

INTRODUCTION

The twenty-second *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 2015 and 2016.

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								2016	2015
2014	2013	2012	2011	2010	2009	2008	2007	2006	2005
2004	2003	2002	2001	2000	1999	1998	1997	1996	1995

All *Annual Reports* (1995–2016) were compiled by [Antoon De Baets](#).

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AFGHANISTAN

Previous *Annual Report* entries: 2000–2015.

In 2016, philosopher and imam Sayed Hassan Akhlaq (1976–), an adviser of the Afghanistan Academy of Sciences in 2010–2011, reported that in 2011 he was urged to adapt his “History of Islamic philosophy,” a course for professors and researchers he then taught at the academy. Some of his colleagues thought that the course insulted their religious beliefs. He became a visiting scholar at the Catholic University of America and George Washington University in the United States (2013–).¹

See also United Kingdom, United States.

ALBANIA

Previous *Annual Report* entries: 1996, 2012, 2015.

In March 2015, an Office of Missing Persons was established to locate the remains of Albanians forcibly disappeared under the communist government (1946–1991).²

On 8 December 2015, supporters of the opposition Democratic Party torched a bunker installed near the Interior Ministry during protests in front of the office of Prime Minister Edi Rama in Tirana. They then tried to smash it. The bunker, a tourist attraction, was designed as a reference to the thousands of bunkers that dotted the country under Communist leader Enver Hoxha (1946–1985); it was built a mile north of Rama’s office as the entrance to a labyrinth of tunnels dug out under Hoxha as an escape route for the state elite in times of war.³

See also Serbia/Kosovo.

¹ Sayed Hassan Akhlaq, “[Threats to Academic Freedom in Afghanistan Today, Personal Experience](#),” *Huffington Post* (22 February 2016).

² Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 64.

³ Benet Koleka, “[Albanian Protesters Vent Anger at PM’s Office, Torch Bunker](#),” *Reuters* (8 December 2015); Pieter van Os, “Monument dankzij bunkerstorm,” *NRC Handelsblad* (24 March 2016), 20.

ALGERIA

Previous *Annual Report* entries: 1996, 2001–2015.

In February 2016, the Minister of Mujahedeen (independence war veterans), Tayeb Zitouni, declared that the discussions with the French Secretary of State in charge of Veterans' Affairs and Memory, Jean-Marc Todeschini, focused primarily on archives regarding the missing persons during the Liberation War (1954–1962) and nuclear tests conducted by the France in southern Algeria. [See also *NCH Annual Report 2015*.]⁴

Perpetrators of human rights crimes and abuses during the internal armed conflict (1992–2000) continued to enjoy impunity under the 2006 Law on Peace and National Reconciliation. This law criminalized comments deemed to denigrate the security forces or state institutions for their conduct during the armed conflict, during which state forces committed torture, enforced disappearances, unlawful killings, and other serious abuses. Associations representing the families of the disappeared continued to face official harassment and pressure to accept state offers of compensation provided under the same law, and to abandon their demands for details of the fate of those missing and for truth and justice.⁵

ANGOLA

Previous *Annual Report* entries: 2003, 2009.

On 27 May 2014, youth activists organized a demonstration calling for, among others, a commission of inquiry into the massacre of 27 May 1977 (a massacre used by then President Agostinho Neto and his followers, to eliminate thousands of Angolan citizens for alleged involvement in a coup attempt that was never proven). Police arrested twenty individuals as they arrived at the Largo de Independência (Independence Square) in the capital Luanda. One of them said they were beaten by police, driven to Catete and then released there some several hours later.⁶

⁴ Rédaction du HuffPost Algérie/Agence, “[Des historiens plaident pour l’ouverture des archives de la révolution du 1er novembre](#)” (19 July 2015); “[Zitouni: Algeria, France Should ‘Seriously’ Deal with Issues of Common Memory](#),” *Algeria Press Service* (27 January 2016).

⁵ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 55, 67; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 65.

⁶ Amnesty International, [Punishing Dissent: Suppression of Freedom of Association and Assembly in Angola](#) (AFR 12/004/2014; London: Amnesty International, 2014), 39.

On 28 March 2016, seventeen activists, known as the Luanda Book Club, were sentenced to between two and eight years' imprisonment and fined 50,000 kwanza (around 300 US dollar) for "preparatory acts of rebellion" and "criminal conspiracy." An earlier charge of "attempting against the president's life" was dropped on 21 March 2016 (President José Eduardo dos Santos has been in power since 1979).

Between May and June 2015, the study group had met on a weekly basis. On 20 June 2015, the day of their arrest, they had gathered at a book store in Luanda to read Domingos da Cruz's unpublished manuscript *Tools to Destroy a Dictatorship and Avoiding a New Dictatorship: Political Philosophy for the Liberation of Angola* (184 pages), an adaptation of United States academic Gene Sharp's book *From Dictatorship to Democracy: A Conceptual Framework for Liberation* (a blueprint for non-violent resistance to repressive regimes). The meeting to discuss the book was considered by the authorities to be a preliminary act to a coup. The trial started on 16 November 2015 and was originally held in secret. Domingos da Cruz and three other defendants initiated a hunger strike on 10 December 2015 in protest against the ongoing delays of the trial.

The activists included writer, journalist and university lecturer Domingos da Cruz ([1984]–), author of the manuscript (himself arrested on 21 June 2015) and professor at the Independent University of Angola; journalist and law student Sedrick de Carvalho, the book's designer; university lecturer Nuno Álvaro Dala, one of the lecturers of the seminars, rapper Luaty "Ikonoklasta" Beirão (Henrique Luaty da Silva Beirão), and Osvaldo Caholo (Osvaldo Sérgio Correia Caholo) ([1990]–), a lieutenant in the National Air Force (the only one of the group with military experience) and a lecturer of African history at the Technical University of Angola (UTANGA). Caholo was arrested on 24 June 2015. Among the books the police confiscated from his library were *Purga em Angola* (Purge in Angola), by Dália Meteus and Álvaro Meteus, a book on the 27 May 1977 massacre (see above). Another book was *História das Ideias Políticas* (History of Political Ideas), on the thoughts of "great philosophers and politicians about politics."

Both the prosecution and defense lawyers announced that they would appeal. Da Cruz was reportedly sentenced to eight-and-a-half years' imprisonment for "leading the criminal association." Beirão was sentenced to five-and-a-half years for "falsifying documents." The others received prison sentences ranging from two to four- and-a-half years.⁷

⁷ Rafael Marques de Morais, "[The Angolan Regime Is Afraid of Books](#)," *Maka Angola* (8 July 2015); Amnesty International, "[Urgent Action: Peaceful Activists still Detained without Charge](#)" (AFR 12/2295/2015; 21 August 2015); Office of the High Commissioner for Human Rights, [Letter to the President](#) (UA AGO 3/2015; 23 October 2015); International PEN, "Angola: Pernicious pursuit of the Luanda Book Club" (RAN 07/16; 31 March 2016).

ARGENTINA

Previous *Annual Report* entries: 1997–2015.

Twenty-two years after the 1994 bombing of the Argentine Israelite Mutual Association (AMIA) in Buenos Aires that killed 85 people and injured more than 300, no one has been convicted. From the outset, judicial corruption and political obstruction hindered criminal investigations and prosecutions. The investigation stalled when Iran, suspected by the Argentine judiciary of ordering the attack, refused to allow Argentine investigators to interview Iranian suspects in Argentina. In 2013, Argentina and Iran signed a memorandum of understanding (MOU) to allow an international commission of jurists to review evidence and question Iranian suspects—but only in Tehran. Because interviews conducted in Iran would likely not be admissible in an Argentine criminal court, a coalition of Argentine Jewish groups mounted a legal challenge against the MOU. It was never implemented. The perpetrators of the AMIA attack continued to go unpunished.

In January 2015, Alberto Nisman, the prosecutor in charge of investigating the bombing, was found dead in his home with a single gunshot wound to the head. His body was discovered only days after he filed a criminal complaint accusing then-President Cristina Fernández and her foreign affairs minister of conspiring with Iran to undermine the Argentine criminal investigation of Iranian suspects. A pistol matching the wound was found beside the body. In May 2015, a federal court dismissed Nisman's complaint, and as of November, the courts had not determined if Nisman was murdered or committed suicide. In August 2015, a Buenos Aires court began the trial of several officials—including former President Carlos Meném, his head of intelligence, and a judge—for their alleged interference with the initial investigation into the bombing. [See also *NCH Annual Report 2015*.]⁸

Several cases of human rights violations committed during the “Dirty War” waged by the military dictatorship (1976–1983) against political opponents were reopened in 2003, after Congress annulled amnesty laws that had been passed in the 1980s. In 2005, the Supreme Court ruled the amnesty laws unconstitutional, and federal judges subsequently struck down pardons favoring former officials convicted of, or facing trial for, Dirty War human rights violations. As of June 2015, courts had decided 142 cases of crimes against humanity committed by the dictatorship, resulting in 592 convictions. The Center for Legal and Social Studies reported that, as of November 2015, 56 suspects had been acquitted and 2740 charged. Given the large number of victims, suspects, and cases, prosecutors and judges faced challenges in bringing those responsible to justice while also respecting the due process rights of the accused.

⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 71; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 71–72.

Those from the civil, business and legal sectors who were complicit in human rights violations and crimes under international law had yet to be brought to justice. According to the Public Prosecutor's Office, questions about responsibility remained even in cases where significant evidence had been gathered. To date, only one member of the judiciary and two businessmen have been convicted. On 23 September 2015, the Chamber of Deputies passed a bill to the Senate proposing the creation of a commission, with representatives from both the Chamber and Senate, to identify economic and financial interests that had colluded with the military dictatorship.

Argentina had made significant progress both in identifying children of the disappeared who were illegally abducted and given to other families during the dictatorship, and in reuniting them with their biological families. As of November 2015, 118 children illegally taken from their parents during the Dirty War had been found. The National Bank of Genetic Data, created by the government in 1987, was of enormous help in his effort, but its usefulness was severely limited by a 2009 law. Local human rights activists challenged the law, and the case was pending in late 2015.⁹

See also Spain.

ARMENIA

Previous *Annual Report* entries: 2005–2006, 2010, 2014–2015.

On 7 April 2015, Yerevan police arrested five members of the opposition movement *Founding Parliament*. The group had received permission to hold a rally in Yerevan on 24 April, the 100-year anniversary of the Armenian genocide. Authorities charged the men with planning a mass disturbance, after searching their homes and office and seizing wooden bats, kitchen knives, a stun gun, and a publicly available pamphlet, as well as their laptops and flags. On 10 April, a Yerevan court remanded all five to pre-trial custody, but on 4 May, the prosecutor general released them pending the investigation, which was ongoing in late 2015.¹⁰

The Turk Hack Team group claimed that it launched DDoS attacks against websites of the Armenian government, as well as Armenian business and media sites, causing disruptions on 24 April, the

⁹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 28, 70–71; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 72–73.

¹⁰ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 79.

Armenian Genocide commemoration day.¹¹

See also Switzerland, Turkey, United States.

AUSTRALIA

Previous *Annual Report* entries: 1997, 2001, 2003, 2007–2009, 2014–2015.

In 2015, the Australian National University in Canberra handed back a collection of bones (40,000-year-old remains of about 140 people found around Lake Mungo—including a woman known as Mungo Lady) to elders from the local Aboriginal communities. The bones are expected to eventually be returned to and reburied at Lake Mungo, where they were discovered in the 1960s and removed in 1974. The university formally apologized, admitting that research had been conducted without the assent of the traditional owners.¹²

In 2016, the University of New South Wales (UNSW) published an Indigenous Terminology Guide (updated from a 1996 list) which distinguished between more and less appropriate language. It stated that: “Australia was not settled peacefully, it was invaded, occupied and colonised. Describing the arrival of the Europeans as a ‘settlement’ attempts to view Australian history from the shores of England rather than the shores of Australia.” And: “Nomadism has been associated with lack of land tenure or anchorage in land, and this has been coupled with the idea that Aboriginal people did not really occupy the land, but only roamed over it. The extension of the doctrine of *terra nullius* was based on this kind of distinction. Note that the 1992 Mabo Native Title judgement by the High Court rejected *terra nullius* as wrong both in fact and in law.” On 30 March 2016, Australia’s tabloid *Daily Telegraph* newspaper carried the headline “UNSW rewrites the history books to state Cook ‘invaded’ Australia,” but UNSW rejected the claim.¹³

¹¹ Freedom House, [Freedom on the Net 2015](#) (Washington: Freedom House, 2015), 68.

¹² Jonathan Pearlman, “[University Returns 40,000-year-old Mungo Man to Australia’s Aborigines](#),” *Telegraph* (6 November 2015).

¹³ [Indigenous Terminology](#) (University of New South Wales; retrieved 30 March 2016); “[University Tells Students Britain ‘Invaded’ Australia](#),” *BBC News* (30 March 2016).

AUSTRIA

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

AZERBAIJAN

Previous *Annual Report* entries: 1995, 1997–1998, 2008–2013, 2015.

On 13 August 2015, after a trial marred by irregularities and due process violations, the Baku Court of Grave Crimes sentenced human-rights activist and historian Leyla Yunus to eight-and-a-half years' and her husband, human-rights activist and historian Arif Yunus, to seven years' imprisonment on politically motivated charges of illegal entrepreneurship, tax evasion, and fraud for running two unregistered human rights groups through a registered organization from 2006 through 2014. They would be tried later on a treason charge. Both suffered from serious health problems. On 12 November 2015 and 9 December 2015 respectively, Arif and Leyla Yunus were both released on health grounds; the appeals court changed both sentences to five years' probation. [See also *NCH Annual Report 2015*.]

Arif Yunus was a research officer of the History Institute of the National Academy of Sciences of Azerbaijan (1971–1992). In 1992 he worked as chief of the Information-Analytical Center of the Presidential Administration of Azerbaijan and in 1993–1994 he was president of the Analytical Center *Azeri*. Then he headed the Department of Conflict and Migration Studies of the Institute of Peace and Democracy (1994–present). He authored more than 200 scientific publications dedicated to the history of Azerbaijan, including *Karabakh: Past & Present* (2005).¹⁴

In 2016, it was reported that the sanctions against writer Akram Aylisli and his family were still in force. [See *NCH Annual Report 2013*.]¹⁵

¹⁴ [“Deeply Distressing”—UN Experts Condemn Latest Prison Sentencing of Rights Defenders in Azerbaijan](#), (Geneva: United Nations, 20 August 2015); Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 92–93; Human Rights Watch, [“Azerbaijan: Ailing Rights Defenders Convicted in Political Trial”](#) (13 August 2015); [“Rights Defenders Leyla and Arif Yunus Get Severe Jail Sentences,” Ifex](#) (14 August 2015); Amnesty International (Dutch Section), [Sample Letter](#) (2015); [“Rights Activist Leyla Yunus Freed from Jail in Azerbaijan,” Radio Free Europe / Radio Liberty](#) (9 December 2015); [“Jailed Azerbaijani Activist Arif Yunus Released From Jail, But Can't Leave Baku,” Radio Free Europe / Radio Liberty](#) (12 November 2015); Rachel Denber (Human Rights Watch), [“Prominent Human Rights Defender Leyla Yunus Free after 17 Months,” Ifex News](#) (9 December 2015); Arif Yunusov, *Karabakh: Past & Present* (Baku: IPD / Turan Information Agency, 2005); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 77.

¹⁵ John Angliss, “Know Your Enemy,” *Index on Censorship*, 45 no. 1 (Spring 2016), 100–102.

BAHRAIN

Previous *Annual Report* entries: 2004, 2008–2012, 2015.

On 27 August 2014, activist Nader Abdulemam was arrested after three people accused him of “denigrating the prophet’s companion Khalid Bin al-Waleed [585 –642]” in a tweet he posted telling a historical story in which Khalid killed another companion and raped his wife. On 22 October 2014, Abdulemam was sentenced to six months’ imprisonment, later reduced to four months on 15 January 2015, when he was released after having served more time than his sentence. Repression against Abdulemam continued when he received news on 5 March 2015 that he was dismissed as a teacher at the Education Ministry, where he had worked for the past fourteen years. Authorities also arrested two Instagram users in September 2014 on charges of “denigrating the prophet’s companions.”¹⁶

BANGLADESH

Previous *Annual Report* entries: 1999, 2001, 2004–2006, 2008–2015.

In [2016], master student Siddhartha Dhar was threatened with death for blogging about evolution theory and religious history on his blog Mukto-Mona. Supported by Swedish PEN, he went into exile in Uppsala, Sweden.¹⁷

The International Crimes Tribunal (ICT), set up to address laws of war violations committed during Bangladesh’s 1971 independence movement, continued its operations in 2015 without addressing serious procedural and substantive defects that led to unfair trials. ICT proceedings were marked with severe irregularities and violations of the right to a fair trial. Challenges to the jurisdiction of the court continued to be barred due to a constitutional provision. Statements from prosecution witnesses shown by the defense to have been false were still used as evidence in court. Affidavits by defense witnesses that the accused was too far from the site of the offense to be involved were not admitted. The government prevented defense witnesses abroad from attending trials by denying visas. Appeals processes were marked by similar flaws. In April 2015, Mohammad Kamaruzzaman, a leading member of the Jamaat-e-Islami party, was hanged. His trial violated basic fair trial standards, arbitrarily curtailing the ability of the defense team to submit evidence, including witnesses and

¹⁶ Freedom House, [Freedom on the Net 2015](#) (Washington: Freedom House, 2015), 107.

¹⁷ Eva Lundgren, “[The University of Gothenburg Coordinates Sanctuary for Threatened Scholar](#)” (press release, University of Gothenburg; 9 March 2016).

documents, and to challenge the credibility of prosecution witnesses by confronting them with prior inconsistent statements. In July 2015, the death sentence against Bangladesh Nationalist Party (BNP) member Mir Qasem Ali Salahuddin Qader Chowdhury was upheld on appeal. Both he and Ali Ahmed Mohammed Mujahid were executed on 21 November 2015 after the president rejected their last-minute clemency petitions. Several other accused were awaiting final appellate judgments in late 2015, including Motiur Rahman Nizami, who was sentenced to death in October 2014. [See also *NCH Annual Report 2015*.]¹⁸

BELARUS

Previous *Annual Report* entries: 1996–2000, 2005–2007, 2009–2011, 2014–2015.

In 2000, dissident writer Svetlana Alexievich (1962–) went into exile to Germany and France and returned in 2011. Many of her books consisted of oral histories (including about Belarusian women who fought in World War II, the war in Afghanistan, and the 1986 nuclear disaster in Chernobyl). In 2015, she earned the Nobel Prize in Literature. Although President Aleksandr Lukashenko congratulated her with the prize, he later declared that Alexievich's books offended the Russians of Belarus. Her books were not published in Belarus but still on sale there.¹⁹

In the first half of 2015, the information Ministry denied access to 26 websites, including one for criticizing the World War II Victory Day celebration and its participants in an article calling on the authorities to use resources to assist war veterans rather than organize a parade.²⁰

BELGIUM

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

¹⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 83–84; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 111.

¹⁹ Alexander Kan, "[Svetlana Alexievich: Exposing Stark Soviet Realities](#)," *BBC News* (8 October 2015); Michiel Krielaars, "Interview: Svetlana Alexijevitsj," *NRC Handelsblad* (25 March 2016), C4–5.

²⁰ Alexander Kan, "[Svetlana Alexievich: Exposing Stark Soviet Realities](#)," *BBC News* (8 October 2015); Michiel Krielaars, "Interview: Svetlana Alexijevitsj," *NRC Handelsblad* (25 March 2016), C4–5.

BELIZE

Previous *Annual Report* entries: 2014.

BOLIVIA

Previous *Annual Report* entries: 2007, 2009–2015.

According to the United Nations Human Rights Committee, Bolivia prosecuted only a few of the officials responsible for human rights violations committed under authoritarian governments between 1964 and 1982. A contributing factor was the unwillingness of the armed forces to provide information on the fate of people killed or forcibly disappeared during this period. In March 2015, the deputy solicitor general announced plans to create a truth commission to investigate these crimes, but the government did not yet define its scope. A bill that was presented by victims' organizations to the Plurinational Legislative Assembly to create such a commission was pending at the end of 2015. In July 2015, the Public Ministry announced the creation of a genetic data bank to identify the remains of potential victims of enforced disappearance. It was estimated that around 150 people were forcibly disappeared during the military regimes. The Public Ministry called on the relatives of victims of enforced disappearances to undertake blood tests to establish possible matches.²¹

BOSNIA and HERZEGOVINA

Previous *Annual Report* entries: 2001–2015.

The 20th anniversary of the 1995 Srebrenica genocide in July 2015 shone a spotlight on the limited progress toward justice for war crimes committed in Bosnia. While the International Criminal Tribunal for the former Yugoslavia (ICTY) had convicted 14 people of crimes committed at Srebrenica, and the trials of the alleged architects of the genocide continue in The Hague, progress in the national courts was more limited.

In late 2015, the defense case in the trial of Ratko Mladić, the Bosnian Serb wartime general, was in progress at the ICTY. Mladić was charged with genocide, war crimes, and crimes against humanity, including in Srebrenica. The trial judgment was expected in November 2017. In July 2015, Bosnian

²¹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 28, 89; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 119.

Serb wartime President Radovan Karadžić, also on trial at the ICTY on many of the same charges as Mladić, demanded a new trial, citing unfair treatment and prosecution errors. His claim was rejected and his trial continued. Closing arguments were heard in late September 2015. On 24 March 2016, he was found guilty of genocide in Srebrenica, war crimes and crimes against humanity and sentenced to 40 years' imprisonment.

The Bosnian government remained slow to implement the national war crimes strategy, adopted in 2008 to improve the prosecution of domestic war crimes. Prosecutors still lack sufficient capacity and funding, particularly at the district and cantonal levels. According to estimates by the Organization for Security and Co-operation in Europe, there was a backlog of more than 1,200 cases in Bosnian courts involving several thousand suspects. By September 2015, the War Crimes Chamber of the State Court of Bosnia and Herzegovina had reached 15 verdicts (3 acquittals, 9 convictions, and 3 partially acquitting verdicts) at the first instance in relation to 24 defendants, and 18 verdicts (1 acquittal, 15 convictions, and 2 partially acquitting verdicts) at the second instance in relation to 27 defendants, increasing the total number of completed cases to 290 since the court became fully operational in 2005. Throughout 2015, Željka Cvijanović, prime minister of the Republika Srpska entity, repeatedly challenged the legitimacy of the state court and the state prosecutor's office.

In November 2015, the heads of the Serbian and Bosnian governments signed a protocol on co-operation in the search for missing persons. In Bosnia and Herzegovina, over 8,000 people remained missing from the war.²²

See also France, Montenegro, Netherlands, Russia, Serbia.

BRAZIL

Previous *Annual Report* entries: 1999, 2001–2003, 2005–2015.

