written by German historian Peter Longerich and due to be published in May 2015. Random House initially agreed to pay a fee, but later said it had moral objections to paying a war criminal’s estate. Longerich argued that a private person (in this case, Cordula Schacht, daughter of Hjalmar Schacht, a minister in the Nazi regime, who owned the copyright to Goebbels’ diaries) should not be given control of important historical documents.

[Source: “Goebbels’ Estate Sues Random House for Diary Royalties,” *BBC News* (18 April 2015; <http://www.bbc.com/news/world-europe-32363846>).]

*See also* Bolivia, China, Colombia, Congo (Democratic Republic), Iraq, Japan, Marshall Islands, Thailand, Turkey.

## URUGUAY

Previous *Annual Report* entries: 2001–2013.

The fight for justice regarding human rights violations committed during the period of civil and military rule (1973–1985) faced a possible step back following a decision in February 2013, when the Supreme Court overturned two key articles of Law 18.831, adopted in 2011, which established that crimes committed during 1973–1985 were crimes against humanity and that no statute of limitations could be applied. The Supreme Court also concluded that no crimes against humanity were committed at the time because they were made criminal under national law only in 2006, and therefore they were subject to a statute of limitations. During 2014 little progress was made to ensure that complaints for past human rights violations would be fully investigated. The trial of a former police officer, charged in 2012 with complicity in the killing of teacher and journalist Julio Castro in 1977, continued at the end of 2014.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 398.]

On 20 May 2015, President Tabaré Vázquez Rosas issued a decree establishing a Truth and Justice Working Group to investigate crimes committed by the police and army during the dictatorship

(1973–1985) and during a state of emergency preceding it (13 June 1968–1973). Vázquez’s Frente Amplio (Broad Front) party included former members of the Tupamaros guerrilla group. The announcement came as activists prepared to hold the twentieth annual march of silence calling for justice for the hundreds of people who disappeared during the dictatorship.

[Source: Agence France-Press, “Uruguay to Probe Dictatorship Crimes,” (20 May 2015; <http://news.yahoo.com/uruguay-probe-dictatorship-crimes-172729498.html>).]

## **UZBEKISTAN**

Previous *Annual Report* entries: 2005–2014.

**VATICAN**

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

In November 2014, Pope Francis took the position that the secret records about World War II should be opened after the legal and other matters were sorted out. (For background, *see NCH Annual Report 2004*).

[Source: “Francis Wants to Open Holocaust-era Vatican Archives as Quickly as Possible” ([http://www.worldjewishcongress.org/en/news/15409/francis\\_wants\\_to\\_open\\_holocaust\\_era\\_vatican\\_archives\\_as\\_quickly\\_as\\_possible](http://www.worldjewishcongress.org/en/news/15409/francis_wants_to_open_holocaust_era_vatican_archives_as_quickly_as_possible); 28 November 2014).]

*See also* Turkey.

**VENEZUELA**

Previous *Annual Report* entries: 2001, 2003–2004, 2006, 2009–2010, 2012, 2014.

**VIETNAM**

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

*See* China.

## **WESTERN SAHARA**

*See Morocco / Western Sahara.*

**YEMEN**

Previous *Annual Report* entries: 2001, 2003, 2010, 2013–2014.

The authorities made little progress in addressing the widespread human rights abuses of previous years. The government took no steps to clarify the fate of hundreds of political activists and others who were subjected to enforced disappearance under the former regime, headed for decades by Ali Abdullah Saleh (President of North Yemen, 1978–1990, President of Yemen, 1990–2012, or to bring those responsible to justice, despite the reappearance of a number of people forcibly disappeared decades earlier. In January 2012, the parliament voted to give former President Ali Abdullah Saleh and his aides immunity from prosecution. In September 2012, however, Saleh's successor, President Abdrabuh Mansour Hadi, decreed the creation of an independent commission of inquiry to investigate alleged rights abuses committed during the 2011 uprising, and recommend measures to hold perpetrators accountable and afford redress to victims. By November 2014, Hadi had still to nominate the inquiry's commissioners and no progress had been achieved. After numerous drafts that fell far short of safeguarding justice and accountability for past crimes, a draft Law on Transitional Justice and National Reconciliation, created at the behest of the ten months-long National Dialogue Conference (NDC), was submitted for cabinet approval in May 2014 but had not been made law by the end of 2014. Two other commissions that the president had announced in 2013 were inundated with claims. One commission, tasked with addressing the issue of land confiscation in southern Yemen in the 1990s, had received over 100,000 claims by May 2014 while the other, set up to review the forced dismissal of southerners from government employment, had registered 93,000 claims by the same time. Neither, however, appeared sufficiently resourced to address and resolve the claims they received. In September 2014, the United Nations (UN) Human Rights Council adopted a resolution on Yemen that highlighted the need for investigations into past abuses, the passage of a transitional justice law, and the creation of an independent national human rights institution. In its report presented to the Human Rights Council and released in August 2014, the UN Office of the High Commissioner for Human Rights encouraged the international community to establish an independent, international mechanism to investigate violations of human rights that took place in 2011.

[Sources: Amnesty International, *Amnesty International Report 2014/15: The State of the World's Human Rights* (London: Amnesty International, 2015), 409; Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 620–621, 628.]



**ZAMBIA**

Previous *Annual Report* entries: 2009.

On 12 March 2014, 49 young people were arrested by police during a march to commemorate Youth Day in the capital Lusaka. The young activists were arrested for wearing T-shirts and carrying placards bearing the message “Give us our constitution now.” They were separated and detained for at least six hours, before being cautioned and released. Four of the youths were reportedly assaulted by police officers who beat them with their fists during their detention at Lusaka Central Police Station, resulting in one sustaining a serious ear injury. The activists were allegedly forced to remove their T-shirts, leaving some, including young women, partially undressed.

[Source: Amnesty International, *Amnesty International Report 2014/15: The State of the World’s Human Rights* (London: Amnesty International, 2015), 410–411.]

**ZIMBABWE**

Previous *Annual Report* entries: 1998–2001, 2004, 2006, 2008–2014.

Lack of accountability for past abuses remained a serious problem. The government failed to ensure justice for victims more than five years after the 2008 politically motivated violence in which the ruling Zimbabwe African National Union- Patriotic Front (ZANU-PF), backed by state security forces, committed widespread and systematic abuses that led to the killing of up to 200 people, the beating and torture of 5,000 more, and the displacement of about 36,000 people.

[Source: Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 632.]

*See also* South Africa.