In December 2014, a national truth commission published its final report after more than two years of work investigating human rights violations during military rule (1964–1985). The commission found that violations were “widespread and systematic” and planned by officials at the highest level. The report identified 377 individuals responsible for human rights violations, including torture, killings, and enforced disappearances. The perpetrators of these crimes had been shielded from justice by a 1979 amnesty law. In April 2010, the Supreme Court reaffirmed lower court rulings that the amnesty

²² Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 90–91; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 124–126.

law barred most prosecutions of state agents involved. Six months later, the Inter-American Court of Human Rights ruled that this interpretation violated Brazil's obligations under international law.

Federal prosecutors pursued some cases against former military officers for killings during the military era. Federal courts in Rio de Janeiro and São Paulo allowed the prosecution of at least two cases against former military officers for killings during the military era. The Supreme Court, in decisions in 2014 and 2015, temporarily halted both cases, pending its reexamination of the validity of the amnesty law.²³

BULGARIA

Previous *Annual Report* entries: 1995–1998, 2002, 2006, 2009, 2012, 2015.

On 27 May 2015, the Defense Ministry announced that it had opened the Communist-era military intelligence archives to research [See also *NCH Annual Reports 2014–2015*]. On 4 January 2016, the Interior Ministry published information on former agents of the Darzhavna Sigurnost (DS; State Security). The data set contained 134003 recordings on persons examined by the Dossier Commission (the body established in 2006 to publicly disclose former DS members holding positions of influence).²⁴

BURKINA FASO

Previous *Annual Report* entries: 2001, 2004, 2005, 2013, 2015.

General Gilbert Dienderé faced charges in connection with the murder of former President Thomas Sankara (1949–1987), including assassination and possession of a dead body, while in December 2015 an international arrest warrant was also issued against former President Blaise Compaoré (president from 1987 to 2014) for his suspected role in this murder. Authorities said that an extradition request would be sent to Ivory Coast.²⁵

²³ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 135.

²⁴ [“Bulgaria Publishes Information on Former State Security Agents in Open Data,”](#) *Novonite.com* (4 January 2016).

²⁵ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 99.

BURUNDI

Previous *Annual Report* entries: 1999, 2001–2003, 2005–2015.

CAMBODIA

Previous *Annual Report* entries: 1999–2015.

Public statements by Cambodian officials and the start in June 2015 of publication of previously confidential court materials revealed numerous instances of government non-cooperation with the United Nations (UN)-assisted Extraordinary Chambers in the Courts of Cambodia (ECCC), set up to prosecute those most responsible for crimes committed by the Khmer Rouge (1975–1979). While the government allowed a trial of two former leaders of the Khmer Rouge government, Nuon Chea and Khieu Samphan, on charges of crimes against humanity, genocide, and war crimes, it refused to carry out orders by a UN Secretary-General-nominated investigating judge to arrest two other former Khmer Rouge leaders, Meas Muth and Im Chem. This violated the 2003 UN-Cambodia agreement establishing the ECCC and continued a long pattern of opposition by Prime Minister Hun Sen to additional prosecutions. The government's non-cooperation seriously undermined possibilities for investigating suspects whom Hun Sen, himself a former Khmer Rouge commander, did not want brought to justice.²⁶

On 13 August 2015, Hun Sen ordered the arrest of Hong Sok Hour, an opposition party senator who the previous day had posted a video clip on Facebook including footage of the Cambodia-Vietnam border and of a badly translated excerpt from the 1979 Cambodia-Vietnam friendship agreement. Disregarding the senator's parliamentary immunity, a "counter-terrorism" security force contingent under the authority of Hun Sen's son-in-law detained him.²⁷

CAMEROON

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

In June 2015, writer, historian and politician Dieudonné Enoh Meyomesse ([1954]–) was suddenly released. [See *NCH Annual Report 2013*.]²⁸

²⁶ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 38, 104; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 155.

²⁷ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 153.

²⁸ Ebby Abramson, "[Cameroonian Writer Enoh Meyomesse Finally Freed from Prison](#)," *Endangered Scholars Worldwide* (20 June 2015).

In July 2015, during a visit to Yaoundé, French President François Hollande promised to open the archives about the suppression of the revolt and the accompanying genocidal massacres on the Bamileke people. It was the first time that a French head of state officially acknowledged France's role in the repression of colonial separatists in Cameroon. Estimates of the death toll range from 100,000 to 400,000 people killed between 1959 and 1964.²⁹

CANADA

Previous *Annual Report* entries: 1998, 2000, 2002–2003, 2005–2006, 2008–2009, 2012–2015.

In 2008, the government created a Truth and Reconciliation Commission (TRC) to investigate how between the 1870s and 1996 the government removed about 150,000 aboriginal children from their homes and sent them to church-run schools, where many suffered physical and sexual abuse and about 4,100 died. Its mandate included to hold public hearings where victims could tell their stories, collect records and establish a National Research Centre. The TRC sued the government of Prime Minister Stephen Harper because it transferred only part of the relevant material available in the Library and Archives Canada. On 30 January 2013, the court ordered the government to provide millions of school-related documents to the TRC. In early 2014, no steps were taken for the transfer, which imperiled the submission of the TRC report by June 2015.³⁰

During the 19th and 20th centuries, approximately 150,000 indigenous children were removed from their families and communities and placed in residential schools, where they were forbidden to speak their own languages or practice their culture. Many also suffered physical and sexual abuse. In 2015, the Truth and Reconciliation Commission, mandated to provide former students and others affected by this residential school system with an opportunity to share their experiences, found that the government pursued a policy of “cultural genocide” using residential schooling as a central element. According to the commission, the government's goal was to divest itself of its legal and financial obligations to indigenous peoples and to gain control over their land and resources. The commission made a number of recommendations to uphold indigenous peoples' rights and to promote reconciliation. The United Nations Human Rights Committee subsequently endorsed the

²⁹ *Index on Censorship* (1985, no. 5), 24–25; Achilles Mbembe, “Pouvoir des morts et langage des vivants: Les Errances de la mémoire nationaliste au Cameroun,” *Politique Africaine* (1986, no. 22), 39–40, 58–60, 68–69; Christina Okello, “[Hollande Acknowledges Colonial-era Cameroon Massacres but Critics Want Apology](#)” (5 July 2015).

³⁰ Mark Kennedy (Postmedia News), “[Documents Delay Hampers Truth, Reconciliation Process: Residential Schools Scandal; Approval Hasn't Been Granted for Estimated \\$14-Million Retrieval Job](#),” *Montreal Gazette* (7 February 2014).

recommendations in 2015, but the Stephen Harper government did not accept them. [See also *NCH Annual Report 2014*.]³¹

See also Netherlands, Rwanda, Sierra Leone.

CENTRAL AFRICAN REPUBLIC

Previous *Annual Report* entries: 2006–2009, 2011–2012, 2014–2015.

Impunity remained one of the main challenges in addressing past atrocities. On 30 May 2015, President Catherine Samba-Panza promulgated a law creating a Special Criminal Court, a hybrid court within the national justice system that would focus on grave international crimes committed since 2003, and would include both national and international judges and prosecutors. Government authorities and the United Nations (UN) started preparations to secure funding, technical support and international experts. By the end of 2015, the Special Criminal Court was yet to be operational, due particularly to lack of funding.

The International Criminal Court (ICC) continued investigations into war crimes and crimes against humanity committed since 2012. The ICC's case against the Lord's Resistance Army (LRA), a Ugandan rebel movement active in several countries across the region, was given new life in January 2015 when commander Dominic Ongwen surrendered in Obo, in the southeast of the Central African Republic (CAR). The LRA had been operating in the CAR since 2008. Ongwen faced 67 counts of war crimes and crimes against humanity for crimes committed in Uganda. The LRA continued to threaten and abduct civilians in eastern parts of the CAR, though with less frequency than in past years.

The ICC trial of Jean-Pierre Bemba Gombo, a Congolese national and former vice president of the Democratic Republic of Congo accused of failing to control his militia—allegedly implicated in murder, rape, and pillage in Bangui in 2002 and 2003—rested at the end of 2014, and during 2015 the judges deliberated on the evidence. On 21 March 2016, he was convicted for crimes against humanity and war crimes. A second ICC trial against Bemba and three accomplices on charges of tampering with witnesses opened in September 2015.³²

³¹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 108; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 159.

³² Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 22, 122; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 167–168.

See also Uganda.

CHAD

Previous *Annual Report* entries: 2000–2012, 2015.

On 20 July 2015, the trial of former Chadian President Hissène Habré opened at the Extraordinary African Chambers in Senegal (where he had lived in exile since 1990) on charges of crimes against humanity, torture and war crimes committed between 1982 and 1990 when he ruled Chad. This was the first time that an African court prosecuted a former African president under the principle of universal jurisdiction. Prosecutors presented archives from the Directorate of Documentation and Security (the secret police), found in abandoned offices, that recorded the names of 12,321 prisoners, interrogation reports and the deaths in detention of more than 1,200 people.

On 25 March 2015, twenty former state security agents connected to Habré's regime were convicted of torture by the Chadian Criminal Court; the court acquitted four of the accused and found the Chadian state liable for the defendants' actions. The defendants and the state were ordered to pay compensation of 75 billion CFA francs (US\$ 125 million) to the 7,000 civil parties. In 2014 the Chadian authorities had declined to transfer these suspects to the Extraordinary African Chambers in Senegal, or to allow representatives of the Chambers to interview them in Chad.³³

CHILE

Previous *Annual Report* entries: 1998–2015.

In March 2015, the chief justice reported that 1,056 cases of human rights violations committed during military rule (1973–1990) were under investigation, 112 of them for torture. According to the Interior Ministry's human rights program, as of December 2015, 344 individuals had received final sentences for human rights violations, including killings and enforced disappearances; 117 were serving prison sentences. While some individuals convicted of extrajudicial executions initially received long prison sentences, the Supreme Court's criminal chamber in many cases reduced the penalties on final appeal on the basis that the time elapsed since the crime justified a lesser, or even a

³³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 114, 315; Marlise Simons, "[Trial of Chad's Ex-President Brings Harrowing Accounts of Abuse](#)," *New York Times* (31 December 2015).

non-custodial, sentence. Two of the five judges on the panel consistently dissented from this position. In addition, the prison service and appeals courts granted benefits such as day release and parole to individuals convicted of crimes against humanity, which the Supreme Court has upheld. No progress was made in overturning the 1978 Amnesty Law.

Victims' organizations condemned the slow progress in establishing the truth about the thousands of victims of enforced disappearance. Information and documentation gathered by the Valech Commission on politically motivated torture and imprisonment during the Augusto Pinochet era (1973–1990) remained classified as confidential, even from the judiciary, and therefore secret for 50 years and unavailable to those seeking justice for the victims. In October 2015, after a 40-day hunger strike by some victims of torture, a law was passed granting early economic reparation to victims of torture and political imprisonment. In July 2015, ten former military officers were charged with the kidnapping and killing of the singer and political activist Víctor Jara in 1973.

General Manuel Contreras, who commanded Pinochet's secret police, the DINA, died in a military hospital in August 2015. Contreras was responsible for summary executions, enforced disappearances, and torture that claimed thousands of victims during the early years of the dictatorship. At the time of his death, he was serving accumulated sentences of 529 years, and other cases against him were pending.

In September 2015, the Inter-American Court of Human Rights ruled that Chile had denied an effective remedy to twelve people sentenced by a military tribunal between 1974 and 1975. The case against them had not been quashed, despite evidence that their confessions were extracted under torture, and their allegations of torture had not been investigated.³⁴

CHINA

Previous *Annual Report* entries: 1995–2015.

In 2015, Yang Jisheng (1940–), author of *Tombstone: The Great Chinese Famine, 1958–1962* (Chinese 2008; English 2012), was forced to resign as deputy editor of the liberal historical journal *Yanhuang Chunqiu* after the State Administration of Press, Publication, Radio, Film and Television criticized it for publishing dozens of articles that were “against the regulations.” In March 2016, Yang was prohibited from traveling to the United States to receive a journalistic award. [See also *NCH Annual Report*

³⁴ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 28, 115–116; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 169–170.

2013.]]³⁵

On 19 January 2015, the State Internet Information Office announced that it had shut down 133 accounts on the social media site Weixin—whose international version is known as WeChat—that were disseminating information that was “distorting history of the Communist Party and national history.”³⁶

On 10 July 2015, a group of twenty tourists visiting sites of ancient China, including the Genghis Khan Mausoleum at Ordos, was arrested by police at Ordos airport in Inner Mongolia and deported after some days of detention. In their hotel, they had watched a BBC documentary about Genghis Khan, (1162–1227), the founder of the Mongol state, but Chinese officials mistook it for a terrorist video.³⁷

In August 2015, the Norwegian Harald Bøckman (1945–), a historian, translator and China expert from the University of Oslo, was denied a visa to China, where he was to participate in the 22nd International Congress of Historical Sciences in Jinan, Shandong. Bøckman had also been refused a visa during the 2008 Olympics. A former Marxist, Bøckman had been an outspoken critic of the Chinese government on several occasions.³⁸

On 8 October 2015, writer Dolma Kyab (pen-name Lobsang Kelsang Gyatso; Chinese names: Zhou Shique and Zhou Ma Jia) (1976–), a history teacher at a middle school in Lhasa and a song writer, was released. [See *NCH Annual Reports 2006, 2008*.]³⁹

On 3 September 2015, the Chinese government marked the 70th anniversary of the end of World War II with a massive parade in Beijing. Sudanese President Omar al-Bashir, who was wanted by the International Criminal Court for genocide, war crimes, and crimes against humanity, attended at

³⁵ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 119; *Wordt Vervolgd* (April 2016), 5.

³⁶ Freedom House, [Freedom on the Net 2015](#) (Washington: Freedom House, 2015), 199; Laura He, “[China Probes College Textbooks for ‘Western Values’](#),” *Market Watch* (17 March 2015); Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 178; Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 118.

³⁷ “[China Tour Arrests Were ‘Misunderstanding over Documentary’](#),” *BBC News* (18 July 2015).

³⁸ “[Norwegian Researcher Denied Visa to China](#),” *The Nordic Page* (23 August 2015); “[Lars Harald Bøckman](#),” *Wikipedia* (September 2015); “[The Norwegian China Scholar and Historian Harald Bockman Is Denied a Visa to China, where He Should Participate in the World Congress for Historians in Jinan](#),” *Norway Today* (22 July 2008); Norwegian PEN, “[Norwegian Scholar Harald Bøckman Refused Visa to China](#)” (22 July 2008).

³⁹ PEN, [China: Dolma Kyab Released yet Indicates Chinese Repression of Tibetan Free Speech](#) (8 October 2015).

Beijing's invitation.⁴⁰

See also Japan, Taiwan, Vietnam.

COLOMBIA

Previous *Annual Report* entries: 1997–1998, 2000, 2004, 2006–2015.

In November 2014, the Inter-American Court on Human Rights condemned Colombia for enforced disappearances committed by military troops after the recapture of the Palace of Justice in 1985. On 6 November 2015, in a ceremony ordered by the Inter-American Court of Human Rights, President Juan Manuel Santos assumed responsibility and asked forgiveness for the state's role in the enforced disappearance of ten people, the enforced disappearance and extrajudicial execution of an eleventh person, and the torture of several other individuals. These crimes occurred after security forces stormed the Palace of Justice in Bogotá in November 1985 where people were being held hostage by the M-19 guerrilla group. Some hundred people died in the assault. Very few of those alleged to have been responsible for these crimes had been held to account. On 16 December 2015, the Supreme Court overturned the conviction of retired colonel Luis Alfonso Plazas Vega who in 2010 had been sentenced to 30 years' imprisonment for the crime of enforced disappearance in relation to this case.⁴¹

Between 2002 and 2008, army brigades across Colombia routinely executed civilians. Under pressure from superiors to show "positive" results and boost body counts in their war against guerrillas, soldiers and officers abducted victims or lured them to remote locations under false pretenses—such as with promises of work—and killed them, placed weapons on their lifeless bodies, and then reported them as enemy combatants killed in action. There has been a dramatic reduction in cases of alleged unlawful killings attributed to security forces since 2009, though credible reports of some new cases continued to emerge. The government did not keep statistics for "false-positives" as a category of crime distinct from other types of unlawful killings. However, as of May 2015, the Attorney General's Office was investigating more than 3,700 unlawful killings allegedly committed by state agents between 2002 and 2008, and had obtained convictions for over 800 of them. Authorities failed to prosecute senior army officers involved in the killings and instead have promoted many of them through the military ranks. In June and October 2015, the Attorney General's Office summoned a

⁴⁰ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 187.

⁴¹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 32, 125; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 194.

total of nine generals, including former army commander Mario Montoya, to testify on their alleged role in false-positive cases. As of late 2015, no charges had yet been brought against any of them. In July 2015, the government replaced the army's top commander, General Lasprilla Villamizar, who commanded a brigade allegedly responsible for 48 extrajudicial killings. General Rodríguez Barragan, however, continued to command the armed forces despite strong evidence implicating him in false-positive killings.⁴²

Peace talks between the government and the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC), initiated in 2012, made significant progress in 2015. On 4 June 2015, the two sides also announced plans for a truth commission to carry out non-judicial investigations of gross human rights violations and serious violations of international humanitarian law committed during the armed conflict (1948–2012). The courts would not be able to use any information uncovered by the commission, however. This could undermine the ability of the judiciary to prosecute crimes under international law.

On 23 September 2015, the two sides announced that an agreement had been reached on transitional justice and that a peace deal would be signed by March 2016. Its central component was a Special Jurisdiction for Peace, which would consist of a tribunal and special courts with jurisdiction over those directly or indirectly involved in the conflict implicated in “serious human rights violations and breaches of international humanitarian law.” Those who denied responsibility for grave crimes, if found guilty, would face up to twenty years’ imprisonment. Those who admitted responsibility would receive non-custodial sentences of between five and eight years’ “effective restriction of freedoms.” Other parties to the armed conflict would also benefit from the agreement, likely including members of the armed forces responsible for false-positive cases (*See* item above). By proposing sanctions that did not appear to be proportionate to the severity of crimes under international law, Colombia may be failing to comply with its obligation under international law to prevent and punish such crimes. An Amnesty Law that would benefit those accused of “political and related crimes” was proposed. Although a definition of what constituted “related crimes” had yet to be agreed, those convicted of grave crimes would be excluded.

On 17 October 2015, the two sides reached agreement on a mechanism to locate and recover the remains of many of those—both civilians and combatants—still missing as a result of the conflict. The International Committee of the Red Cross estimated that 220,000 people were killed and 70,000 people went missing during the armed conflict between the government and rebel groups.

The Office of the Prosecutor (OTP) of the International Criminal Court (ICC) continued to monitor Colombian investigations of crimes that could fall within the ICC’s jurisdiction. In November 2015,

⁴² Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 188, 190–191.

the OTP reported that it would “carefully review and analyse the provisions of the agreement [with the FARC], in particular with respect to the restrictions of liberty in special conditions and the inclusion of state agents.”⁴³

CONGO (Democratic Republic)

Previous *Annual Report* entries: 1998–2000, 2003–2015.

Mathieu Ngudjolo, the first defendant to be acquitted by the International Criminal Court (ICC), returned to Congo on 11 May 2015. On 2 September 2015, the ICC opened the trial of Bosco Ntaganda, who faced eighteen counts of war crimes and crimes against humanity allegedly committed in Ituri province in 2002–2003. He faced no charges for alleged crimes later committed in North Kivu province. The ICC prosecutor said that her office was continuing investigations in Congo. On 19 December, two Congolese rebel leaders convicted at the ICC, Germain Katanga and Thomas Lubanga, were returned to Congo to serve the remainder of their ICC sentences in Kinshasa. Katanga faced national war crimes charges in Congo that were filed against him before he was transferred to the ICC.

From 27 April to 2 May 2015, the Congolese Ministry of Justice and Human Rights convened a large conference in Kinshasa to evaluate its judicial reform program and recommend priority reforms that should be implemented, including the establishment of specialized mixed chambers to prosecute war crimes and crimes against humanity committed since the 1990s.

In August 2015, the civilian Appeals Court in Lubumbashi opened a trial against 34 members of the Luba and Batwa communities in northern Katanga for crimes against humanity and genocide. It was the first trial for international crimes to take place before civil courts in the country. Patriotic Resistance Front in Ituri (FRPI) leader Justin Banaloki, known as Cobra Matata, was arrested in Bunia on 2 January 2015 and charged with war crimes and crimes against humanity. In late 2015, he had not been brought to trial. Ntabo Ntaberi Sheka, wanted on a Congolese arrest warrant for crimes against humanity for the mass rape of nearly 400 people in 2010, remained at large in late 2015. His troops continued to commit serious abuses. No progress was made in bringing to justice those responsible for the summary executions of at least 51 young men and boys and the enforced disappearance of 33 others during a police campaign in Kinshasa, known as Operation Likofi, from November 2013 to

⁴³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 32, 122–123; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 188, 191, 193–194; Julia Symmes Cobb, “[As Peace Talks Advance, Colombia Struggles to Find its Missing](#),” *Reuters* (28 July 2015); “[Colombia and FARC Rebels Reach Deal on Missing People](#),” *Aljazeera* (18 October 2015).

February 2014, or for summary executions during demonstrations in January 2015. The government failed to exhume the mass grave in Maluku, a rural area about 80 kilometers from Kinshasa, where it admitted burying 421 bodies on 19 March. On 5 June 2015, family members of those forcibly disappeared or executed by Congolese security forces during Operation Likofi and the January demonstrations filed a public complaint with the national prosecutor requesting exhumation.

The National Assembly and the Senate adopted legislation implementing the Rome Statute of the ICC in June and November 2015 respectively. The final bill, promulgated into law on 2 January 2016, contained the death penalty for war crimes, crimes against humanity and genocide.⁴⁴

See also Central African Republic, Gabon.

CONGO (Republic)

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

See Gabon.

COSTA RICA

Previous *Annual Report* entries: 2010.

CÔTE D’IVOIRE

See Ivory Coast.

⁴⁴ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 22, 139; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 210–213.

CROATIA

Previous *Annual Report* entries: 1995–2001, 2003–2013, 2015.

In February 2015, the International Court of Justice cleared Serbia and Croatia of mutual claims of genocide, finding that neither Serbia nor Croatia had established the necessary intent on the part of the other to commit genocide during the conflict in 1991–1995. In May 2015, the Croatian Parliament passed the Law on the rights of victims of sexual violence in war: it provided survivors of wartime sexual violence with Croatian citizenship, a lump-sum compensation amounting to €13,000 and a monthly allowance amounting to €328. In addition to the payments, survivors would be entitled to health care, medical rehabilitation and psychological support. The law entered into force in June with the first allowances due to be paid out in January 2016.

However, Croatia did not yet adopt a comprehensive legislative framework that would regulate the status of, and access to reparation for, all civilian victims of war crimes. It did not ratify the 2006 International Convention against Enforced Disappearances nor did it adopt a law on missing persons. In the absence of these legal instruments, relatives of the 1,600 missing persons in Croatia were denied access to justice and reparations.⁴⁵

CUBA

Previous *Annual Report* entries: 1997–2002, 2006, 2010–2012, 2015.

In 2013, Carlos Eire (1951–), born in Cuba but gone into exile in the United States with his parents in 1962, professor of history and religion at Yale University specialized in medieval and early modern Europe, published his youth memoirs, *Snow in Havana*, for which he won the National Book Award for non-fiction. As a result, he was declared an “enemy of the nation” in Cuba, unable to return to his native country.⁴⁶

See also Spain.

⁴⁵ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 131–132.

⁴⁶ Guus Valk, “Waarom is Obama toch zo lief voor Castro?” (Interview with Carlos Eire), *NRC Handelsblad* (21 March 2016), 14–15.

CYPRUS

Previous *Annual Report* entries: 2002, 2005, 2008–2011, 2013, 2015.

Between January and August 2015, the Committee of Missing Persons in Cyprus (CMP) exhumed the remains of 111 people, bringing the total number of exhumations since 2006 to 1061. Between August 2006 and January 2015, the remains of 625 missing individuals (476 Greek Cypriots and 149 Turkish Cypriots) had been identified and restituted to their families. On 23 February 2016, Presidential Commissioner for Humanitarian Issues and Overseas Cypriots, Photis Photiou, said that there was information in Red Cross archives relating to the battles that took place during the Turkish invasion of 1974, particularly around Kyrenia, on the northern coast. The fate of approximately two-thirds of missing persons (nearly 1,500) had not yet been established. In March 2016, the Council of Europe's Committee of Ministers called upon the Turkish authorities to examine the reports and military archives in their possession containing information on burial sites, including of relocated remains, and to transmit them to the CMP. It also asked Turkey to give unhindered access to the CMP to all possible military zones located in the Turkish-occupied part of Cyprus.

Following the 2001 decision in the case "Cyprus versus Turkey," the European Court of Human Rights ordered Turkey on 12 May 2014 to pay €90 million in compensation for invading the northern part of Cyprus in 1974. Additional compensation had been ordered in respect of applicants in the "Varnava and others versus Turkey" case. The Council of Europe called upon Turkey to pay without delay the sums awarded.⁴⁷

CZECH REPUBLIC

Previous *Annual Report* entries: 1997–1998, 2000, 2010, 2013–2015.

On 18 February 2015, police reported that historian Jiří Fiedler (1935–2014) and his wife Dagmar (1939–2014) [see *NCH Annual Report 2015*] were killed by Dalibor C. ([1986–]) during a robbery. C. was apprehended after trying to sell Fiedler's jewelry, books and other items at a pawnshop. C. had contacted Fiedler through the Jewish Museum where he asked for help with mapping a Jewish cemetery in northern Moravia. He had three meetings with Fiedler and then came for the fourth time for the robbery and murder. He stabbed the victims several times and put on the gas stove after the crime but

⁴⁷ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 134; "[Cyprus to Investigate Red Cross Archives on Missing](#)," *In-Cyprus* (23 February 2016); "[Turkey Asked to Provide Archive Info on Missing](#)," *In-Cyprus* (11 March 2016); European Court of Human Rights, *Cyprus versus Turkey* (2001); European Court of Human Rights, *Varnava versus Turkey* (2009).

the flat did not explode. He faced life imprisonment.⁴⁸

In March 2016, the Czech Institute for the Study of Totalitarian Regimes (ÚSTR) announced that parts (300,000 scanned documents) of the Archive of Security Bodies (ABS) (including archives of the security bodies of the Interior Ministry and of the Communist-era secret police StB) would be made available online. [See also *NCH Annual Report 2013*.]⁴⁹

⁴⁸ Helen Epstein & Wilma Iggers, eds., *Archivist on a Bicycle: Jiří Fiedler* (e-book; Plunkett Lake Press, 2015); JTA, "[Police Bust Robber in Murder of Czech Jewish Historian](#)," *Forward* (20 February 2015); ČTK, "[Respekt: Prague Jewish Historian Fiedler Killed by Thief](#)," *Prague Monitor* (25 February 2015).

⁴⁹ "[Czechs May See Communist Secret Service Archives Data Online](#)," *České noviny* (9 March 2016).

DENMARK

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

In early April 2016, Clemens Räthel, a Swedish-German theater historian at Humboldt University, Berlin, and two colleagues, sent a letter to the Danish Minister of Culture, Bertel Haarder, and to the director of Det Kongelige Teater (the Royal Danish Theater, founded 1748), Morten Hesseldahl, protesting against plans to close the theater archives (containing documents from figures such as Ludvig Holberg [1684–1754], Adam Oehlenschläger [1779–1850], Henrik Ibsen [1828–1906] and August Bournonville [1805–1879]) and transfer them to the National Library. They also protested against plans to digitize the archives which would considerably slow down access during a transition period.⁵⁰

DJIBOUTI

Previous *Annual Report* entries: 2008.

DOMINICAN REPUBLIC

Previous *Annual Report* entries: 2013.

⁵⁰ Nils Thorsen, “[Tyske teaterfolk om dansk spareøvelse: I lukker en af Europas vigtigste kulturinstitutioner](#),” *Politiken* (7 April 2016); Anja Hansen, personal communication (8 April 2016).

ECUADOR

Previous *Annual Report* entries: 2005–2007, 2009–2015.

Progress was slow on efforts to hold Ecuadorian officials to account for human rights violations committed from 1984 to 2008, the period covered by a truth commission set up by the Rafael Correa administration. In 2010, a special prosecutorial unit was formed to investigate 118 cases of abuse involving 456 victims, including 68 victims of extrajudicial execution and seventeen of enforced disappearance. In late 2015, prosecutors had brought charges in seven cases, including two in which suspects were convicted, and the National Court of Justice was set to begin hearing Ecuador's first-ever trial for crimes against humanity.⁵¹

EGYPT

Previous *Annual Report* entries: 1996–2001, 2003, 2006–2007, 2010–2015.

In 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 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 of 2011 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.⁵²

The authorities failed to conduct effective, independent and impartial investigations into most incidents of human rights violations, including the repeated use of excessive force by security forces that resulted in the deaths of hundreds of protesters since July 2013 (when former President Mohamed Morsy was ousted from power). Investigations by the Public Prosecution into protests and incidents of political violence instead focused on alleged abuses by the authorities' opponents and critics. Courts held a small number of members of the security forces responsible for unlawful killings, in cases arising from several incidents that had attracted wide national and international condemnation.

In November 2015, former President Hosni Mubarak and several of his former senior security

⁵¹ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 223.

⁵² Emil Nader, “[French Student Arrested, Deported from Egypt for Researching 6 April](#),” *Daily News Egypt* (7 July 2015).

officials were retried by the Court of Cassation on charges of orchestrating a deadly crackdown on protesters during the 25 January Revolution of 2011. The trial was ongoing at the end of 2015.

In late 2015, no government official or member of the security forces had been charged for the killing of at least 817 protesters in Cairo's Rab'a al-Adawiya Square on 14 August 2013—a likely crime against humanity. On 13 August 2015, a court halved a 10-year prison sentence handed to a police officer who participated in the tear gas suffocation of 37 people whom police had arrested from Rab'a Square.⁵³

EL SALVADOR

Previous *Annual Report* entries: 2001–2015.

The 1993 Amnesty Law remained in place, denying access to justice and reparations to victims of the human rights violations committed during the armed conflict (1980–1992). In April 2015, former General and Defense Minister Eugenio Vides Casanova was deported from the United States after an immigration judge in Florida ruled in 2012 that he should be sent back to El Salvador for his role in human rights violations committed by the armed forces during the armed conflict. By the end of 2015, there was no public information suggesting that Vides was facing any legal proceeding.

In March 2015, the Human Rights Ombudsman called upon the authorities to overcome the prevalent impunity for human rights violations during the armed conflict. The Ombudsman also called on the Legislative Assembly to deprive the Amnesty Law of its legal effects and urged the Attorney General's Office to effectively investigate victims' claims.

During the same month, more than a year after a ruling by the Constitutional Chamber of the Supreme Court of Justice ordering the Attorney General's Office to thoroughly investigate the 1981 San Francisco Angulo massacre, in which 45 people were killed allegedly by members of the army, the Constitutional Chamber required the Attorney General to report the status of the investigation. Almost two months later, the Attorney General submitted a report, followed by a second in July after the Constitutional Chamber requested additional details. By the end of 2015, no decision had been issued by the Constitutional Chamber. In July 2015, the Constitutional Chamber established the responsibility of the armed forces in the enforced disappearance of eleven people in the context of the 1982 military "Cleaning Operation." Its ruling required the National Defense Ministry to provide information about the operation and in particular the fate and whereabouts of the victims. The Constitutional Chamber requested the Attorney General's Office to immediately start an

⁵³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 56, 148; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 228.

investigation.⁵⁴

See also United States.

ERITREA

Previous *Annual Report* entries: 2008.

A United Nations report mentioned that one of Eritrea's historical taboos was the G-15, a group of fifteen former members of the ruling People's Front for Democracy and Justice (PFDJ) opposing the policy of President Isaias Afewerki of postponing elections. Eleven of them were imprisoned and three exiled. One left the group and rejoined the government. Conscripts in the army were reportedly brainwashed often with political teaching on the history of Eritrea, including the independence struggle, aimed at developing a sense of patriotism.⁵⁵

ESTONIA

Previous *Annual Report* entries: 2007, 2010, 2015.

ETHIOPIA

Previous *Annual Report* entries: 1998–2011, 2015.

In January 2015, the Tigrayan People's Liberation Front (TPLF) charged a father and his three sons with terrorism for offending the late former Prime Minister and TPLF chairman (1989–) Meles Zenawi. They had said that they were happy about his death.⁵⁶

⁵⁴ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 151.

⁵⁵ United Nations Human Rights Council, *Report of the Detailed Findings of the Commission of Inquiry on Human Rights in Eritrea* (A/HRC/29/CRP.1; 5 June 2015), paragraphs 478, 490, 1292, 1423.

⁵⁶ The Ethiopia Observatory, "[TPLF Charges Father & 3 Sons with Terrorism for Bad-Mouthing Late Dictator Meles Zenawi: Spirit of North Korea upon Ethiopia!](#)" (5 January 2015).

In February 2016, an Oromo singer [name unknown], living in exile since early 2016, reported that he had been arrested three times for his songs focusing on Oromo history and culture.⁵⁷

⁵⁷ Human Rights Watch, "[Crackdown on Protests Continues in Oromia](#)," *Ifex News* (22 February 2016).

FIJI

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

FINLAND

Previous *Annual Report* entries: 2011–2012.

See Russia.

FRANCE

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

When the Nazis withdrew from France, they burned many of their archives. Other files, including those on “dangerous members of the resistance,” had already been sent to Berlin. Partisan groups stole some Gestapo files during and after the liberation.⁵⁸

In 2010, far-right leader Marine Le Pen (1968–) said at a rally of her political party Front National in Lyons that Muslims using the streets to pray because mosques were overflowing was an “occupation” of French territory, thereby alluding to the Nazi occupation of France (1940–44). In 2011, the case was closed. An anti-racism group filed a new complaint, which led to a judicial inquiry in 2012. On 2 July 2013, Le Pen lost her immunity from prosecution as a European Parliament member, as a result of which she could face criminal charges in France for incitement to discrimination, violence or hatred toward a group of people because of their religious affiliation. In 2014, the Lyons court of appeal dropped the case but it was revived by anti-racism groups who made a civil complaint. On 20 October 2015, Le Pen appeared in court. The prosecutor argued that she had referred to a specific number of persons and not to the whole Muslim community. In December 2015, she was acquitted of charges of inciting hatred. In 2011, praying in the streets was banned in Paris in response to growing far-right protests. Also in 2011, France became the first European Union state to ban public wearing of the face-covering Islamic veil (niqab). [See also *NCH Annual Report 2013*.]

⁵⁸ François-Guillaume Lorrain, “[Gestapo: Les dossiers les plus intéressants ont disparu, Fonds incomplet, dossiers éparpillés, accès entravé ; Les historiens se battent pour étudier sereinement les coulisses de l'Occupation. Interview croisée,](#)” *Le Point* (13 August 2015).

On 6 April 2016, Jean-Marie Le Pen, her father, was fined for repeating his statement that the gas chambers were “a detail” in the history of World War II. [See also *NCH Annual Report 1998*.]⁵⁹

In April 2015, the book *Code noir* (2012; Black Code) by Jean-François Niort, a progressive historian of law at the Université des Antilles in Guadeloupe and member of the scientific council of Mémorial ACTe (Memorial to Slavery & the Slave Trade; Centre caribéen d’expressions et de mémoire de la traite et de l’esclavage; [memorial-acte.fr](#)) became the object of a controversy. Dannick Zandronis, director of the editorial board of the nationalist website [caraibcreolenews](#) (CCN), Garcin Malsa, President of the Mouvement international pour les réparations de l’esclavage (International Movement for Slavery Reparations), and other representatives of the groups COSE, LKP, CIPN, MIR, and FKNG accused Niort of racism, “revisionism” and “negationism,” of being an agent of French colonialism and of defending the *Code noir*; Niort supposedly denied the horror of slavery and its character as a crime against humanity. Zandronis also called upon Niort, “a resident from France,” to leave Guadeloupe. Seventeen historians, led by Jean-Pierre Sainton—historian at the Université des Antilles and founding director of the Centre guadeloupéen d’histoire sociale et politique—criticized the accusation. In his interpretation of the *Code noir*, Niort had observed a mix of legal reification of slaves (they were property) and legal recognition of their humanity (they had certain choices, could reason and marry, convert to a religion and be free).⁶⁰

On 24 March 2016, while the judgment of Radovan Karadžić was being issued, Security officials of the International Criminal Tribunal for the former Yugoslavia (ICTY) arrested and detained French journalist Florence Hartmann. A former ICTY press officer, she published a memoir when she left, entitled *Paix et châtime* (Peace and punishment). The book referred to confidential decisions of the ICTY Appeals Chamber to classify as “confidential” the documents created by the Supreme Defense Council of Serbia which Serbia supplied to the ICTY during the trial of Slobodan Milošević, calling them “improper.” She was sued, tried and convicted of contempt of court and sentenced to pay a €7,000 fine. When she failed to pay the fine, the ICTY converted the sentence into a week’s imprisonment (of which she served five). France had refused requests from the ICTY to arrest

⁵⁹ *BBC News* (1 June 2013); “[France: Marine Le Pen Goes on Trial over Muslim Remarks](#),” *BBC News* (20 October 2015); *Keesings historisch archief* (2013), 327; “[National Front Leader Le Pen Acquitted of Inciting Hatred](#),” *BBC News* (15 December 2015). “Boete Le Pen (87) voor futiliseren Holocaust,” *NRC Handelsblad* (7 April 2016).

⁶⁰ Jean-François Niort, “[Ma réponse aux calomniateurs et mon message aux Guadeloupéens: Réponse scientifique et citoyenne aux calomniateurs et message aux Guadeloupéens](#),” including the Communiqué of the Guadeloupe Section of the Ligue des droits de L’homme of 4 April 2015; Julien Babel, “[La polémique autour du livre de Jean- François Niort continue](#)” (10 April 2015); Jacky Dahomay, “[Dénonçons la fatwa contre Jean-François Niort](#)” (6 April 2015); Jean-Luc Bonniol, “[Mémoire de l’esclavage : Retour sur l’affaire Jean-François Niort](#),” (23 April 2015).

Hartmann for non-payment of the fine. The classification on the documents was later removed.⁶¹

See also Algeria, Cameroon, Egypt, Gabon, Morocco, Panama, Rwanda, Tunisia.

⁶¹ William Schabas, "[The Yugoslavia Tribunal also Engages in Debt Collection](#)," *PhD Studies in Human Rights* (25 March 2016); International Council on Archives Human Rights Working Group, [News of March 2016](#) (April 2016).

GABON

Previous *Annual Report* entries: —.

Journalists and opponents of the President Ali Bongo Ondimba (in power since 2009) claimed that he was born in Congo or Nigeria. A French court allowed Bongo's half-sister to see details of his birth certificate held in the archives of French Equatorial Africa, Nantes, France, which said that he was born in 1959 in Brazzaville, Congo (then French Equatorial Africa). Bongo's opponents claimed that he was adopted and, being of foreign origin, ineligible for re-election in 2016 because the constitution banned people who had adopted the Gabonese nationality from standing for president. Bongo challenged the validity of the document.⁶²

GAMBIA

Previous *Annual Report* entries: —.

In January 2015, shortly after the attempted coup of 2014, Gambian authorities forcibly disappeared dozens of friends and relatives of the alleged coup plotters. They were held incommunicado, deprived of contact with family, and denied access to lawyers for up to seven months. The government refused to acknowledge the whereabouts or even the detention of many of them. A dozen of these family members were released as part of presidential pardons announced on 22 July 2015, the anniversary of President's Yahya Jammeh's 1994 coup. In the past decade, Gambian security forces had been implicated in dozens of enforced disappearances.⁶³

GEORGIA

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

The International Criminal Court prosecutor requested the court's judges to authorize an investigation into alleged crimes committed during the 2008 conflict between Georgia and Russia, including by

⁶² "[Gabon: une plainte sur l'acte de naissance d'Ali Bongo classée sans suite](#)," *Radio France International* (29 February 2016); "[French Court Allows Viewing of Gabon President Ali Bongo's Birth Certificate](#)," *Radio France International* (12 November 2015).

⁶³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 161; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 269.

South Ossetian forces (in some cases, with the possible participation of Russian forces) and also by Georgian forces.⁶⁴

GERMANY

Previous *Annual Report* entries: 1995, 1997–2000, 2003, 2006–2013, 2015.

On 21 May 2015, the Federal Court of Justice partially overturned the decision of the Frankfurt Higher Regional Court in the case of Rwandan citizen Onesphore Rwabukombe, who was sentenced in 2014 to 14 years' imprisonment for aiding the commission of a massacre at the Kiziguro church compound. It was found on appeal that Rwabukombe had actively been involved in the murder of 450 people at the Kiziguro church, and that his previous sentence was too lenient. The case was referred back to a lower court in Frankfurt for retrial.

On 28 September 2015, the Higher Regional Court in Stuttgart sentenced Rwandan leaders of the Democratic Forces for the Liberation of Rwanda (FDLR) Ignace Murwanashyaka and Straton Musoni to 13 and 8 years' imprisonment respectively. They were both found guilty of leadership of a foreign terrorist group, while Murwanashyaka was additionally convicted of aiding in war crimes. It was the first trial based on the 2002 Code of Crimes against International Law. On 5 December 2014, the Higher Regional Court in Düsseldorf had convicted three German citizens, originally from Rwanda, for their support to the FDLR.⁶⁵

See also Denmark, France, Greece, Hungary, Netherlands, Poland, Russia, Ukraine.

GHANA

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

⁶⁴ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 277.

⁶⁵ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 166.

GREECE

Previous *Annual Report* entries: 1995, 1999, 2004–2011, 2013–2015.

On 28 August 2014, the parliament passed a new antiracist 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 Rethymno, Crete, decided to indict German historian Heinz Richter ([1940–]) (formerly professor of Greek and Cypriot modern history at 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 started on 2 September 2015. [See also *NCH Annual Report 2015*.] In December 2015, the Academy of Athens criticized the decision to sue Richter. On 10 February 2016, Richter was cleared of the charge.

The book, *Operation Mercury: The Invasion of Crete* (2011) described the seizure of Crete by German paratroopers in May 1941 and debunked (inter alia) some myths about resistance on Crete during World War II. Richter also reportedly belittled the Cretan resistance, describing it as “dirty” (meaning the participants in the war no longer obeyed the The Hague rules of war). The controversy had started when a University of Crete ceremony awarding a honorary doctorate to Richter in 2014 was boycotted by protesters, led by former chief of the National Defense General Staff Manousos Paragioudakis.⁶⁶

On 14 December 2015, the Supreme Court prosecutor’s office submitted to parliament two lawsuits (filed by New Democracy cadre and lawyer Failos Kranidiotis, and navy officer Panayiotis Stamatis) against Education Minister Nikos Filis to see whether he should be prosecuted under the 2014 antiracism law. Speaking on a television show in early November, Filis had said that the slaughter of tens of thousands of Black Sea Greeks (Pontic Greeks) by Turks in 1914–1923 was a case of ethnic cleansing rather than genocide. Greece had recognized the massacres as genocide in 1994 and Filis’s comments had prompted several protest rallies by members of the Pontic community.⁶⁷

⁶⁶ 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 Ρεθύμνο](#) (18 March 2015); Lina Giannarou, “[History on Trial](#),” *Ekathimerini.com* (10 December 2015); “[German Historian Heinz Richter Cleared of Charges](#),” *Ekathimerini.com* (10 February 2016).

⁶⁷ “[Greek Education Minister Sued over Genocide Comment](#),” *Ekathimerini.com* (14 December 2015).¹

GRENADA

Previous *Annual Report* entries: 2007.

GUATEMALA

Previous *Annual Report* entries: 1995–2015.

Former Guatemalan head of state Efraín Ríos Montt was found guilty in May 2013 of genocide and crimes against humanity. He was sentenced to 80 years' imprisonment, but several days later the Constitutional Court overturned the verdict on procedural grounds. Ríos Montt had led a military government from 1982 to 1983 when the military carried out hundreds of massacres of unarmed civilians. In August 2015, a trial court declared Ríos Montt mentally unfit for retrial, ruling instead that he should be represented by his lawyers in a special closed-door proceeding that was scheduled to start in January 2016. In October 2015, an appellate court rejected a two-year old petition by Ríos Montt's attorneys to apply a 1986 amnesty decree that would put an end to his prosecution. The court ruled that the decree, applicable to "all political and related common crimes" committed between March 1982 and January 1986, did not apply to genocide and crimes against humanity. In May 2014, the Congress passed a resolution denying that acts of genocide had been committed during the country's civil war (1960–1996), despite findings to the contrary by a United Nations-sponsored Truth Commission in 1999. In addition to pursuing the case against Ríos Montt, the Attorney General's Office has, in recent years, convicted several other former members of security forces for human rights crimes committed during the war. Five members of the army's special forces received lengthy sentences for their role in the 1982 Dos Erres massacre of more than 250 people, and former National Police Chief Héctor Bol de la Cruz received a 40-year sentence for ordering the disappearance of a student activist in 1984.

In July 2014, Felipe Solano Barillas became the first ex-guerrilla to be convicted in connection with atrocities committed during the civil war. Found guilty of ordering the massacre of 22 residents of the town of El Aguacate in 1988, he was sentenced to 90 years' imprisonment. In January 2015, Pedro Garcia Arredondo, former chief detective of the now-defunct National Police, was sentenced to 90 years' imprisonment for a raid on the Spanish embassy in 1980 in which 37 people burned to death. The Guatemalan judiciary inaugurated a third "high-risk court" in October 2015 to hear cases of grave crimes, including genocide, war crimes, and crimes against humanity. The new court was opened to help resolve cases more quickly and effectively, and ease the workload of the two existing high-risk courts.

Civil society organizations continued to push for the approval of Law 3590, which would create a National Commission for the Search for Victims of Enforced Disappearance and Other Forms of Disappearance. The law was first presented before Congress in 2006.⁶⁸

See also Spain.

GUINEA

Previous *Annual Report* entries: 2007, 2009–2015.

Since 2010, the judiciary has opened several investigations into serious violations by security forces, including the 2007 killing of some 130 unarmed demonstrators, the 2009 massacre and rape of opposition supporters in a Conakry stadium (see below); the 2010 torture of members of the political opposition; the 2012 killing of six men in the southeastern village of Zogota; and the 2013 killing of demonstrators protesting the delay in holding parliamentary elections. In 2015, investigative judges took steps to move most of these investigations forward, but their efforts were hampered by the failure of some members of the army, gendarmerie, and police to respond to judicial summons. At the end of 2015, no trials had taken place.

More than six years on, a domestic investigation continued into the September 2009 massacre of opposition supporters at a rally in Conakry, largely by members of the elite Presidential Guard. Security force members were implicated in the killing of some 150 people and rape of over 100 women during military rule under Moussa Dadis Camara. Since legal proceedings began in 2010, the panel of judges appointed to investigate the massacre had made important strides, having interviewed more than 400 victims and charged 14 suspects, including several high-level members of the security forces. Meaningful steps taken in 2015 included the charging of former coup leader Camara and his then-vice president, Mamadouba Toto Camara.⁶⁹

⁶⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 28–29, 171; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 278–279.

⁶⁹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 173–174; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 282–283.

GUINEA-BISSAU

Previous *Annual Report* entries: 1999, 2012, 2015.

GUYANA

Previous *Annual Report* entries: 1997.

HAITI

Previous *Annual Report* entries: 1997, 2000–2003, 2006, 2008–2009, 2013–2015.

Former President Jean-Claude Duvalier (1951–2014), who had returned to Haiti in January 2011 after nearly 25 years in exile, was accused of financial and human rights crimes committed during his 15-year tenure as president from 1971 to 1986. When the Port-au-Prince Court of Appeal ruled in 2014 that the statute of limitations could not be applied to crimes against humanity, and ordered additional investigation into the charges against Duvalier, victims of serious human rights violations, including arbitrary detentions, torture, disappearances, summary executions, and forced exile, hoped that they might finally see justice. However, Duvalier died on 4 October 2014—six months after the ruling, without ever having been brought to trial. The Human Rights Committee and the United Nations independent expert on Haiti both called on Haiti to continue the investigation and bring to justice all those responsible for serious human rights violations committed during Duvalier’s tenure. The latter reiterated his recommendation for the creation of “a truth, justice and peace commission to clarify and provide remedy” for the victims of past human rights violations under François (1957–1971) and Jean-Claude (1971–1986) Duvalier and President Jean-Bertrand Aristide (1996–2004). In late 2015, a (reopened) investigation into crimes committed by Duvalier’s collaborators was still pending.⁷⁰

HONDURAS

Previous *Annual Report* entries: 1995, 1998, 2001–2002, 2009–2015.

HONG KONG

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

⁷⁰ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 29, 177; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 289.

HUNGARY

Previous *Annual Report* entries: 1995, 1997, 2004, 2007–2015.

In June 1951, Bálint Hóman (1885–1951), professor of Hungarian medieval history, president of the Hungarian Historical Society (1933–1945) and minister of culture in various governments that supported the German political orientation (1932–1938, 1939–1942), died in prison. When the Red Army approached Hungary (December 1944–April 1945), he had fled to Austria, but from there he was extradited by the United States Army to Hungary because of his pro-Nazi and anti-Semitic wartime activities, including as a leader of the pro-Nazi Arrow Cross Party. As a government minister in the 1930s, Hóman spearheaded anti-Semitic legislation and in 1944 called for the deportation of Hungarian Jews. In 1946, the Communist government sentenced him to life imprisonment for war crimes, including for voting to declare war on the Soviet Union in 1941. With historian Gyula Szekfű (1883–1955), he had written an eight-volume *Hungarian History* (1928–1933).

In March 2015, the Budapest municipal court posthumously rehabilitated Hóman. In December 2015, the private Bálint Hóman foundation wanted to erect a bronze statue to honor Hóman in the latter's hometown Székesfehérvár. Its mayor Andras Cser-Palkovics, a member of the ruling political party Fidesz, declared that the foundation “had a right to do so in a democracy,” but asked it to return the funding it had received from the city and government. On 14 December 2015, several hundred Hungarians, including representatives of Hungary's Jewish community and diplomats from various countries, attended a vigil to protest against the plan.⁷¹

The government decided to replace the statue of Mihály Károlyi, prime minister and first president of the Hungarian Democratic Republic (October 1918–March 1919), standing outside the parliament, by the statue of István Tisza, the conservative prime minister of Hungary (1903–1905, 1913–1917) in the last years of the Austro-Hungarian monarchy.⁷²

⁷¹ M. Bernath & F. von Schroeder, eds., *Biographisches Lexicon zur Geschichte Südeuropas*, volume 2 (Munich 1976), 176–177; L. Boia, ed., *Great Historians of the Modern Age: An International Dictionary* (New York 1991), 341–342; S. Borsody, “Modern Hungarian Historiography,” *The Journal of Modern History* (1952), 402–403; R. vom Bruch & R. A. Müller eds., *Historikerlexikon: Von der Antike bis zum 20. Jahrhundert* (Munich 1991), 145; J. Cannon and others, eds., *The Blackwell Dictionary of Historians* (Oxford 1988), 400; I. Deák, “Historiography of the Countries of Eastern Europe: Hungary,” *American Historical Review* (1992), 1051; D. Kosáry, “The Idea of a Comparative History of East Central Europe: The Story of a Venture,” in D. Deletant & H. Hanak, eds., *Historians As Nation-Builders: Central and South-East Europe* (London 1988), 130–131; S. B. Várdy, *Historical Dictionary of Hungary* (Lanham MD 1997), 341; “[Bálint Hóman](#),” *Wikipedia* (24 April 2010); “[US Joins Hungary Protest over Pro-Nazi Homan Statue](#),” *BBC News* (14 December 2015).

⁷² Péter Molnár, “Slam Session,” *Index on Censorship* (2015, no. 4), 20.

In March 2016, the Hungarian Academy of Sciences announced that it would close down the Lukács Archives in Budapest. György Lukács (1885–1971) was a philosopher and literary historian known for his original views of the Marxist doctrine. In 1919, he had been the People’s Commissar of Public Education in the government of the Hungarian Soviet Republic (21 March 1919–3 April 1919) and in 1956 he was the Minister of Popular Culture during the Revolution (27 October 1956–3 November 1956). Among his works were *History and Class Consciousness* (1923) and *The Historical Novel* (1937).⁷³

⁷³ [“Protest against Closing Down the Lukács Archiv”](#) (Petition; 8 March 2016); Alex Doherty, [“‘History Has a Habit of Intruding’: Save the Lukács Archive”](#) (14 March 2016); [“György Lukács,”](#) *Wikipedia* (31 March 2016).

INDIA

Previous *Annual Report* entries: 1996–1997, 2000–2015.

In March 2015, a Delhi court acquitted sixteen Provincial Armed Constabulary (PAC) men, who were among the nineteen charged with abducting and killing 42 Muslim men during the riots in Meerut, Uttar Pradesh, in May 1987 (the Hashimpura massacre). The victims were picked up from the Hashimpura Mohalla in a truck and taken to a nearby canal, where they were gunned down. The court stated that it could not convict anyone because of the “scanty, unreliable and faulty investigation.” A letter written by the Senior Superintendent of Police (SSP) of Meerut to the Crime Branch of the State Crime Investigation Department (CID), however, showed that Uttar Pradesh police destroyed the evidence on 1 April 2006. The matter was being heard in a court at time the documents were destroyed.⁷⁴

In April 2015, the Environment Ministry rejected an offer from the United Nations Environment Programme to assess the spread of toxic wastes at the site of the 1984 Bhopal gas leak disaster. In August 2015, the Madhya Pradesh state government incinerated 10 tonnes of the waste in Pithampur, 250 km from Bhopal, which activists said had violated Supreme Court orders and endangered the health of local residents.⁷⁵

On 14 May 2015, the Supreme Court ruled against Devidas Ramchandra Tuljapurkar, a bank employee, who had been accused of publishing allegedly obscene poems, penned by Marathi poet Vasant Dattatraya Gurjar, on Mahatma Gandhi (in particular “Gandhi Mela Bhetala” [I met Gandhi] written in 1984), in the in-house magazine of the All India Bank Association Union in 1994. Tuljapurkar maintained that the poem was not obscene but satirical. The court heard Tuljapurkar’s appeal against a Bombay High Court order dismissing his plea seeking to quash his prosecution under Section 292 (criminalizing publication and circulation of obscene content) of the Indian Penal Code. The court applied the so-called “Contemporary Community Standards Test” to Section 292, and held that this test applied with greater vigor when the names of “historically respected persons” like Mahatma Gandhi were used as a medium for obscene words or acts. It concluded that the poem fell within the ambit of offense of obscenity. However, since two decades had passed since the offense and because the publisher had apologized unconditionally upon hearing of the reactions of some members of the audience, the appellant was discharged.⁷⁶

⁷⁴ Mohammad Ali, “[U.P. Police Destroyed Papers on Massacre](#),” *The Hindu* (2 February 2016); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 183; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 299.

⁷⁵ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 183.

⁷⁶ Supreme Court of India, [Tuljapurkar versus State of Maharashtra](#) (2015); [Tuljapurkar v.](#)

In March 1989, historian M. M. Kalburgi (Malleshappa Madivalappa Kalburgi) (1938–2015) received death threats from temple chiefs and militants of the Hindu Lingayat community (founded in the twelfth century) because they alleged that his book *Marga Ordu (One Way)*—a collection of articles on Kannada folklore, religion and culture—blasphemed their twelfth-century patron saint, philosopher Basava (Basavanna or Basaveshwara) (1105–1167). He reportedly alleged that poet Channabasava, Basava’s nephew, was born from a relationship between Basava’s sister and a cobbler and that Basava’s relationship with his wife had been merely platonic. Kalburgi was given 24-hour police protection in Dharwar, Southern Karnataka state. Later, pressured by Lingayat seers, he withdrew the controversial sections from the book. His book *Marga 4* earned him the Karnataka Sahitya Academy Award in 2006. He became vice-chancellor of Kannada University in Hampi. He was the chief editor of *Samagra Vachana Samputa* (published by the Government of Karnataka).

On 30 August 2015, Kalburgi was shot dead by two unknown assailants in his residence. Kalburgi had had run-ins with members of the Lingayat community and right-wing Hindutva groups over his research work and outspoken opinions on traditional religious beliefs and practices. As a rationalist scholar speaking during a seminar in June 2014 on a proposed anti-superstition bill in Bangalore, Kalburgi criticized idol worship as a “meaningless ritual” while supporting a piece of work by writer U.R. Ananthamurthy. At that occasion, right-wing groups Vishva Hindu Parishad (VHP; World Hindu Council), Bajrang Dal and Sri Ram Sena filed a case against both writers for “causing hurt to” religious sentiments and beliefs. Stones were pelted at Kalburgi’s residence and he was again threatened. He was provided police protection for some months but Kalburgi requested to withdraw the protection in mid-August.

In a tweet, Bajrang Dal leader Bhuvith Shetty welcomed Kalburgi’s death, adding that K.S. Bhagwan, an awarded historian who translated classical Kannada texts into English and worked at Mysore University until his retirement, would be the next target. After a wave of criticism, Shetty deleted the tweet, disabled his twitter account and denied any involvement in the murder. Bhagwan had recently invited VHP leader Vishveshwara Thirtha Swami for a debate on Hindu scriptures; he declared that he was not afraid of intimidation. Bhagwan was first threatened in 1985 and charged with blasphemy upon release of his book *Shankaracharya and Reactionary Philosophy*, which showed that Shankaracharya (788–820) was a strong advocate of the caste system rather than a social reformer.⁷⁷

[Maharashtra](#), Note Columbia University (2015); “[Supreme Court: Putting Indecent Words In Mahatma Gandhi's Mouth Isn't Artistic Freedom](#),” *Huffington Post* (17 April 2015).
⁷⁷ “[MM Kalburgi Murder: Bajrangi Dal leader Welcomes Death, Says Another Academician Next](#),” *Daily News and Analysis* (30 August 2015); “[Renowned Karnataka Writer Dr MM Kalburgi Shot Dead at his Home](#),” *Daily Mail* (30 August 2015); K.S. Bhagwan, “[You Can Attack Us but Our Works Will Live On: Prof KS Bhagwan](#),” *Hindustan Times* (3 September 2015); Sania Farooqui, “[Indian Scholar Who Spoke Out Against Idol Worship Is Shot Dead](#),” *Time Magazine* (31 August 2015); T.A. Johnson, “[Former Karnatak University Vice-chancellor M M Kalaburgi, Who Had Run-ins with Hardliners, Shot](#),” *Indian Express* (31 August 2015); “[M M Kalburgi](#),” *Wikipedia* (retrieved

In August 2015, the New Delhi Municipal Corporation (NDMC) decided to change the name of Aurangzeb Road to A.P.J. Abdul Kalam Road. Aurangzeb was a Mughal Emperor (1618–1707), Abdul Kalam (1931–2015), who died in July 2015, the eleventh President of India (in office, 2002–2007). Muslims and others protested the renaming.⁷⁸

On 23 September 2015, the Indian Council for Historical Research (ICHR) amended the funding rules and withdrew the special status that the Indian History Congress (IHC; founded 1935) had enjoyed since the ICHR was founded in 1972. The action came almost a year after the IHC passed a resolution against Prime Minister Narendra Modi's statement citing plastic surgery and genetic science to explain the creation of Ganesh and Karna. The IHC cautioned against "combining myth and history." Revocation of the special status was widely criticized on the grounds that the IHC received over 1,500 scholars every year at its annual conference and that it should not be treated at par with regional history congresses with conferences of 200 to 300 historians. Former IHC president (1981) and ICHR chairman (1987–1993) Irfan Habib called it another attempt of the National Democratic Alliance government to curb academic freedom.

In November 2015, Yellapragada Sudershan Rao, history professor at Kakatiya University in Telengana, resigned as chairman of the Indian Council of Historical Research [See *NCH Annual Report 2015*.]⁷⁹

In October 2015, when India invited all 54 leaders of the African Union to a summit in New Delhi, it ignored calls by the International Criminal Court to arrest Sudan's president, Omar Hassan al-Bashir, who faces charges of war crimes and genocide in Darfur.⁸⁰

In November 2015, the Culture Minister Mahesh Sharma refuted claims made by a group of lawyers in a 2014 petition to the court that the Taj Mahal—a mausoleum in Agra built in 1653 by Mughal Emperor Shah Jahan after the death of his wife Mumtaz Mahal—was originally a temple dedicated to the Hindu

24 October 2015); *Index on Censorship* (1989, nos. 6–7), 78; Derek Jones, ed., *Censorship: A World Encyclopedia* (London and Chicago, Fitzroy Dearborn, 2001), 252.

⁷⁸ Charu Kartikeya, "[Aurangzeb Road Renamed, Akbar and Shah Jahan are Next: Irfan Habib](#)" (1 September 2015).

⁷⁹ Ritika Chopra, "[ICHR Revokes History Congress' Special Status](#)," *Indian Express* (30 November 2015); "[ICHR Stops Financial Aid to History Congress](#)," *Deccan Herald* (1 December 2015); "[Irfan Habib Denounces ICHR's Move to Revoke IHC Special Status](#)," *Business Standard* (30 November 2015); Suhrith Parthasarathy, "Ideas Under Review," *Index on Censorship* (2015, no. 2), 28–29; Amartya Sen, "[The Stormy Revival of an International University](#)," *The New York Review of Books* (13 August 2015).

⁸⁰ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 304.

god Shiva and should be handed over to Hindus.⁸¹

In early 2016, several officials—including Muhammad Shafi Zahid, director of the Department of Archives and Archaeology of the government of Jammu and Kashmir, and Abdul Ahad, its former director—reported that after independence, and especially after 1985, the government of Jammu and Kashmir, and particularly its judiciary and police departments, had broken the archives law by not regularly transferring documents to the archives. This endangered the writing of history, including about the 1953 events. The police department was said to have an own archive. There were no significant records of the Jammu and Kashmir Assembly available: two volumes of Jammu and Kashmir Constituent Assembly debates and a copy of the debates of the Autonomy resolution, which was passed by the Assembly in 2000 for restoration of the pre-1953 status to Jammu and Kashmir, were available at the Assembly while the rest was untraceable or available in bits and pieces.⁸²

See also United Arab Emirates.

INDONESIA

Previous *Annual Report* entries: 1996, 1998, 2001–2002, 2004–2013, 2015.

In 2015, the people of Aceh commemorated the tenth anniversary of the 2005 Helsinki Peace Agreement between the government and the armed pro-independence Free Aceh Movement. The agreement ended a 29-year conflict (1976–2005) during which between 10,000 and 30,000 people were killed, many of them civilians. In November 2015, the Aceh House of People’s Representatives selected a team charged with appointing commissioners for the Aceh Truth and Reconciliation Commission, a body set up to examine abuses that occurred during the conflict. Some provisions in the bylaw under which the commission was created, fell short of international law and standards. Its mandate was limited to genocide, crimes against humanity and war crimes and did not include other crimes under international law including torture, extrajudicial executions and enforced disappearances.⁸³

On 30 September 2015—the fiftieth anniversary of the mass killings in 1965 in which an estimated 500,000 to one million people were killed and hundreds of thousands were held without charge or trial

⁸¹ “[Taj Mahal: India Monument ‘not a Hindu temple’](#),” *BBC News* (1 December 2015).

⁸² Naseer Ganai, “[Jammu and Kashmir Archives Denied Record for Past 6 Decades](#),” *Mail Today* (12 January 2016).

⁸³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 38, 187.

for periods ranging from a few days to more than fourteen years—it was observed that the government had failed to pass a new law to establish a national truth commission almost nine years after the Constitutional Court had struck down a previous law (it had ruled that a provision requiring an amnesty for perpetrators of gross human rights abuses was unconstitutional). The recommendations of the Komnas HAM 2012 report [see *NCH Annual Report 2013*] were not given a follow-up, despite promises by President Joko “Jokowi” Widodo. In August 2015, Widodo, in his Independence Day speech, announced that he would establish a non-judicial mechanism to resolve all past human rights violations through a “reconciliation committee.” This was believed to include the 1965–1966 violations. Victims and NGOs remained concerned that this process would prioritize reconciliation and undermine efforts at truth and justice.

The Indonesian government had also consistently failed to provide justice, truth and reparation for other past grave human rights abuses such as those committed in Aceh (*see above*), Timor-Leste (then East Timor), Papua and also during the 1998 May riots. On many occasions, internal meetings or public events about the 1965 violations held by the victims were disbanded by the authorities or broken up by vigilante groups while police frequently failed to intervene.⁸⁴

In October 2015, officials forced the organizers of the international Ubud Readers and Writers Festival to cancel events linked to the 1965 mass killings. They threatened to call off the literary festival, due to start in Bali in late October, if the organizers did not comply. Canceled events included three panel discussions on the massacres, book launches, the screening of the documentary *The Look of Silence* by Joshua Oppenheimer [see *NCH Annual Reports 2013, 2015*], and a photography exhibit of women survivors of the killings. Elsewhere, a Swedish national was deported for visiting a mass grave in Sumatra. *Lentera*, a magazine run by the Satya Wacana University’s Faculty of Social and Communication Studies in Salatiga, Central Java, was prevented from being sold outside the campus after reporting on the 1965 murders in the town; police confiscated and burned hundreds of copies of the magazine.⁸⁵

⁸⁴ Amnesty International, “[Indonesia: Fifty Years on, Victims of ’65 Still Waiting for Truth, Justice and Reparation](#)” (ASA 21/2496/2015; London: AI, 23 September 2015); Amnesty International, “[Indonesia: Millions of Victims and Families Still Abandoned 50 Years after Mass Killings](#)” (30 September 2015); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 38, 187; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 306, 311.

⁸⁵ “[Indonesia Cancels Festival Events Marking 1965 Mass Killings](#),” *BBC News* (24 October 2015); Marianna Tzabiras, “[The 50th Anniversary of the Massacre Indonesians Aren’t Supposed to Talk about](#),” *Ifex* (6 November 2015); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 188; Vicky Baker, “T-Shirted Turmoil,” *Index on Censorship*, 45 no. 1 (Spring 2016), 123.

On 19 November 2015, Filep Karma was released.

Karma had been sentenced to fifteen years' imprisonment in May 2005 on charges of "anti-state rebellion" for taking part in a peaceful ceremony on 1 December 2004 during which the Morning Star flag (a banned symbol of Papuan independence) was raised in Abepura (Jayapura), Papua Province, to commemorate the 1962 declaration for Papuan independence. [See also *NCH Annual Report 2011*.]⁸⁶

See also Netherlands, Timor-Leste.

IRAN

Previous *Annual Report* entries: 1996–2015.

On 9 December 2015, managing editor and reformist cleric Seyed Mahmoud Doaei of *Ettelaat* newspaper wrote a front-page editorial, addressed to President Hassan Rouhani, in which he strongly objected to the ban—imposed by hardline judiciary—on publishing the name or images of former reformist president Mohammad Khatami (serving as president between 1997 and 2005). It emerged earlier in 2015 that a media blackout had been imposed regarding Khatami (*non grata* over his support for opposition leader and former presidential candidate Mir-Hossein Mousavi). *Ettelaat* first defied the ban on 5 December 2015, printing the Farsi translation of an interview with Khatami given to an Arabic newspaper. On 8 December 2015, Doaei was reportedly indicted for ignoring the ban. It was not the first time that the authorities banned mentions of Khatami in the media. In 2010, a similar ruling was issued regarding Khatami, Mousavi and others. During the 2013 presidential elections, Khatami had backed Rouhani and his support was reportedly crucial in the victory of the moderate cleric.⁸⁷

See also Argentina, Syria.

⁸⁶ Amnesty International, "Indonesia: Case sheet: The Jayapura Flag-raisers" (February 2005); Amnesty International, *The Wire* (October / November 2011), insert; Human Rights Watch, *Ifex Alert* (19 November 2009); Human Rights Watch, "Hellman/Hammett Grants Honor 42 Writers for Courage Facing Political Persecution" (4 August 2010); Human Rights Watch, *World Report 2011* (Washington 2011), 321; *Ifex Alert* (21 March 2012); *Keesings historisch archief* (2012), 178.

⁸⁷ Saeed Kamali Dehghan, "[Iranian Newspaper Condemns Media Censorship in Rare Front-Page Editorial](#)," *Guardian* (9 December 2015).

IRAQ

Previous *Annual Report* entries: 1998, 2000–2015.

In June 2014, an anonymous writer identifying himself as an “independent historian” started the blog [Mosul Eye](#) in English and Arabic in order to chronicle events in Mosul under the domination of the Islamic State (IS; formerly Islamic State of Iraq and Syria, ISIS). In October 2015, the blog had 11,500 followers. The chronicler reportedly received many threats from IS. The historian had been keeping journals and collecting an archive of materials on Iraqi militias and insurgent groups since the 2003 invasion.⁸⁸

On 12 May 2015, IS blew up the nearly 200-year-old Maryam Khatoon mosque in the Hawsh Kahn neighborhood of Mosul, Ninewa. In addition, between May and October 2015, IS looted and demolished many mosques, churches, graves, tombs and shrines which it considered un-Islamic and “manifestations of polytheism.”⁸⁹

On 28 May 2015, the United Nations General Assembly unanimously adopted a resolution which condemned the destruction of heritage in Iraq.⁹⁰

See also Spain.

IRELAND

Previous *Annual Report* entries: 2000, 2002, 2004, 2006, 2013, 2015.

The United Nations Committee on Economic, Social and Cultural Rights criticized the lack of a prompt, thorough and independent investigation into the allegations of past abuses in the religious-run “Magdalene Laundries,” including the fact that survivors were not provided with adequate remedies.

⁸⁸ Ursula Lindsey, “[An Independent Historian Documents Life under the Islamic State](#),” *Al-Fanar* (9 October 2015); Gilgamesh Nabeel, “[Q & A with the ‘Mosul Eye’ Historian](#)” *Al-Fanar* (9 October 2015).

⁸⁹ Office of the United Nations High Commissioner of Human Rights & United Nations Assistance Mission for Iraq—Human Rights Office, [Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May–31 October 2015](#) (Baghdad: UNAMI/OHCHR, 2016), 16–17 (Destruction or damage of places of religious and cultural significance); Kanishk Tharoor & Maryam Maruf, “[Museum of Lost Objects: The Winged Bull of Nineveh](#),” *BBC News* (29 February 2016).

⁹⁰ United Nations General Assembly, [Resolution 69/281: Saving the Cultural Heritage of Iraq](#) (28 May 2015).

[See also *NCH Annual Reports 2013, 2015*.]⁹¹

See also United Kingdom.

ISRAEL

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

According to Shay Hazkani, assistant professor at the University of Maryland’s Center for Jewish Studies, in a July 2014 interview, Israeli state archive documents that were declassified in the 1980s had been reclassified in recent years. He estimated that about one-third of the documents that were declassified in the 1980s had been reclassified starting from the late 1990s, when the archives were digitized. They related to orders given to the nascent Israeli army to expel Palestinians during the 1948 war. These reclassified documents had been used extensively by “new historians” like Benny Morris, Avi Shlaim, Hillel Cohen and Ilan Pappé and cited in their books.

Hazkani, who was Israel Channel 10’s military correspondent from 2004 to 2008, also said that in 1955 Israel adopted a law that specified documents could be kept classified for a maximum of fifty years. But the Mossad, the army and the Shin Bet, which controlled very large archives, refused to comply with the law. Petitions to declassify specific documents had been brought before the higher courts.⁹²

In May 2015, the Israeli Supreme Court permitted the demolition of Susya, a Palestinian village in the south Hebron Hills in the West Bank with about 340 residents. The villagers built their homes on their agricultural land after Israel forcibly displaced them and designated the village as an archaeological site.⁹³

In June 2015, the United Nations (UN) Independent Commission of Inquiry on the 2014 Gaza Conflict published its report, documenting war crimes by Israeli forces and Palestinian armed groups during the fifty-day conflict and calling for accountability. Israel rejected the UN findings and continued its military investigations, but they were not independent and failed to deliver justice. Israeli military authorities opened investigations into the deaths of Palestinians killed by Israeli forces

⁹¹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 199.

⁹² Lisa Goldman, “[Classified: Politicizing the Nakba in Israel's State Archives](#),” *972 Magazine* (19 February 2016).

⁹³ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 333.

in the West Bank, but these investigations were similarly flawed, and only one case from 2013 led to an indictment for “negligent use of a firearm,” following lengthy delays and an appeal to Israel’s High Court.

In September 2015, a government committee released its review of the Turkel Commission’s 2013 recommendations on Israel’s investigation systems and their compliance with international law. It side-stepped some recommendations, such as making war crimes offenses under national law, and failed to define practical steps or budgets necessary to implement others.⁹⁴

See also Argentina, Italy, Morocco, Palestinian Authority.

ITALY

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

In September 2015, Saverio Ferrari, a journalist and author known for his research on neo-fascist and neo-Nazi movements in Italy and their foreign links and affiliations, said that he received credible reports that extreme-right circles in Milan were planning an attack on him. For a number of years, Ferrari had suffered threats by neo-fascists. In 2012, he had been assaulted and had to be hospitalized as a result.⁹⁵

In March 2016, the government released thousands of previous classified documents related to fascist and Nazi war crimes committed in Italy during World War II. The documents were declassified after a parliamentary commission had investigated the concealment of files related to these crimes. Specifically, the commission had dealt with the so-called “cabinet of shame”—a wooden cabinet discovered in 1994 in a storeroom of the military prosecutor’s headquarters in which 695 files on war crimes had been hidden for decades. The documents concerned specifics of crimes ranging from anti-Jewish persecution to massacres of civilians that in total had resulted in 15,000 deaths.⁹⁶

⁹⁴ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 203.

⁹⁵ ANPI Brescia, “[Italian Historian Threatened by Neo-Fascists in Milan](#)” (24 September 2015).

⁹⁶ JTA, “[Italy Cracks Open Fascist-Era ‘Cabinet of Shame’ Archives](#)” *Forward* (12 March 2016); Archivio storico della Camera dei deputati, [Commissione parlamentare di inchiesta sulle cause dell’occultamento di fascicoli relativi a crimini nazifascisti](#) (2016); Luigi Cajani, personal communication, 12 March 2016.

IVORY COAST (Côte d'Ivoire)

Previous *Annual Report* entries: 2004, 2006–2015.

On 15 December 2014, the much-criticized Dialogue, Truth and Reconciliation Commission (CDVR), established to shed light on the post-electoral violence of 2010–2011, presented its final report to President Alassane Ouattara. However, the government had not yet publicly released the report in late 2015, although Ouattara had pledged to make 10 billion CFA (US\$ 16.5 million) available for the indemnification of victims. The first group of victims began receiving financial and medical assistance in August 2015, but victims' groups criticized the lack of transparency of the reparations process.

In March 2015, the National Commission for Reconciliation and Compensation of Victims (CONARIV) was created to complete the work of the CDVR, in particular to register unidentified victims of the post-electoral violence. In December 2015, Ouattara committed to pardoning over 3,000 people detained since the electoral crisis, either totally or partially removing their sentences. At the end of 2015, the list of those pardoned had not been made public.⁹⁷

On 28 January 2016, the trial of historian and former President Laurent Gbagbo began at the International Criminal Court (ICC). He was the first ex-head of state to stand trial at the ICC. He denied the charges, saying he was the victim of a French plot. In October 2015, the ICC had rejected his request to hold the opening statements of his trial in Abidjan or Arusha. His wife Simone was sentenced to 20 years' imprisonment by a court in Ivory Coast; however, this was for offenses against the state (undermining state security, participation in an insurrectionary movement, and public disorder), not human rights crimes. [See also *NCH Annual Reports 2002, 2008, 2011–2015*.]⁹⁸

See also Burkina Faso.

⁹⁷ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 129; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 197.

⁹⁸ "[Laurent Gbagbo: Ivory Coast Ex-leader Denies War Crimes](#)," *BBC News* (28 January 2016); "[Profile: Ivory Coast's Laurent Gbagbo](#)," *BBC News* (27 January 2016); Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 195; Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 22, 129.

JAPAN

Previous *Annual Report* entries: 1995–2015.

In October 2015, Japan threatened to withdraw its funding for UNESCO after it included disputed Chinese documents about the 1937 Nanjing massacre (including court records from the International Military Tribunal for the Far East [1946–1948], photographs and film footage) in its Memory of the World list, despite protests from Tokyo. UNESCO did, however, reject a Chinese request to the effect that photos and other documents relating to Japan's use of wartime sex slaves be included on the list. Chinese historians claimed that Japanese imperial army troops killed more than 300,000 soldiers and civilians during the six-week Nanjing massacre, but Japanese historians insisted that the number was between the tens of thousands and 200,000.⁹⁹

On 28 December 2015, the government reached an agreement with South Korea and acknowledged Japan's deep responsibility for the military sexual slavery system before and during the Pacific War (1931–1945), which resulted in women and girls being forced into sexual slavery by the Japanese Imperial Army. Japan agreed to provide a one-time contribution of one billion yen (US\$ 8.3 million) to carry out joint projects with South Korea, including a foundation to be established by the country. The South Korean government agreed to consider the removal of a statue commemorating the “comfort women” built in front of Japan's embassy in Seoul. Both governments agreed to refrain from accusing or criticizing each other in the international community on the issue. The outcome was criticized as the agreement did not take into account the views and needs of survivors and they were not involved in the negotiations. The possible removal of the statue was also criticized because it not only commemorated the historical issue and legacy of the “comfort women” but also symbolized the survivors' search for justice.¹⁰⁰

See also Korea, South, Thailand, United States.

⁹⁹ Justin McCurry, “[Japan Threatens to Halt Unesco Funding over Nanjing Massacre Listing](#),” *Guardian* (13 October 2015).

¹⁰⁰ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 206; “[The Long Awaited Apology to ‘Comfort Women’ Victims Is yet to Come—UN Rights Experts](#)” (United Nations press release; 11 March 2016); Committee on the Elimination of Discrimination against Women, *Concluding Observations on the Combined Seventh and Eighth Periodic Reports of Japan* (CEDAW/C/JPN/CO/7-8; 7 March 2017), paragraphs 28–29.

JORDAN

Previous *Annual Report* entries: 2003–2004, 2015.

KAZAKHSTAN

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

KENYA

Previous *Annual Report* entries: 1999–2000, 2002–2005, 2007, 2009–2015.

Kenya has made no progress on accountability for post-2007 elections violence, including for sexual violence, but authorities continued with attempts to undermine the International Criminal Court (ICC) cases on Kenya by seeking to politicize the proceedings.

In December 2014, the ICC prosecutor withdrew crimes against humanity charges against President Uhuru Kenyatta due to insufficient evidence that the ICC prosecutor blamed on non-cooperation by Kenyan authorities and widespread witness interference. Deputy President William Ruto and former radio journalist Joshua arap Sang were standing trial on similar charges. Victims in the Kenyatta case were seeking to challenge the prosecution's decision to suspend investigations. Both sets of Kenyan cases at the ICC were dogged by claims of witness tampering. The trial chamber in the Ruto and Sang case found sufficient evidence of tampering to not admit into evidence the prior statements of six witnesses who subsequently refused to cooperate with the prosecution, setting off a new effort in parliament to seek Kenya's withdrawal from the ICC.

In late 2014, an ICC trial chamber indicated that the Kenyan government had not met its obligations to cooperate in the prosecution's investigations in the Kenyatta case but decided not to send a formal finding of non-compliance to the court's Assembly of States Parties for enforcement. The Office of the Prosecutor appealed the decision, and in August 2015, the Appeals Chamber referred the matter back to the Trial Chamber for review. In March 2015, Kenyatta said that a report of the Office of Director of Public Prosecutions indicated that, due to lack of evidence, it would not be possible to prosecute cases arising out of the 2007–2008 post-election violence and that "restorative" approaches should be used instead.

Kenyatta issued a general apology for human rights violations committed by the government and instructed the treasury to set aside Ksh10 billion (US\$ 9.5 million) over the next three years for victim reparations for past injustices dating back to 1963, including victims of the recent post-election violence, as recommended in the report of the Truth, Justice and Reconciliation Commission.

In June 2015, the African Union Assembly adopted a resolution which reiterated its previous calls for termination or suspension of ICC proceedings against Ruto of Kenya. In November, Kenya's government attempted to influence the fourteenth session of the Assembly of States Parties (ASP)—

the political oversight body of the ICC—as part of its attempt to undermine Ruto’s trial, by threatening to withdraw from the ICC. On 5 April 2016, the Ruto case was thrown out of the court.¹⁰¹

KOREA, NORTH

Previous *Annual Report* entries: 2001, 2006–2007, 2009–2011, 2013–2015.

See Korea, South.

KOREA, SOUTH

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

After nine former comfort women in 2013 had sought a temporary injunction against publication of a book “Comfort Women of the Empire” (2013; Japanese translation November 2014) and filed a complaint against its author Park Yu-ha, a professor at Sejong University, in June 2014, the Seoul Eastern District Court in February 2015 ordered that Park’s book be redacted in 34 sections. A modified version was later published. On 13 January 2016, the court ordered Park to pay 10 million won (8,262 US dollars) to each of the women because she had defamed them with “false,” “exaggerated” or “distorted” content in her book. Park intended to appeal.

In a separate criminal case, the Seoul Eastern District Prosecutors Office on 18 November 2015 charged Park with defaming the honor of former comfort women and deviating from academic freedom. In the book, Park had argued that there was no evidence that the Japanese government was officially involved in forcibly recruiting the women from Korea (then a Japanese colony). She said that Korean collaborators and private Japanese recruiters were mainly responsible for taking Korean women, sometimes using coercion, into the “comfort stations,” where she said life included both rape and prostitution, and the women developed a “comradelike relationship” with Japanese soldiers. Many South Koreans questioned Park’s “Koreanness” online or accused her of being a traitor. At a conference in December 2015, Park said that her work was based on historical documents and the testimony of former comfort women and that it was not intended to criticize or defame any comfort women. Park accused prosecutors of trampling on academic freedom. More than 200 intellectuals and scholars signed two

¹⁰¹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 22; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 353–355.

petitions in protest against the charges.¹⁰²

In October 2015, the government announced plans that from 2017 all secondary schools had to use state-issued history textbooks only, arguing that current middle and high school history textbooks (published by eight different companies) were too left-leaning and encouraged anti-American and pro-North Korea feelings (including by failing to make clear that the Korean War, 1950–1953, was started by the North). Conservatives had criticized the “masochistic historical views” in the textbooks and accused their authors of inculcating youngsters with “left-leaning nationalism.”

The system of privately-published textbooks had been introduced in 2003 under the progressive president Roh Moo-hyun; in 2014, the Education Ministry had asked the publishers to make many changes in the texts, but their authors filed lawsuits against the interference. Vice Prime Minister and education minister, Hwang Woo-yea, said that textbooks should teach “the proud history of South Korea, which has achieved both democratization and industrialization in the shortest time in world history.” The new book, to be called *The Correct Textbook of History*, would be written by a government-appointed panel of history teachers and academics. The National Institute of Korean History supervising the operation indicated that the names of authors would be kept secret until the project ended. Opposition politicians and several academics accused the government of “distorting history” and whitewashing South Korea’s past dictatorships—including the one led by President Park Geun-hye’s father, Park Chung-hee. Park Chung-hee had seized power in a 1961 coup and remained in control using torture and martial law until his assassination in 1979. President Park’s critics (including Park Han-yong, a chief researcher at the Center for Historical Truth and Justice, Seoul) asserted that the official history textbook plan echoed her father’s dictatorship, during which the government wrote history textbooks that glorified his coup as a “revolution” and justified his prolonged rule. They called the plan “a coup in history education.”

On 14 November 2015, security forces in Seoul clashed with protesters during a street rally, in which some 70,000 demonstrators took part. Part of the protest was against the imposition of the state-approved history textbook. On 5 December 2015, about 14,000 protesters held a mass rally against government policies, including the planned textbook.¹⁰³

¹⁰² Yoshihiro Makino, “[Author of ‘Comfort Women of the Empire’ Indicted in South Korea](#),” *Asahi Shimbun* (20 November 2015); John Power, “[Uncomfortable Truth? South Korean Academic on Trial for Defamation](#),” *The Correspondent* (4 December 2015); Choe Sang-Hun, “[Professor Ordered to Pay 9 Who Said ‘Comfort Women’ Book Defamed Them](#),” *New York Times* (13 January 2016).

¹⁰³ “[South Korea to Control History Textbooks Used in Schools](#),” *BBC News* (12 October 2015); “[S Korea Protesters Clash with Police in Seoul](#),” *BBC News* (14 November 2015); Stephen Evans, “[Why South Korea Is Rewriting Its History Books](#),” *BBC News* (1 December 2015); “[South Korea Protests: Seoul Rally against Park Geun-hye](#),” *BBC News* (5 December 2015); Choe Sang-Hun, “[South Korea to Issue State History Textbooks, Rejecting Private Publishers](#),” *New York Times* (12 October 2015); Se-Woong Koonov, “[South Korea’s Textbook Whitewash](#),” *New York Times* (12

See also Japan, United States.

KOSOVO

See Serbia / Kosovo.

KUWAIT

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

KYRGYZSTAN

Previous *Annual Report* entries: 2010–2013.

The authorities continue to deny justice to victims of the June 2010 interethnic violence in Osh and Jalal-Abad (southern Kyrgyzstan), where serious crimes were committed by members of both ethnic Kyrgyz and Uzbek communities. Ethnic Uzbeks were disproportionately killed and subjected to arbitrary detention, ill-treatment, and torture. In April 2015, Mahamad Bizurukov, an ethnic Uzbek on trial since 2011 in connection with the 2010 violence, was sentenced to thirteen years' imprisonment for murder. He was released in August 2015 on parole. A handful of other June 2010-related cases were still under judicial review. In June 2015, during a Central Asia visit, United Nations Secretary-General Ban Ki-moon called on authorities to investigate human rights violations related to the June 2010 violence, prosecute those responsible for serious crimes, review convictions tainted by torture, and work with civil society “to promote interethnic reconciliation,” including through transitional justice and reparations for victims. On the fifth anniversary of the violence in June, the Organization for Security and Co-operation in Europe High Commissioner on National Minorities noted that “a sense of insecurity is still prevalent among the ethnic Uzbek community” and “little progress” has been made in investigating cases related to the June 2010 violence.¹⁰⁴

November 2015).

¹⁰⁴ Amnesty International, Report 2015/16 (London: Amnesty International, 2016), 224–225; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 365.

LATVIA

Previous *Annual Report* entries: 1998, 2006, 2008, 2015.

On 21 March 2016, Kristīne Jarinovska, deputy head of the Commission for the Study of KGB Materials (established in 2015 with a three-year mandate), told Latvian Television that part of the archive of the Soviet secret service KGB was located at the Documentation Center on the Consequences of Totalitarianism, controlled by the Constitution Protection Bureau (SAB), and inaccessible for researchers. They included the partially burned KGB documents, found in the Police College and handed to the security police in 2015. Only officials with high-level security clearances could access the complete archive.¹⁰⁵

LEBANON

Previous *Annual Report* entries: 2000–2003, 2006–2015.

In October 2012, Justice Minister Shakib Qortbawi put forward a draft decree to the cabinet to establish an independent national commission to investigate the fate of people forcibly disappeared during the civil war (1975–1990) and its aftermath, but no further action was taken. In September 2014, the government finally provided the families of the disappeared with the files of the Official Commission of Inquiry that had been appointed in 2000 to investigate the fate of the kidnapped. These showed that the government had not conducted any serious investigation.

The Netherlands-based Special Tribunal for Lebanon (STL) continued to try five men in their absence for alleged complicity in the killing of former Prime Minister Rafic Hariri and others in a car bombing in Beirut in 2005.¹⁰⁶

Several news agencies and government municipalities had their websites hacked, with assailants threatening to delete historical archives. The news website *Lebanon Debate* was subject to a double hacking attempt from IP (Internet Protocol) addresses in Lebanon and the United States on 24 March 2015; however, it was able to retrieve its archive and republished under a new domain. One of the most well-known blogs, Trella, was subject to a cyberattack on 11 April 2015, in which hackers threatened to

¹⁰⁵ “[KGB Study Commission still Kept away from Archives](#),” *LSM.LV (Public Broadcasting of Latvia)* (21 March 2016).

¹⁰⁶ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 55–56, 229; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 376.

erase the blog's archive since 2004.¹⁰⁷

LIBERIA

Previous *Annual Report* entries: 2000–2001, 2004–2015.

LIBYA

Previous *Annual Report* entries: 2003, 2005–2015.

Tripoli authorities sentenced former Gaddafi-era officials to long prison terms or death for alleged war crimes and other offenses committed during the 2011 uprising and ensuing armed conflict. Their trial was marred by irregularities; the authorities failed to comply with an International Criminal Court (ICC) demand to hand over Saif al-Islam al-Gaddafi, son of Mu' ammar al-Gaddafi; instead, he remained in militia detention; he was tried and sentenced to death.

The ICC Prosecutor expressed concern about Islamic State crimes and alleged international humanitarian law violations by Libya Dawn and Operation Dignity forces but failed to initiate new investigations, citing insufficient resources and Libya's instability, and called on states parties to the Rome Statute of the ICC to provide funding. The Prosecutor did not seek judicial review of a 2013 admissibility decision allowing a Libyan court to try former al-Gaddafi era Military Intelligence chief Abdallah al-Senussi; he was among nine defendants sentenced to death in July 2015.¹⁰⁸

LITHUANIA

Previous *Annual Report* entries: 2005, 2009, 2015.

See United States.

¹⁰⁷ Freedom House, [Freedom on the Net 2015](#) (Washington: Freedom House, 2015), 524, 533–534.

¹⁰⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 56, 233; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 382.

MACEDONIA

Previous *Annual Report* entries: 1999, 2006–2008, 2010–2015.

MALAYSIA

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

In a speech on 20 August 2011, Mohamad (Mat) Sabu, an opposition member of parliament and former deputy president of the Parti Islam Se Malaysia (PAS; Pan Malaysian Islamic Party) declared that all those who fought the British had to be recognized as freedom fighters. As an example, he mentioned the leader of an attack by the Communist Party of Malaya on a police station in Bukit Kepong in 1950 in which a number of police officers were killed. According to Sabu, the police officers fought to defend the British occupiers, while the attackers fought for freedom. After a newspaper called Sabu a Communist supporter, scores of police reports were filed against him and he and his family were threatened. On 21 September 2011, he was charged with criminally defaming the police officers. On 8 July 2015, Sabu was acquitted after the trial court found that the prosecution had failed to prove its case. If convicted, he would have risked two years' imprisonment and disqualification from politics for another five years after the end of his sentence.¹⁰⁹

On 3 July 2015, Lena Hendry, a staff member of the human rights group Pusat KOMAS, was charged under the Film Censorship Act for organizing a private screening of the award-winning documentary, "No Fire Zone: The Killing Fields of Sri Lanka" in Kuala Lumpur in July 2013. If convicted, she faced three years' imprisonment and a fine of up to RM30,000 (US\$7,000). In September 2015, the Federal Court rejected Hendry's constitutional challenge to the Film Censorship Act. Her trial was set to start in December 2015. Section 6 of the act prohibited the circulation, distribution, display, production, sale, hire or possession of any film, whether imported or domestically produced, without first obtaining approval from the government-appointed Board of Censors. The Sri Lankan embassy had publicly demanded that the film not be shown. The documentary concerned war crimes committed in the last months of Sri Lanka's civil war (2009), including Sri Lankan army artillery attacks that killed thousands of civilians and the extrajudicial executions of captured fighters and supporters of the secessionist Liberation Tigers of Tamil Eelam.¹¹⁰

¹⁰⁹ Human Rights Watch, [Creating a Culture of Fear: The Criminalization of Peaceful Expression in Malaysia](#) (New York: Human Rights Watch, 2015), 62–63.

¹¹⁰ Human Rights Watch, ["Malaysia: Drop Charges for Showing Film"](#) (14 September 2015); Human

MALAWI

Previous *Annual Report* entries: 2011–2012.

MALDIVES

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

MALI

Previous *Annual Report* entries: 2011, 2013–2015.

On 18 September 2015, the International Criminal Court (ICC) issued its first arrest warrant in the context of its Mali investigation: on 26 September 2015, Ahmad Al Faqi Al Mahdi, member of the armed opposition group Ansar Dine, was transferred from Niger to the ICC. During the occupation of Timbuktu, he was at the head of the “Hesbah” (“Manners’ Brigade”) (May–September 2012) and associated with the work of the Islamic Court of Timbuktu. He was reportedly involved in the destruction of historical and religious monuments. He was suspected of war crimes over the destruction of nine mausoleums and a mosque in Timbuktu in 2012, the first case of its kind before the ICC.

Among the monuments were the mausoleum of Sidi Mahmoud Ben Omar Mohamed Aquit; the mausoleum of Sheikh Mohamed Mahmoud Al Arawani; the mausoleum of Sheikh Sidi Mokhtar Ben Sidi Muhammad Ben Sheikh Alkabir; the mausoleum of Alpha Moya Lamtouni (?—1605); the mausoleum of Sheikh Sidi Ahmed Ben Amar Arragadi; the mausoleum of Sheikh Muhammad El Micky; the mausoleum of Cheick Abdoul Kassim Attouaty; the mausoleum of Ahamed Fulane; the mausoleum of Bahaber Babadié, and the Sidi Yahia mosque. Preliminary hearings were due to be held in January 2016.

On 1 March 2016, when the confirmation of charges hearing was opened at the ICC, the United Nations Special Rapporteur in the Field of Cultural Rights, Karima Bennouna, said: “The destruction of cultural heritage is a violation of human rights ... It is impossible to separate a people’s cultural heritage from the people itself and their rights. Clearly, we must now understand that when cultural heritage is under attack, it is also the people and their fundamental human rights that are under attack.” She welcomed the decision of the ICC Prosecutor’s Office, for the first time, to charge the destruction

of cultural and religious sites, as well as historical monuments, as a stand-alone war crime.¹¹¹

The government made little progress in holding to account those from all warring factions responsible for law-of-war violations committed during the 2012–2013 armed conflict. With few exceptions, judicial authorities failed to investigate over 100 complaints filed by victims and family members. In March 2015, seven human rights organizations filed complaints on behalf of 33 victims, against 15 people, for war crimes and crimes against humanity committed in 2012. Moreover, the case regarding the torture and enforced disappearance in 2012 of 21 elite “Red Berets,” which in 2013 and 2014 resulted in charges against some 25 soldiers, including General Amadou Haya Sanogo (leader of the military junta that ruled Mali for part of 2012), had, in late 2015, failed to move past the investigations phase. In October 2015, eight supporters of Sanogo escaped from prison.

During 2015, the authorities freed at least 74 detainees, including several allegedly implicated in serious international crimes during the 2012–2013 armed conflict. The releases, characterized by the government as a “confidence-building measure” in the context of negotiations, were carried out without regard to whether the men might have been responsible for serious crimes. The peace accord lacked provisions to address impunity and the need for justice for serious crimes committed by all sides during the conflict. In October 2015, the United Nations Independent Expert on the situation of human rights in Mali expressed deep concern about the time taken to investigate and bring to trial cases of war crimes and human rights violations committed during the conflict.

In 2014, President Ibrahim Boubacar Keita had established the Truth, Justice and Reconciliation Commission (CVJR) by executive order. The Commission would have a three year mandate, covering the period from 1960 to 2013. It was to consist of fifteen members and seven working groups. It would function under the Ministry of National Reconciliation and Development of the North. In August 2015, the government appointed Ousmane Oumarou Sidibé, a former minister and member of the political opposition, as commission chairman; however, his appointment and the credibility of the body were limited due to the government’s failure to consult sufficiently with a wide variety of stakeholders on the commission’s membership, mandate powers, and degree of independence.¹¹²

¹¹¹ International Criminal Court, “[Ahmad Al Faqi Al Mahdi Makes First Appearance before the ICC](#)” (Press Release; 30 September 2015); Wim Brummelman, “Primeur: Aangeklaagd voor vernietigen werelderfgoed,” *NRC Handelsblad* (30 September 2015); Bert Lanting, “[Strafhof berecht jihadist om vernieling graftombes](#),” *Volkskrant* (28 September 2015); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 345; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 397; “[When Cultural Heritage Is under Attack, Human Rights Are under Attack](#)” – UN Expert,” *UN News Centre* (4 March 2016); United Nations Special Rapporteur in the Field of Human Rights, *Intentional Destruction of Cultural Heritage* (A/HRC/31/59; 3 February 2016).

¹¹² Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 244, 245; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 397, 398.

MALTA

Previous *Annual Report* entries: 2012.

MARSHALL ISLANDS

Previous *Annual Report* entries: 2013, 2015.

MAURITANIA

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

In August 2015, a new law was adopted against slavery (amending the 2007 law), defining slavery as a crime against humanity, doubling the prison term for offenders and defining ten types of slavery, including forced marriage. In December 2015, two people were placed in detention and charged with acts of slavery.¹¹³

MAURITIUS

Previous *Annual Report* entries: 2012.

MEXICO

Previous *Annual Report* entries: 1997, 1999, 2001–2015.

Since 2006, Mexico's security forces have participated in widespread enforced disappearances. In August 2014, the government publicly acknowledged that the whereabouts of over 22,000 people who had gone missing since 2006 remained unknown. That number increased to more than 25,500, according to the National Registry of Disappeared or Missing Persons, which was established by law in 2012. By the end of 2015, the government reported that 27,638 people (20,203 men and 7,435 women) were missing but did not specify how many were subjected to enforced disappearance.

¹¹³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 248.

Prosecutors and police routinely failed to carry out basic investigative steps to identify those responsible, often telling the missing people's families to investigate on their own.

In 2013, the federal government created a unit in the Attorney General's Office to investigate disappearances. Officials from the unit said that they did not know of a single case in which someone had been convicted for an enforced disappearance committed since 2007. In April 2015, the legislature approved a constitutional reform that required the federal legislature to pass general laws on enforced disappearance and torture, which would establish a single nationwide definition for each of the crimes and facilitate their nationwide prosecution. On 10 December 2015, President Enrique Peña Nieto sent a bill to Congress which fell short of international standards.¹¹⁴

MOLDOVA

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

MONGOLIA

Previous *Annual Report* entries: 2007, 2013.

See China.

MONTENEGRO

Previous *Annual Report* entries: 2008–2009, 2011–2013, 2015.

In September 2015, the United Nations Committee on Enforced Disappearances expressed concerns about shortcomings in war crimes proceedings, urged the authorities to recognize the relatives of the disappeared as victims, and called on the new Commission on Missing Persons to establish the whereabouts of 61 people missing since the armed conflicts of 1991–1995. In October 2015, the State Prosecutor rejected a request to review the legality of the final judgment in the “Deportations Case” which had acquitted nine former police officials of the enforced disappearance in 1992 of 60 Bosnian

¹¹⁴ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 250–251; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 400–401.

refugees.¹¹⁵

MOROCCO / WESTERN SAHARA

Previous *Annual Report* entries: 2000–2013, 2015.

Maâti Monjib ([1960]–) is a historian of political ideas and of the Maghreb. Born in Morocco, he got his first Ph.D. in France (North African politics) and another one in Senegal (African political history). He is a member of the Institut des études africaines (IEA; Institute for African Studies) at Mohamed V University in Rabat and the chairman (since early 2014) of the Rabat-based pluralist NGO Freedom Now–Comité pour la protection de la liberté de la presse et d’expression and the Association marocaine pour un journalisme d’investigation (AMJI; Moroccan Association of Investigative Journalism).

After the death of King Hassan II in 1999, Monjib returned to Morocco to work at the University of Mohammed V-Rabat. Between 2007 and 2010, he initiated a dialogue between left-wing democrats and moderate islamists. He was a founding member of the support council of the 20 February Movement, which organized protests in Morocco at the beginning of the Arab Spring. He founded and directed the Ibn Rochd Center for Studies and Communication in Rabat which trained hundreds of Moroccan journalists in investigative techniques and civic journalism. In November 2014, he shut down the institute after repeated interference from the state. Freedom Now, established in 2011, was refused registration by the authorities, reportedly because it is perceived as an anti-royalist front. Monjib had criticized the monarchy in columns in the foreign press in the past.

Since 2013, a long campaign of harassment and intimidation has been waged against him, including threats and defamatory articles in newspapers and on news sites. On 31 August 2015, he was detained briefly at the airport when returning from France. He was told that he was under investigation for “endangering state security.” On 14 September 2015, he was interrogated by the Brigade nationale de la police judiciaire (BNPJ) and accused of tarnishing Morocco’s image abroad, using foreign funds to promote a foreign agenda and sabotaging the credibility of state institutions. His associates were also questioned. On 16 September 2015, he went on hunger strike for the first time (until 19 September) after being barred from leaving Morocco for a conference in Barcelona. Authorities declared that they imposed the ban because of their investigation into suspected financial wrongdoing regarding the Ibn Rochd Center. The IEA board refused to give him permission to travel to Norway to attend two academic events related to his expertise. On 6 October 2015, he went on hunger strike at the headquarters of the Moroccan Association for Human Rights, Rabat, to protest

¹¹⁵ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 255.

against the restrictions against his freedom of movement and his academic freedom. On 20 October 2015, the secretariat of the National Committee to Support Maati Monjib issued a statement reporting a rapid deterioration in his health after fourteen days of hunger strike, and called for a show of solidarity with Monjib on 21 October in front of parliament. During his hunger strike, he collapsed twice and he was hospitalized. On 29 October 2015, Monjib suspended his hunger strike after authorities ended the travel ban. Instead, he was charged with receiving foreign funds with the intent to undermine Moroccan institutions and endanger national security. His trial before the Tribunal of First Instance in Rabat was due to start on 23 March 2016, and then the opening was postponed until 29 June 2016; he and six others faced up to five years' imprisonment if sentenced. Their crime was to have organized training sessions in the use of a smartphone app called Story Maker within the Ibn Rochd Center and AMJI with the support of the Dutch NGO Free Press Unlimited, and to have received funds from abroad to finance this project.

Also in late 2015, Monjib sued the Moroccan website "Le360" for defamation in Paris following several articles over the previous months that denigrated him and his family. This trial was due to start in late January 2016.

Monjib is the author of *La Monarchie marocaine et la lutte pour le pouvoir: Hassan II face à l'opposition nationale* (The Moroccan Monarchy and the Struggle for Power: Hassan II Facing the National Opposition) (Paris: L'Harmattan, 1992), *A Political Biography of Mehdi Ben Barka*, with Z. Daoud (Paris: Éditions Michalon, 1996–2000), and editor of *Islamists versus Secularists in Morocco*, ed. (Amsterdam: IKV, 2009).¹¹⁶

Fifty years after the disappearance of left-wing political leader Mehdi Ben Barka (1920–1965) in Paris

¹¹⁶ Maâti Monjib, Personal communication (11 & 13 & 15 October 2015); "Situation personnelle de l'historien de nationalités française et marocaine Maâti Monjib" (Profile, October 2015); Freedom Now, [Petition text](#) (11 September 2015); Comité international de soutien à Maâti Monjib, Communiqué (15 November 2015); Biographical notes, [Codesria](#) and [Carnegie Endowment for International Peace](#); Charlotte Bozonnet, "L'universitaire marocain Maati Monjib en grève de la faim," *Le Monde* (16 October 2015); Paul Schemm "[Moroccan Journalist on Hunger Strike, Barred From Leaving](#)," AP (17 September 2015); Reporters without Borders, "[Monarchy's Red Lines Gag Morocco's Independent Media](#)" (17 September 2015); Middle East Studies Association, "[Letters on Morocco](#)" (13 October 2015); Wagdy Sawahel, "[Academic on Hunger Strike over Travel Ban, Harassment](#)," *University World News* (22 October 2015); Wagdy Sawahel, "[Academic Suspends Hunger Strike as Travel Ban Is Lifted](#)," *University World News* (5 November 2015); Aziz El Yaakoubi, "[Moroccan Intellectual Suspends Hunger Strike, Faces Charges: Lawyer](#)," *Reuters* (29 October 2015); Le comité international de soutien à Maâti Monjib, "Maâti Monjib porte plainte contre le site 'Le360' pour diffamation" (press release; 10 January 2016); "[Pétition pour l'abandon des poursuites contre les sept militants marocains des droits humains](#)" (13 January 2016); Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 409–410; Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 257; Le comité international de soutien à Maâti Monjib, "Le procès de Maati Monjib et des six autres activistes des droits humains reporté au 29 juin 2016" (press release; 24 March 2016); four NCH campaigns on <http://www.concernedhistorians.org/content/ca.html>.

on 29 October 1965, Amnesty International urged the French authorities to declassify all its records related to him and the Moroccan authorities to cooperate with a new French investigation. In 1964, the Moroccan authorities had sentenced Ben Barka to death in his absence for allegedly plotting against King Hassan II. In June 1967, a French court had convicted several people (including Moroccan Minister of Interior, General Mohammed Oufkir) for Ben Barka's abduction; Oufkir was sentenced *in absentia* to life imprisonment. A French investigation (France's longest-standing) into his disappearance opened in 1975 remained pending forty years on. Access to classified information in France, to witnesses and suspects in Morocco, and to a former secret detention center located in Rabat and suspected to contain part of Ben Barka's remains were cited as obstacles. In July 2015, a French investigating judge filed new requests to search the Moroccan location and to question a witness in Israel who made revelations earlier in 2015 about the Mossad's involvement in the disappearance. Morocco never made an official enquiry into Ben Barka's fate. [See also *NCH Annual Reports 2000, 2002–2003*.]¹¹⁷

The authorities failed to implement recommendations made by the Equity and Reconciliation Commission, which examined human rights violations between 1956 and 1999, including a national strategy to combat impunity.¹¹⁸

The Polisario Front again failed to take any steps to hold to account those responsible for human rights abuses committed in the 1970s and 1980s in camps under its control.¹¹⁹

MYANMAR (BURMA)

Previous *Annual Report* entries: 1997–2001, 2003, 2005–2006, 2008–2015.

State officials, including members of the security forces, remained protected from prosecution for past human rights violations by immunity provisions in the 2008 Constitution. In December 2015, a bill was submitted to Parliament which would guarantee former presidents lifetime immunity from prosecution for “actions”—which could include human rights violations, crimes against humanity and war crimes—taken while they were in office.¹²⁰

¹¹⁷ Amnesty International, “[Time for Truth 50 Years after Enforced Disappearance of Opposition Leader Mehdi Ben Barka](#)” (MDE 29/2747/2015; London: AI, 28 October 2015).

¹¹⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 259.

¹¹⁹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 260.

¹²⁰ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 265.

NAMIBIA

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

On 7 September 2015, the Caprivi detainees' trial concluded. Judge Elton Hoff found thirty of the sixty-five accused guilty of charges of high treason, nine charges of murder, and ninety counts of attempted murder. Thirty-two people were acquitted and released, and a further three were found guilty of other charges.

The detainees were originally arrested and charged in 1999 for allegedly attempting to secede the then Caprivi region from Namibia. They had spent more than fourteen years in remand prison. The majority of them suffered health problems linked to age and prolonged detention and many of their relatives had no means of visiting them. Many of the Caprivi detainees were possible prisoners of conscience because they were arrested solely on the basis of their actual or perceived political views, ethnicity or membership of certain organizations. The length of their pre-trial detention violated the rights of the accused to a fair trial. Ten of the accused died in police custody before the High Court trial commenced in Grootfontein, Otjozondjupa Region, in 2003, while another 12 who went on trial died before its end. Most of the detainees reported being tortured or otherwise ill-treated at the time of their arrest. In passing his verdict, Judge Hoff upheld a 2001 Supreme Court decision, making confessions extracted under coercion inadmissible and also dismissed testimonies secured by torture or illegal police behavior.¹²¹

NEPAL

Previous *Annual Report* entries: 2007–2015.

Authorities made little progress on justice for serious abuses committed by both sides during the civil war (1996–2006). At least 13,000 people were killed and over 1,300 forcibly disappeared during the decade-long conflict. While Nepal delivered interim monetary and in-kind compensation to the families of those who were disappeared or killed during the conflict, others, such as survivors of sexual violence or torture, received no compensation from the state. In March 2015, the Supreme Court ruled against problematic provisions of the 2014 Truth, Reconciliation and Disappearances Act, striking down amnesty provisions and emphasizing that the Attorney General's Office retained authority to recommend prosecutions, and directed the government to remedy the law. In February 2015, the government set up legal and institutional frameworks for a Truth and Reconciliation

¹²¹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 265–266.

Commission and Disappearances Commission, both called for in the act, and appointed some initial commissioners without amending the act as directed by the Supreme Court. The work of the commissions remained stalled in late 2015.¹²²

NETHERLANDS

Previous *Annual Report* entries: 1995, 2004–2005, 2007–2015.

In April 2015, a court in Arnhem ruled that a former Dutch commander and his two adjutants would not be prosecuted for complicity in war crimes and genocide at Srebrenica. In June 2015, the Netherlands paid compensation to relatives of victims of the Srebrenica genocide in 1995 who were forced to leave a United Nations compound by Dutch peacekeepers.¹²³

In August 2015, Dutch-Surinamese journalist Sandew Hira, director of the International Institute for Scientific Research (IISR), called on the Dutch government to open its archives—part of which is closed until 2060—about the military regime of Desi Bouterse (1980–1987) in order to collect evidence on the 1982 December murders. The foreign Ministry took the request into consideration. [See also *NCH Annual Reports 2001–2004, 2010, 2012–2013*.]¹²⁴

In August 2015, the United Nations Committee on the Elimination of Racial Discrimination expressed concerns over reports that citizens seeking to protest peacefully against portrayals of the traditional “Black Pete” (Zwarte Piet) figure of the Sinterklaas festival were denied authorization to conduct such protests at a meaningful time and place and subjected to violent attacks and other forms of intimidation, which were not adequately investigated. [See also *NCH Annual Report 2015*.]¹²⁵

In early October 2015, on a conference about crimes committed in Indonesia in 1965, Geoffrey Robinson, a Canadian historian and human rights expert at the University of California in Los Angeles, made an appeal to establish an international truth commission to investigate the war crimes

¹²² Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 268; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 417, 419.

¹²³ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 262.

¹²⁴ “[Sandew Hira: open archieven over Bouterse](#),” *NOS* (4 August 2015); “[Bouterse: geen Nederlandse steun bij staatsgreep](#),” *Volkskrant* (9 December 2015).

¹²⁵ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 262.

committed after the Dutch colonial power refused to recognize the Indonesian declaration of independence in August 1945 and launched the so-called Police Actions (1945–1949). Historical research about the period was to support such a commission.¹²⁶

On 3 April 2016, Jules Schelvis (1921–2016) died. A Jewish typesetter and graphic designer who passed through seven concentration camps from May 1943 until May 1945, he became a historian after his retirement. He wrote books about the camps, including Sobibór, and was a complainant (Nebenkläger) in the case of John Demjanjuk. In 2008, he received a honorary doctorate from the University of Amsterdam.¹²⁷

See also Morocco, Serbia/Kosovo, Suriname.

NEW ZEALAND

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

NICARAGUA

Previous *Annual Report* entries: 1998.

NIGER

Previous *Annual Report* entries: 2009, 2013.

See Mali.

¹²⁶ Anne-Lot Hoek, “Waarheidscommissie Indië is nodig; Interview Geoffrey Robinson,” *NRC Handelsblad* (10–11 October 2015), 21.

¹²⁷ *NRC Handelsblad* (13 April 2011), 16; “[Jules Schelvis](#),” *Wikipedia* (10 April 2011); Bas Blokker, “Hij móést over Sobibor vertellen,” *NRC Handelsblad* (5 April 2016), 6.

NIGERIA

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

Despite promises by President Muhammadu Buhari to investigate crimes under international law and other serious human rights violations and abuses committed by the military and Boko Haram, no meaningful action was taken. The government failed to hold its own forces to account, and prosecuted few people suspected of being Boko Haram members. However, the Office of the Prosecutor of the International Criminal Court identified eight potential cases involving crimes against humanity and war crimes: six involving Boko Haram and two involving the Nigerian security forces.¹²⁸

See also Gabon, Sierra Leone, South Sudan.

NORWAY

Previous *Annual Report* entries: 2009, 2012.

On 19 January 2015, the Court of Appeal dismissed an appeal by a Rwandan national against his 2013 conviction by the Oslo District Court for murder during the 1994 genocide in Rwanda. The Court of Appeal confirmed his sentence of 21 years' imprisonment for premeditated complicity in the murder of 2,000 people in two massacres, and of seven people in a separate incident. He appealed against the decision to the Supreme Court. He was not charged with genocide, as the article defining genocide only entered into force in 2008 and did not have retroactive effect.¹²⁹

See also China, Rwanda.

¹²⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 21.

¹²⁹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 278.

OMAN

Previous *Annual Report* entries: 2010.

PAKISTAN

Previous *Annual Report* entries: 1998, 2001, 2004, 2006, 2009–2012, 2014.

On 3 December 2015, Sayed Wiqar Ali Shah, chairman of the history department of Quaid-i-Azam University (QAU), Islamabad, and director of the QUA National Institute of Historical and Cultural Research (NIHCR), was dismissed as director because he had defended views that were in conflict with the official views of Pakistan's history.

During a speech at the International Conference on Sindh History and Culture at the Shah Abdul Latif University, Khairpur, in late November 2015, Wiqar Shah had challenged some official historical notions and argued that there is a need to rewrite history with a special focus on regional history, and particularly on Sindh. Presenting his paper, entitled "Identity Crisis and the Responsibilities of the Present Pakistani Historians," he praised nationalist leaders such as Ghulam Murtaza Syed (Sayad) (1904–1995) (who initially had supported Pakistan and then ended up as an advocate for the creation of Sindhu Desh), Bacha Khan (1890–1988) and Wali Khan (1917–2006) and pre-partition heroes such as Bhagat Singh (1907–1931). He also argued that historians should focus on the progressive leaders of India and Pakistan and that more research was needed on the pre-Islamic period (Mohenjo Daro and the international trade routes of ancient times).

These views were reportedly brought to the attention of Higher Education Commission (HEC) chairperson Mukhtar Ahmed, who subsequently sought a report from the QAU vice chancellor, as a consequence of which Shah was removed from his post as NIHCR director. Shah explained to the vice chancellor that as a historian it was his responsibility to encourage new historians to conduct research on important and hitherto neglected topics. Shah did his doctoral research on the Khudai Khidmatgars and the politics of the North-West Frontier Province from 1937 to 1947 (1997).¹³⁰

On 22 January 2016, the United Nations Special Rapporteurs on Housing and Cultural Rights called on the government to halt the ongoing construction work of the Orange metro line in Lahore, which had resulted in numerous forced evictions and threatened a large number of protected heritage sites and historic buildings. The project passed through the historic center of Lahore, threatening pre-Partition buildings, minority places of worship, historic tombs and shrines and gardens, many of which were registered as protected heritage sites.¹³¹

¹³⁰ Kashif Abbasi, "[Historian Removed for Attempting to Rewrite History?](#)" *Dawn* (10 December 2015); "[Dr. Syed Waqar Ali Shah](#)," *Pakistan Herald*; Naazir Mahmood, "[In Quest of Academic Freedom](#)," *The News on Sunday* (13 March 2016).

¹³¹ "[UN Experts Urge Pakistan to Halt Forced Evictions and Demolitions for New Metro Line in Lahore](#)," (United Nations Press Release; Geneva, 22 January 2016).

See also Bangladesh.

PALESTINIAN AUTHORITY

Previous *Annual Report* entries: 1996, 1998–2002, 2008–2010, 2013–2015.

See Syria.

PANAMA

Previous *Annual Report* entries: 2003, 2008, 2013, 2015.

The trial of former President Manuel Noriega for the enforced disappearance of union leader and activist Heliodoro Portugal in 1970 was suspended shortly before it was due to begin in May 2015. The suspension came after Noriega's lawyer appealed, arguing that the trial would violate the terms of his extradition from France in 2011. It was unclear when the court would rule on the appeal or if the trial would proceed. The Inter-American Court of Human Rights had ruled in 2008 that Panama was responsible for Portugal's enforced disappearance as well as the failure to investigate the crime. It also ruled that the government had to carry out an effective investigation and ensure the perpetrators were punished, as well as make reparations to the family. Although Panama ratified the International Convention against Enforced Disappearance in 2011, it had not recognized the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or from other states parties.¹³²

PAPUA NEW GUINEA

Previous *Annual Report* entries: 2014.

¹³² Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 29, 287.

PARAGUAY

Previous *Annual Report* entries: 2002–2005, 2007, 2009–2010, 2012, 2015.

PERU

Previous *Annual Report* entries: 2001–2015.

In 2003, 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. Courts consistently rejected petitions to reverse his sentence. Fujimori's 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 fifteen people in the Lima district of Barrios Altos, and for six disappearances. The 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 final 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.

In September 2015, the Inter-American Court of Human Rights ruled that Peru was responsible for the forced disappearance of fifteen people, including seven children, from the peasant community of Santa Bárbara, in Huancavelica, in 1991, and ordered Peru to prosecute those responsible, offer reparation to the relatives and exhume and identify the remains of the victims.

As of November 2015, only about two percent of the human rights violations committed during the armed conflict had been brought to trial, according to Human Rights Trials in Peru, a project based at George Mason University that monitors human rights prosecutions. In 2015, court hearings continued into their fifth 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 May 2015, the Attorney General's Office reopened an investigation into forced sterilizations committed during Fujimori's administration. More than 2,000 forced sterilizations were reported to authorities, but these represented only a small portion of the cases, according to human

rights groups. In November 2015, President Ollanta Moisés Humala Tasso signed a decree to create a national registry of victims of forced sterilizations.

In June 2015, the United Nations Working Group on Enforced or Involuntary Disappearances expressed concern about how few cases of disappearances had been brought to trial and about Peru's slow progress in the search for victims. The group also noted that most of the recommendations made by the Truth and Reconciliation Commission had not been implemented. In August 2015, the human rights ombudsman concluded that reparations for victims of the internal armed conflict, made pursuant to a 2005 law, had been "insufficient" and that some programs called for in the law still had not been implemented—ten years after it was passed.¹³³

PHILIPPINES

Previous *Annual Report* entries: 2011–2015.

POLAND

Previous *Annual Report* entries: 1995–1998, 2000–2001, 2004–2005, 2007–2011, 2014–2015.

On 9 February 2016, Jan Gross, Holocaust scholar and history professor at Princeton University, was threatened with being stripped of the Knight's Cross of the Order of Merit of the Republic of Poland, which was awarded him in 1996 for his past opposition to the Communist regime. His critical research into less "positive" aspects of Polish history contrasted with the views of the nationalist Law and Justice (PiS) government, in power since November 2015, which wanted to "restore Polish national pride" by emphasizing heroic periods and glorious themes in national history. In his works, Gross had often claimed that Poles had been complicit in Nazi war crimes. In September 2015, in an article published in the German newspaper *Die Welt*, he had lamented eastern European countries' reluctance to accept refugees and asserted that Poles killed more Jews than they did Nazis during World War II. Prosecutors in Warsaw decided to investigate whether Gross had broken laws prohibiting the defamation of Poland.

On 15 February 2016, the government announced a memory law, which would impose a sentence of five years' imprisonment for those who "blamed the Polish nation for Nazi or Stalinist crimes." In particular the phrase "Polish death camps" in reference to wartime Nazi concentration camps on Polish

¹³³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 292; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 453–454, 456.

soil, would be targeted, justice minister Zbigniew Ziobro declared. Poland had long sought to eliminate the misleading phrase from historical and newspaper accounts since it suggested that Poland, itself occupied by Nazi Germany during World War II, was responsible for concentration camps on its territory.¹³⁴

See also United States.

¹³⁴ Reuters, "[Poland Plans to Punish Use of the Phrase 'Polish Death Camps'](#)," *Guardian* (13 February 2016); Alex Duval Smith, "[Polish Move to Strip Holocaust Expert of Award Sparks Protests](#)," *Guardian* (14 February 2016); Jan Grabowski, "['Patriotic' Move Threatens Academic Freedom](#)," *University World News* (17 February 2016); Selma Leydesdorff, "Polen dupeert zijn schrijver Jan Gross—om de Joden," *NRC Handelsblad* (16 February 2016), 16; Roeland Termote, "Noem je Auschwitz een 'Pools kamp'? 5 jaar celstraf," *NRC Handelsblad* (17 February 2016), 14.

QATAR

Previous *Annual Report* entries: 2010.

ROMANIA

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

See United States.

RUSSIA

Previous *Annual Report* entries: 1996–1998, 2001, 2004–2006, 2008–2015.

In July 2009 Nikolay Koposov, historian of early modern France and founding dean (1998–2009) of the Smolny College of Liberal Arts and Sciences at St. Petersburg State University, and his wife Dina Khapaeva, also a historian, were dismissed for their criticism of the memory politics of the Putin administration. In an article in the Duma's official newspaper, Sergei Mironov, the chair of the Council of Federation of the Duma, called their work "a danger to Russia's national security." They emigrated to Finland, where they worked at the Collegium for Advanced Study in Helsinki, and the United States. Khapaeva was appointed chair of the School of Modern Languages at Georgia Institute of Technology, Atlanta, Georgia; Koposov became a visiting professor at Johns Hopkins University history department, Baltimore, Maryland. In 2015, Koposov declared that he resigned (rather than "was dismissed") "when he realized Smolny was losing its autonomous status and moving away from its founding principles."¹³⁵

In 2015, Russia vetoed a Security Council resolution that would have condemned the 1995 killings in Srebrenica as a genocide.¹³⁶

On 27 February 2015, one of Russia's most prominent opposition activists, Boris Nemtsov, was shot dead within sight of the Kremlin. Mourners wishing to commemorate him at the site of his death were harassed by city authorities and pro-government supporters.¹³⁷

On 9 March 2015, Aleksandr Kravchenko, Veldar Shukurdzhiev and history teacher Leonid Kuzmin

¹³⁵ Nikolay Koposov, "'The Armored Train of Memory:' The Politics of History in Post-Soviet Russia," *Perspectives on History* (January 2011), 23–26; Gabrielle Spiegel, "Nikolay Koposov to Be Visiting Professor at Johns Hopkins University for 2012–2013," *Perspectives on History* (September 2012); Gabrielle Spiegel, personal communication (July 2013); Matthew Luxmoore, "[Students Allege Political Purge at Russia's Oldest University](#)," *Aljazeera* (23 May 2015).

¹³⁶ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 477.

¹³⁷ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 303.

were arrested at a small street gathering in Simferopol intended to celebrate the 201st anniversary of the birth of the Ukrainian poet Taras Shevchenko (1814–1861), at which they used national symbols such as yellow and blue ribbons. They were taken to a police station, released after three hours and sentenced to forty hours of community labor each, for violating rules of public assembly. They subsequently faced harassment by members of the anti-extremism police unit, including arrests and informal interrogations. Kuzmin also lost his job as a history teacher.¹³⁸

In May 2015, Crimean authorities once again refused to allow public events in Simferopol to commemorate the 1944 deportation of Crimean Tatars. [See also *NCH Annual Reports 2014–2015*.]¹³⁹

On 8 July 2015, the Russian State Archive published on its website a 1948 top-secret memo signed by Chief Military Prosecutor Nikolai Afanasyev arguing that legends of heroism attributed to “Panfilov’s 28,” a group of soldiers credited with having halted Nazi tanks headed for Moscow in 1941 before perishing together on the battlefield, were not accurate. On 20 July 2015, the head of the archive, Sergei Mirinenko ([1951–]), called the heroic stories a “falsification,” invented by a war journalist. The archive was attacked by Andrei Shalyopa, a director who prepared a film on Panfilov’s 28 (due for release in May 2016) and said that the publication undermined the “moral potential” of the nation. Publicly praising plans for the film, Minister of Culture and chair of the Russian Military History Society Vladimir Medinsky (author of popular history books) commented that the Russian State Archive “should not give its own evaluations of archival documents.” He stated that the head of an archive “is not a writer, a journalist, or a fighter against the fabrication of history.” He added that archival workers “can provide documents to people, but then journalists should draw their own conclusions” and “The question of what archival workers should be doing has arisen. They should do what the government pays them to do, and they should not try to master other professions in the process.” In mid-March 2016, Mirinenko was demoted and made head of research. His deputy, Larisa Rogovaya, was made acting director. In June 2015, Mirinenko had also attacked Soviet myths at the World Congress of the Russian Press, debunking the Panfilov legend and saying that the August 1939 Molotov-Ribbentrop Pact should be called the Hitler-Stalin Pact.

In October 2015, the Russian Defense Ministry announced that it would deploy small special research units to its Central Archive by 2016 to defend itself against ‘falsifications’ in accounts of the Soviet Red Army’s conduct during World War II.¹⁴⁰

¹³⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 381.

¹³⁹ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 601; Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 381.

¹⁴⁰ Anna Dolgov, “[Russian Archives Cast Doubt on Legends of Soviet War Heroes](#),” *Moscow Times* (9 July 2015); TASS, “[Ahead of Patriotic Film Release, Russian Culture Minister Tells Archival Workers to Pipe Down](#)” (31 July 2015); Tom Balforth, “[Russian Archive Chief Out After](#)

On 31 July 2015, the Ministry of Education in Yekaterinburg ordered all schools and colleges of the region to remove the books of British historians Antony Beevor and John Keegan “from the access of students and teaching staff,” claiming they promoted “Nazi stereotypes” (namely that Red Army soldiers engaged in mass rapes of German women in the later stages of the war). Beevor’s work had caused outrage in Russia, particularly his book *Berlin: The Downfall* (2002) (containing extensive material about rapes carried out by Soviet soldiers against German women in 1945) and his book on the battle of Stalingrad (1942–1943), a Soviet victory which came at great human cost. When *Berlin* was published in 2002, the Russian ambassador in London, Grigori Karasin, had accused Beevor of “lies, slander and blasphemy against the Red Army.”¹⁴¹

In September 2015, the Human Rights Center (HRC) Memorial was fined Rub 600,000 (US\$ 8,800) after its sister organization, the Historical and Educational Center Memorial—which was not on the foreign agents register—did not mark its publications with the label “foreign agent.” [See *NCH Annual Reports 2001, 2005–2006, 2009–2015*.] The HRC Memorial lost its court appeal against the decision. Following a regular inspection of the HRC Memorial in November 2015, the Ministry of Justice concluded that its criticism of the Bolotnaya Square trials (held after arrests following protests on the day before the 2012 inauguration of President Vladimir Putin) and of Russian policies in Ukraine “undermined the foundations of the constitutional system” and amounted to “calls for the overthrow of the current government and change of the political regime.” The Ministry submitted its “findings” to the Prosecutor’s Office for further investigation. During the same month, Thorbjørn Jagland, the Council of Europe’s secretary general, called the Ministry of Justice’s accusations against Memorial “extremely worrying” and urged the government “to protect the activities of human rights defenders in Russia, including the work of Memorial.” He also reiterated that “the recently adopted NGO legislation, including the NGO ‘foreign agents’ law, should be revised.”¹⁴²

After a complaint by Dmitry Zakharov, a member of the Just Russia party, that the Library of Ukrainian Literature in Moscow was storing newspapers that “distorted historical facts” and exhibited

[Debunking Soviet WW II Legend](#),” *RFE/RL News* (17 March 2016); Matthew Bodner, “[Russian Defense Ministry Plans Archive Unit to Counter ‘WWII Lies’](#),” *Moscow Times* (12 October 2015); Peter Hobson, “[Battle in the Archives—Uncovering Russia’s Secret Past](#),” *Moscow Times* (24 March 2016).

¹⁴¹ Antony Beevor, “[By Banning My Book, Russia Is Deluding Itself about Its Past](#),” *Guardian* (5 August 2015); Shaun Walker, “[Russian Region Bans British Historians, Books from Schools](#),” *Guardian* (5 August 2015); Matthew Bodner, “[Russian Defense Ministry Plans Archive Unit to Counter ‘WWII Lies’](#),” *Moscow Times* (12 October 2015).

¹⁴² Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 466, 470, 475; Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 305.

a “Russophobic nature,” armed and masked law enforcement officers raided the library on 28 October 2015, seized files and about 200 books and pamphlets, and detained director Natalya Sharina ([1957–]). The next day, a criminal case was opened against her on suspicion of inciting ethnic hatred and breaking the law on extremism. The Investigative Committee stated that it wanted her arrest after the investigators found books in the library that allegedly disseminated “anti-Russian propaganda,” including works by radical nationalist activist Dmytro Korchynsky [Dmitry Korchinsky], which were declared extremist by a court and banned in Russia. A spokesman for the library said that the most controversial items were stored in a separate room and could only be given to political analysts and historians who need it for professional purposes. The library, which contained around 30,000 books, mostly in Ukrainian, had been targeted by Russian investigators before—in 2010 and 2011.¹⁴³

In January 2016, the official commission on state secrets rejected a petition from over 60,000 Russians (collected by the activist group Komanda 29) to open the archive of the Soviet secret police and intelligence agencies (1917–1991), stating that the files would instead remain classified until 2044 and that the files “continued to have relevance to the present day and their circulation could bring harm to the Russian Federation.” Although in 1992 then-President Boris Yeltsin had signed a decree to move all Soviet classified files dealing with repressions into the public domain, they had been released piecemeal; in March 2014 the “Interdepartmental on the Protection of State Secrets” decided to extend the classified status of files until 2044.¹⁴⁴

In March 2016, the St Petersburg chapter of Nationalist group Narodny Sobor (National Union) lodged a complaint against historian Kirill Aleksandrov under the Russian law forbidding the propagation of “wars of aggression.” In February 2016, Aleksandrov had defended his PhD thesis, “The generals and the officer corps of the armed forces of the Committee for the Liberation of the Peoples of Russia, 1943–1946,” at the St Petersburg Academy of Sciences’ History Institute. The thesis was a study about Red Army General Andrei Vlasov who became a Nazi collaborator and led a small Russian force (the “Russian Army of Liberation”) against the Soviet side in the spring of 1945. The thesis caused a major controversy, with war veterans among an audience of around ninety people attending the academic council meeting. The prosecutors requested a copy of the thesis to look into evidence of illegal statements. If the case would result in a criminal conviction, Aleksandrov faced fines and a prison term of up to five years. The story of Vlasov, though not widely known, had been the

¹⁴³ [“Russian Police Detain Director of Ukrainian Library in Moscow,”](#) *Guardian* (29 October 2015); Darina Litvinova, [“Director of Moscow Library of Ukrainian Literature Accused of Inciting Hatred,”](#) *Moscow Times* (29 October 2015); Andrew Osborn, [“Russia Raids Ukrainian Library in Moscow, Arrests Head,”](#) *Reuters* (29 October 2015); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 304.

¹⁴⁴ Damien Sharkov, [“Kremlin Rejects Petition to Open Soviet Secret Police Archive,”](#) *Newsweek* (20 January 2016).

subject of several books and documentary films both in Russia and the West.¹⁴⁵

See also Georgia, Hungary, Latvia, Ukraine.

RWANDA

Previous *Annual Report* entries: 1998, 2000–2015.

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. The commission's report, published on 28 February 2015, concluded that the BBC had, among other things, abused press freedom and violated Rwandan law relating to genocide denial, revisionism, inciting hatred and divisionism. It recommended that the agreement between the Rwandan government and the BBC be terminated and that authorities initiate criminal and civil proceedings to deal with the alleged offenses. On 29 May 2015, RURA indefinitely suspended the BBC Kinyarwanda service. [See also *NCH Annual Report 2015*.]¹⁴⁶

The United Nations-run International Criminal Tribunal for Rwanda (ICTR), set up in 1994 to try those responsible for genocide and other serious violations of international humanitarian law in 1994, was due to close at the end of December 2015. The trial of Léon Mugesera, who had been transferred to Rwanda from Canada in 2012 and was accused, among other things, of public incitement to genocide, ended in Kigali. The high court was expected to deliver its judgement in April 2016. Courts in several European countries (France, Norway, Spain, Sweden) handled outstanding genocide cases.¹⁴⁷

See also Germany, Norway.

¹⁴⁵ Nick Holdsworth, "[Calls for Prosecution over PhD Thesis on Soviet Traitor](#)," *University World News* (11 March 2016).

¹⁴⁶ Human Rights Watch, *World Report 2015* (Washington: Human Rights Watch, 2015), 456; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 479.

¹⁴⁷ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 308–309; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 483.

SAINT VINCENT

Previous *Annual Report* entries: 2014.

SAUDI ARABIA

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

SENEGAL

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

See also Chad.

SERBIA / KOSOVO

Previous *Annual Report* entries: 2008–2015.

War crimes prosecutions in Serbia were hampered by a lack of support from authorities and weak witness protection mechanisms. Few high-ranking former military and civilian personnel implicated in serious wartime abuses were held to account in Serbian courts. In late 2015, fourteen war crimes trials were ongoing at first instance and seven were under appeal in the Serbian courts. Indictments had been issued in sixteen cases awaiting trial, including eight former Bosnian Serb police officers charged in September 2015 for their part in the murder of over 1,000 Bosniak civilians in Kravica, Srebrenica (Bosnia and Herzegovina) in July 1995 during the genocide, the first indictment for Srebrenica crimes in the Serbian courts. Thirteen cases were under investigation.

In November 2014, Vojislav Šešelj, the war crimes suspect and nationalist Serbian Radical Party leader, who had been charged with persecution, murder, forced deportation, illegal imprisonment, torture, and property destruction during the Yugoslav wars against Croats, Bosniaks, and other non-Serbs, was granted provisional release for medical treatment by the International Criminal Tribunal for the former Yugoslavia (ICTY). In March, the ICTY revoked his provisional release and ordered his return to The Hague. Šešelj defied the order and remained in Serbia. On 31 March 2016, he was

acquitted on all counts pending appeal.¹⁴⁸

In February 2015, the United Nations Committee on Enforced Disappearances urged Serbia to bring to justice all those—including senior officials—suspected of criminal responsibility for enforced disappearances during the armed conflict (1991–1995), and to guarantee reparation and legal status to relatives of the disappeared. In November 2015, a proposed bill on the rights of war veterans and civilian victims of war failed to recognize the right to reparation for victims of enforced disappearance and war crimes of sexual violence; a December amendment was not made public.¹⁴⁹

Kosovo

On 3 February 2016, Prentk Gjertaj, president of Kosovo's official commission on missing persons, called on Serbia to open its military and police archives in order to help find the locations of mass graves from the 1998–1999 war in Kosovo. More than 1,600 persons remained missing since the war. He also emphasized the need for a memorial center that conserved and displayed the possessions left behind by the missing who have been identified.¹⁵⁰

Inter-ethnic tensions were heightened by Kosovo's unsuccessful application for UNESCO membership (and thus the custody of Serbian cultural monuments).¹⁵¹

Measures to establish a special court to prosecute former members of the Kosovo Liberation Army (KLA) were repeatedly delayed in the Kosovo Assembly. The measures followed a European Union-led investigation into the abduction and transfer of Kosovo Serbs and other prisoners to Albania in 1999, where they were subsequently tortured and murdered. Under international pressure, legislation establishing the special court was finally approved in August 2015. Kosovo as well as the host country, the Netherlands, had yet to complete the remaining agreements for the practical establishment of the court. The special court would adjudicate cases investigated by the Special Investigative Task Force, prompted by a 2011 Council of Europe report accusing some KLA members of abductions, beatings, summary executions, and the forced removal of human organs in Kosovo and Albania during and after the Kosovo war (1998–1999).

In May 2015, the first instance court in the capital Pristina convicted six former KLA members to

¹⁴⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 135; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 494–495.

¹⁴⁹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 316.

¹⁵⁰ Petrit Collaku & Amire Qamili, "[Kosovo Asks Serbia to Open Military Archives](#)," *Balkan Insight* (3 February 2016).

¹⁵¹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 317.

a total of 65 years' imprisonment for the torture, ill-treatment, and murder of prisoners in the KLA detention center in Likovac. The decision was under appeal as of mid-November 2015. In June, former Prime Minister Ramush Haradinaj was arrested in Slovenia on a Serbian warrant for alleged war crimes during the war. Slovenia did not extradite Haradinaj to Serbia, but released him later that month.

The National Council for Survivors of Wartime Sexual Violence, led by President Atifete Jahjaga, made progress toward establishing a verification commission to process reparation claims. In November 2015, an action plan to ensure their access to justice was finalized. In December, a regulation on victims of sexual violence in conflict was adopted.

In April 2015, staff of the European Union Rule of Law Mission (EULEX) exhumed three bodies from a suspected mass grave in the village of Lausa. That same month, Kosovo authorities started searching for suspected mass graves in twenty locations. By the end of September 2015, mixed panels consisting of EULEX and local judges handed down one decision at the first instance level and one case in the Court of Appeals. EULEX has been involved in a total of 35 verdicts since it had been established in 2008.

1,650 people remained missing in the aftermath of the armed conflict; no further grave sites were identified in Serbia or Kosovo despite exhumations at potential mass graves. In Krushe-e Vogel, where 68 men were missing, the EULEX exhumed bodies—believed to have been misidentified—from the cemetery, without adequately notifying the men's relatives. The United Nations Interim Administration Mission in Kosovo (UNMIK) failed to provide reparation to the families of missing Kosovo Serbs, whose abductions had not been effectively investigated by UNMIK police.

The Human Rights Advisory Panel, an independent body set up in 2006 to examine complaints committed by or attributable to UNMIK, found violations in 31 out of 36 cases addressed between January and August 2015.¹⁵²

See also Bosnia and Herzegovina, Croatia, France.

SERBIA / MONTENEGRO

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

¹⁵² Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 317–318; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 497–498.

SIERRA LEONE

Previous *Annual Report* entries: 2000–2012.

In [2016], historian Ibrahim Abdullah's appointment as associate professor (2004–) and head of the Department of History and African Studies at Fourah Bay College, University of Sierra Leone, was changed from a tenured and pensionable position to a year's contract following a disagreement over the allocation of courses in his department. His salary was suspended and he was threatened with dismissal. Abdullah sent a complaint to President Ernest Bao Koroma, the chancellor of the university, but the matter was not taken up either by the presidential office or the Education Ministry. His colleagues sent a letter of protest to Koroma. Abdullah intended to bring the matter to court.

Abdullah was a contemporary historian, specialized in the history of the working class and youth development, and of culture and politics in West Africa. He taught in universities in Nigeria, South Africa, Canada and the United States before returning to Sierra Leone in 1997—in the middle of the civil war—to work at the University of Sierra Leone. A critic of the state of the university, he openly spoke against the decline of teaching and learning standards on the campus.¹⁵³

SINGAPORE

Previous *Annual Report* entries: 1998, 2009–2011, 2015.

On 12 May 2015, the court found Amos Yee Pang Sang (1998–) [see *NCH Annual Report 2015*] guilty of “[u]ttering words, etc., with deliberate intent to wound the religious or racial feelings of any person” and “distribution of any obscene book, pamphlet, paper, drawing, painting, representation or figure or any other obscene object whatsoever.” The remaining charge (“use [of] any threatening, abusive or insulting words or behavior”) was dropped, pending a possible trial in the future. The trial drew widespread criticism. On 6 July 2015, Yee was given a four-week prison sentence, equivalent to time served. In October, the High Court dismissed Yee's appeal of his conviction.¹⁵⁴

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

¹⁵³ Chernoh Alpha M. Bah, “[Sierra Leone: The War against Academic Freedom—FBC and the Case of Prof. Ibrahim Abdullah](#),” *All Africa* (18 March 2016).

¹⁵⁴ Julian Simmons, “[Lee Kuan Yew is Finally Dead! Blogger Prosecuted](#),” *Free Speech Debate* (9 October 2015); Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 503–504.

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.¹⁵⁵

SLOVAKIA

Previous *Annual Report* entries: 1997, 2002, 2007, 2009, 2011, 2013–2015.

SLOVENIA

Previous *Annual Report* entries: 2007–2009, 2011–2013, 2015.

The authorities failed to provide redress for the human rights violations committed against former permanent residents of Slovenia originating from other former Yugoslav republics, known as the "erased," whose legal status was unlawfully revoked in 1992. No new options had been offered to the remaining "erased" to restore their legal status and related rights since the expiry of the Legal Status Act in 2013. Less than half of the 25,671 "erased" persons had their status restored. In June 2015, the Constitutional Court ruled that compensation claims made by "erased" persons should not be subject to a statute of limitations, and courts should take into account the claimants' special status. [See also *NCH Annual Reports 2007–2009, 2011–2013, 2015.*]¹⁵⁶

See also Serbia/Kosovo.

¹⁵⁵ Mayo Martin, "[Graphic Novel 'Undermines Govt's Authority': NAC](#)," *Channel NewsAsia* (3 June 2015).

¹⁵⁶ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 323–324.

SOMALIA

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

SOUTH AFRICA

Previous *Annual Report* entries: 1996–2004, 2006–2010, 2012–2015.

After the events in early 2015 [see *NCH Annual Report 2015*], a Rhodes Must Fall movement was established. In reaction to a campaign, led by a South African student, to remove a statue of Cecil Rhodes from Oxford University's Oriel College as part of a drive to distance the university and its curriculum from Britain's colonial past, the university's Chancellor, Lord Patten, defended its historical relationship with Rhodes (one of the alumni and benefactors of Oriel College), saying that many of the university's scholars depended on activities that would be "unacceptable" in the modern world. Oriel College donors threatened to withdraw gifts and bequests if the statue was taken down. Other students demanded to change the name of a computer room at Oxford's University College.

In February 2016, a wave of student disturbances hit six South African universities, some of it inspired by the Rhodes Must Fall movement and partly directed against colonial symbols. On 16 February 2016, University of Cape Town (UCT) students burned down historic artworks and photographs linked to the Apartheid era (1948–1994). This included at least one, and possibly two, paintings by artist Keresemose Richard Baholo. In the 1990s, he painted a series of pictures of protests at the UCT featuring Jameson Hall in the background.¹⁵⁷

In June 2015, the Southern African Litigation Centre took the government to court in an attempt to force it to implement an International Criminal Court (ICC) arrest warrant for Sudan's President Omar al-Bashir, who was in South Africa for an African Union summit. The North Gauteng High

¹⁵⁷ Javier Espinoza, "[Cecil Rhodes: Lord Patten Warns against 'Pandering to Contemporary Views' over Statue Row](#)," *Telegraph* (13 January 2016); Javier Espinoza, "[Students demand Cecil Rhodes name to be removed from computer room at Oxford University](#)," *Telegraph* (18 January 2016); "[Spate of Student Violence Hits South African Universities](#)," *StarAfrica* (19 February 2016); Munyaradzi Makoni & Karen MacGregor, "[Violent Protests at Universities](#)," *University World News* (20 February 2016); Cheryl Hudson, "[History is not a Morality Play: Both Sides on #RhodesMustFall Debate Should Remember That](#)," *The Conversation* (30 January 2016); Zenobia Ismail, "[Taking the Fall for the Empire](#)," *University World News* (5 February 2016); Barbara Speed, "[Rhodes Isn't Falling at Oxford, but Universities' Racist Curriculums Still Could](#)," *New Statesman* (29 January 2016); Mia Swart, "[History Could Douse Campus Infernos](#)," *BDlive* (29 February 2016); Lizeka Tandwa, "[Historical Records like Rivonia Trial Documents Could Be Destroyed—Nzimande](#)," *News 24* (29 February 2016).

Court issued an interim order on 14 June preventing Bashir from leaving the country pending the finalization of the matter. On 15 June, North Gauteng High Court ordered the state respondents, who included the Ministers of Justice and Police, to arrest and detain Bashir for his subsequent transfer to the ICC. On 15 June, South African authorities allowed Bashir to leave the country in direct contravention of the interim court order. The North Gauteng High Court requested that the state submit an affidavit explaining how Bashir was allowed to leave the country. The state submitted its explanatory affidavit and filed for leave to appeal against the High Court judgment. On 16 September, the North Gauteng High Court denied the state leave to appeal, indicating that the issue was moot, and that there were no prospects of success on appeal. The state petitioned the Supreme Court of Appeal in October. Subsequently, South Africa stated it was considering withdrawing from the ICC.¹⁵⁸

See also Sierra Leone, United Kingdom.

SOUTH SUDAN

Previous *Annual Report* entries: 2013, 2015.

An armed conflict, which erupted in December 2013, pitted forces loyal to President Salva Kiir against those loyal to former Vice-President Riek Machar. Armed militia groups allied to each side participated in the fighting, which continued throughout 2015, but was more sporadic than previously. The authorities failed to hold anyone to account for crimes under international law committed during the armed conflict or to conduct thorough and impartial investigations into these crimes. The August 2015 peace agreement provided for the establishment of three mechanisms: a Commission on Truth, Reconciliation and Healing; a Compensation and Reparations Authority; and a Hybrid Court for South Sudan. The Commission on Truth, Reconciliation and Healing mandate covered the peace-building process, and included gender-based crimes and sexual violence. The Compensation and Reparations Authority mandate was to compensate for property losses incurred during the conflict. The Hybrid Court would have jurisdiction over crimes under international law and crimes established by the relevant laws of South Sudan; it was announced as an African-led and Africa-owned legal mechanism.

In 2014, the African Union (AU) Peace and Security Council (PSC) set up an AU Commission of Inquiry on South Sudan (AUCISS), chaired by former Nigerian President Olusegun Obasanjo, to

¹⁵⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 22, 329–330; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 513, 518.

investigate human rights violations and abuses committed during the armed conflict. Its mandate included recommending measures to ensure accountability and reconciliation. On 27 October 2015, the PSC published the report. It found evidence of systematic violations of human rights and crimes under international law by both warring parties, often committed with extreme brutality. It also found compelling evidence of extrajudicial killings, including ethnically motivated killings. Testimonies to the AUCISS consistently indicated that some 15,000 to 20,000 ethnic Nuer were killed during the first three days of conflict (15–18 December 2013). The report also found evidence of torture and mutilation of bodies; abductions; enforced disappearances; looting and pillaging; forcing victims to engage in cannibalistic acts; and forcing victims to jump into fires. Strong evidence was found supporting allegations of systematic sexual violence, which was a common feature of the atrocities committed by both sides. The AUCISS concluded that there was a high likelihood that rape was used as a weapon of war. It recommended that those with the greatest responsibility for atrocities be prosecuted and that the needs of victims, including reparations, be addressed. It called for the establishment of an ad hoc African legal mechanism under the leadership of the AU and other mechanisms for transitional justice similar to the provisions of the August peace agreement. It also recommended the reform of civil and criminal and military justice systems so as to contribute towards ensuring accountability.¹⁵⁹

SPAIN

Previous *Annual Report* entries: 1997, 1999, 2002–2015.

In July 2015, the new left-wing mayor of Madrid, Manuela Carmena, announced that she planned to remove the 167 remaining street names and other vestiges (squares, monuments) which referred to General Francisco Franco's dictatorship (1939–1975), including the Avenida del Comandante Franco. Many streets had already been renamed under the 2007 “historical memory” law. Valencia's mayor, Joan Ribó, set up a history commission whose task included reviewing street names (30 to 60), plaques and other symbols associated with Franco in order to remove them. After the Partido Popular (Popular Party) came to power in late 2011, however, it froze public funding for projects related to the historical memory law, including efforts to identify the remains in about 2,000 mass graves, seeing them as contrary to the conciliation principles embodied in the 1977 amnesty law.¹⁶⁰

¹⁵⁹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 22, 334–335; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 525.

¹⁶⁰ Marta Borraz, “[Manuela Carmena rebautizará las más de 150 calles franquistas de Madrid](#),” *El diario* (6 July 2015); Koen Greven, “Linkse burgemeester verwijdt dictator Franco na 40 jaar uit

In July 2015, the Defense Ministry blocked the declassification of archives dating from the Civil War (1936–1939) and subsequent Franco dictatorship (1939–1975), arguing that it was not a priority in times of crisis. The documents, dating from between 1931 and 1968 and stored in over 10,000 folders, had been classified in 1968 under the Law of Official Secrets. Historians had had access to part of them in the 1980s but access was blocked again in 2010.¹⁶¹

Despite a recent ban on universal jurisdiction cases, Judge Santiago Pedraz declared that he would continue investigations of eight Guatemalan officers implicated in human rights abuses during Guatemala's civil war (1960–1996).¹⁶²

The definitions of enforced disappearance and torture in Spanish legislation continued to be inconsistent with international human rights law. Restrictions on the exercise of universal jurisdiction led to the closure of major international cases. In particular, the Audiencia Nacional Court decided in July 2015 to halt its investigation into torture and other ill-treatment at the United States detention center in Guantánamo Bay, Cuba, despite the submission in May of documents indicating that Spanish agents had been implicated in interrogations of detainees at the detention facility. An appeal was pending at the end of 2015.

Also in July 2015, a military court closed investigations into the torture of two prisoners committed by five Spanish soldiers at a Spanish military base in Iraq in 2004, on the basis that it had not been able to identify either the perpetrators or the victims. Questions remained on the thoroughness of the investigation by the military court.

The rights to truth, justice and reparation continued to be denied to victims of crimes committed during the Civil War (1936–1939) and the Franco era (1939–1975), as Spanish authorities failed to adequately co-operate with the Argentine judiciary investigating such crimes. In March 2015, the government rejected a request by the Argentine courts for the extradition of 17 people. Subsequently, a group of United Nations experts urged Spain to comply with its obligations to extradite or prosecute those responsible for grave human rights violations.¹⁶³

See also Rwanda.

straatbeeld,” *NRC Handelsblad* (7 July 2015); [“Spanish Dictator Franco Names to Go from Madrid Streets,” BBC News](#) (7 July 2015); Raphael Minder, [“Civil War Legacy Continues to Divide Spain’s Politics and Its Streets,” New York Times](#) (19 November 2015).

¹⁶¹ [“Franco-era Secrets to Remain Secret, Says Govt,” The Local](#) (25 June 2015).

¹⁶² Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 281.

¹⁶³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 338–339.

SRI LANKA

Previous *Annual Report* entries: 1998–2004, 2008–2015.

During the period after the end of the civil war (1983–2009) until Maithripala Sirisena’s election as president in January 2015, a hard-line group called the Bodu Bala Sena (BBS, Buddhist Power Force; established 2012) aggressively asserted Sinhalese Buddhist dominance and deployed a selective reading of Sri Lanka’s history—excluding the contributions of indigenous and non-Sinhalese communities. In so doing, it fanned fears of an existential threat to Buddhism and incited mobs to demolish mosques and riot against Muslims. At a rally in 2012, BBS leader Galagodaththe Gnanasara likened the Sri Lankan military’s victory of 2009 to the ancient conquest of Tamil chief Ellalan by Sinhalese King Vijaya. “Tamils have been taught a lesson twice,” he said and he warned other minorities if they tried to “challenge Sri Lankan culture.” In the north and east, where most Muslims lived, national monuments were erected to honor Buddhist kings; Buddha statues were placed in areas sacred to Muslims or Tamils. In Kuragala, the Culture Ministry built a Buddhist stupa at a Sufi Muslim cave, declaring it an ancient monastery site. The revisionist version of history was celebrated in films, books, television programs and state-run newspapers.¹⁶⁴

On 1 May 2015, a mob attacked Nirmal Ranjith Dewasiri—head of the history department, University of Colombo, former president of the Federation of University Teachers’ Association (FUTA) and its current media spokesperson—and Kumudu Kusum Kumara, a public intellectual, at Kirulapone where political parties supporting former President Mahinda Rajapaksa held a May Day rally. The attackers shouted that both were responsible for defeating Rajapaksa during the January 2015 presidential elections. Dewasiri had supported Maithripala Sirisena, who won the elections. Dewasiri was taken to the hospital but his condition was not serious.¹⁶⁵

President Maithripala Sirisena declared 19 May, the anniversary of the end of the armed conflict (1983–2009), to be Remembrance Day, and stressed that it was a day to commemorate all war dead. This move suggested that earlier restrictions on public commemorations by northern Tamils would be lifted. Although memorial events were permitted in most areas, a heavy police presence was reported at such gatherings in the north and east, and ceremonies were reportedly prohibited by the security forces in Mullaitivu, the site of the final offensive. [See also *NCH Annual Report 2015*.]¹⁶⁶

¹⁶⁴ Rohini Mohan, “[Sri Lanka’s Violent Buddhists](#),” *New York Times* (2 January 2015).

¹⁶⁵ FUTA, “[The FUTA Statement on the Attack on Dr Nirmal Ranjith Dewasiri and Dr Kumudu Kusum Kumara](#),” *Sri Lanka Brief* (2 May 2015); Chaminda Perera, “[Dr. Nirmal Ranjith Dewasiri Attacked near Pro-MR May Day Rally](#),” *Daily News* (2 May 2015).

¹⁶⁶ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 341.

Impunity persisted for alleged crimes under international law committed during the armed conflict (1983–2009), including enforced disappearances, extrajudicial executions and the intentional shelling of civilians and protected areas such as hospitals. The report of an investigation into civilian deaths during the armed conflict, released in October 2015, called for new legislation recognizing command responsibility and an independent judicial inquiry into credible allegations that members of the armed forces may have committed war crimes. A United Nations (UN) investigation into alleged abuses committed during the final years of the armed conflict, including enforced disappearances and military attacks targeting civilians, concluded that these abuses, if established before a court of law, could amount to war crimes and/or crimes against humanity. It recommended reforms to address ongoing violations and the establishment of a hybrid court to address crimes under international law, with which the government signaled agreement. Based on this report, the UN Human Rights Council, with Sri Lanka's acquiescence, adopted a consensus resolution that recommended establishing a special court "integrating international judges, prosecutors, lawyers and investigators" with an independent Sri Lankan investigative and prosecuting body. The resolution was left with the government to work out the details for this body, including the role and number of the tribunal's foreign judges and prosecutors. The government has since turned to civil society groups from across the country for their input on this and a resolution-endorsed truth and reconciliation commission. Through the resolution, the government accepted many recommendations to improve the human rights situation, including a repeal of the draconian Prevention of Terrorism Act (PTA), and reforms to the Witness and Victim Protection Law. Some key undertakings in the resolution included the establishment of a dedicated office on enforced disappearances; a truth, justice, and reconciliation commission; and an office on reparations. In November 2015, the government began planning public consultations throughout the country as an initial step towards the establishment of these offices.

Also in November 2015, the UN Working Group on Enforced and Involuntary Disappearances visited Sri Lanka at the invitation of the government. The group noted the almost complete lack of accountability for disappearances and the lack of sustained efforts to uncover the truth about what happened to the victims. The group also expressed concern that some of the people they had met with on their trip were subsequently visited by members of the security forces and were questioned about their meeting with the group.

The Presidential Commission to Investigate into Complaints Regarding Missing Persons received 18,586 reports of missing civilians, but made little progress in clarifying their fate or whereabouts or bringing perpetrators of enforced disappearance to justice. In October 2015, the government, noting a widespread lack of confidence in the commission, announced that it would replace it with another body. In December 2015, it signed and promised to ratify the 2006 International Convention for the Protection of All Persons from Enforced Disappearance and to criminalize enforced

disappearances.¹⁶⁷

See also Malaysia.

SUDAN

Previous *Annual Report* entries: 2002–2003, 2006–2015.

The armed conflict in Darfur (2003–) entered its twelfth year in 2015. Although large-scale fighting between the government and armed groups had subsided, there were sporadic clashes, acts of banditry and incidents of intercommunal violence. An estimated 223,000 people were displaced from their homes by conflict during 2015, bringing the total number of internally displaced persons in Darfur to 2.5 million. March 2015 marked the ten-year anniversary of the Security Council’s referral of the situation in Darfur to the International Criminal Court (ICC). Since then, the ICC has issued arrest warrants for five individuals, including President al-Bashir, for war crimes, crimes against humanity, and genocide in connection with atrocities in Darfur. Sudan refused to cooperate with the court in any of the cases. In December 2014, ICC Chief Prosecutor Fatou Bensouda told the United Nations Security Council that she was “hibernating” her investigations on Darfur and urged the council to make “a dramatic shift” in its approach to states that did not cooperate with the court’s requests on arresting Darfur suspects.¹⁶⁸

See also China, India, South Africa.

SURINAME

Previous *Annual Report* entries: 2001–2004, 2009–2010, 2012–2013, 2015.

In [2016], the National Reparations Committee Suriname (NRCS), led by former minister Armand Zunder (1946–), pleaded to remove symbols of Dutch colonialism and to “decolonize” geographical

¹⁶⁷ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 38, 340–341; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 528–529.

¹⁶⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 345; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 540–541.

names by reverting to their original Indian names. Streets named after colonial politicians had to be given names of Suriname heroes. On 1 July 2015, the old coat of arms of the Dutch private company Society of Suriname that “owned” Suriname from 1683 to 1795 was removed from the presidential palace and put in a museum.¹⁶⁹

See also Netherlands.

SWAZILAND

Previous *Annual Report* entries: 2011, 2013.

Swaziland’s dual legal system, where both Roman-Dutch common law and Swazi customary law operated side by side, resulted in conflict leading to numerous violations of women’s rights, despite constitutionally guaranteed equality. In practice, women, especially those living in rural areas under traditional leaders and governed by highly patriarchal Swazi law and custom, were often subjected to discrimination and harmful practices. Young women and girls were forced to take part in cultural activities like the Umhlanga reed dance. Families of girls and young women who failed to take part in such cultural activities were often punished or fined by their chiefs. Traditional structures and practices prohibited women from speaking in public at men’s gatherings and presented significant challenges for women’s political participation. Violence against women was endemic. Survivors of gender-based violence had few avenues for help as both formal and customary justice processes discriminated against them. Civil society activists criticized the widely held view among traditional authorities that human rights and equal rights for women were foreign values that should be subordinated to Swazi culture and tradition.¹⁷⁰

SWEDEN

Previous *Annual Report* entries: 1998.

See Bangladesh, Denmark, Rwanda.

¹⁶⁹ Nina Jurna, “Hoezo Julianatop? De indiaanse naam Ipinumin moet weer terug,” *NRC Handelsblad* (11 maart 2016).

¹⁷⁰ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 545.

SWITZERLAND

Previous *Annual Report* entries: 1997, 1999–2000, 2004, 2007–2009, 2014.

On 15 October 2015, the Grand Chamber of the European Court of Human Rights ruled in the case of Doğu Perinçek [see *NCH Annual Reports 2008–2009, 2014*]. Balancing the rights of others (the dignity of the victims of the 1915 Armenian massacres and the dignity and identity of modern-day Armenians) under Article 8 (the right to respect for private life) and Perinçek's free expression (under Article 10), it confirmed the 2013 judgment by ten votes to seven. In particular, the Court took into account the following elements: Perinçek's statements bore on a matter of public interest and did not amount to a call for hatred or intolerance; the context in which they were made had not been marked by heightened tensions or special historical overtones in Switzerland; the statements could not be regarded as affecting the dignity of the members of the Armenian community to the point of requiring a criminal law response in Switzerland; there was no international law obligation for Switzerland to criminalize such statements; the Swiss courts appeared to have censured Perinçek simply for voicing an opinion that diverged from the established ones in Switzerland; and the interference with his right to freedom of expression had taken the serious form of a criminal conviction. The Court also underlined that it was not required to determine whether the 1915 events could be characterized as genocide within the meaning of that term under international law; unlike the international criminal courts, it had no authority to make legally binding pronouncements on this point. In addition, the Court was not required to determine whether the criminalization of the denial of a genocide or other historical facts could *in principle* be justified. In examining the nature of Perinçek's statements, the Court had also not sought to establish whether they could properly be characterized as genocide denial or justification for the purposes of the Swiss Criminal Code as that was for the Swiss courts to determine. The Court emphasized that Perinçek did not express contempt or hatred for the victims of the 1915 events. While in cases concerning statements denying the Holocaust, the Court had—for historical and contextual reasons—invariably presumed that they could be seen as a form of incitement to racial hatred, it did not consider that the same could be done in this case. Holocaust denial, even if dressed up as impartial historical research, had to be considered as implying anti-democratic ideology and anti-Semitism. The Court considered that Holocaust denial was especially dangerous in states which experienced the Nazi horrors and which could be regarded as having a special moral responsibility to distance themselves from the mass atrocities that they had perpetrated or abetted, by, among other things, outlawing their denial. By contrast, it had not been argued that there was a direct link between Switzerland and the events that took place in the Ottoman Empire in 1915. The Court held, by a majority, that the finding of a violation of Article 10 constituted in itself sufficient just satisfaction for any non-pecuniary damage suffered by

Perinçek.¹⁷¹

SYRIA

Previous *Annual Report* entries: 2001–2002, 2004–2015.

On 15 March 2012, military intelligence detained computer engineer Bassel Khartabil (also known as Bassel Safadi) ([1982–]) [see also *NCH Annual Report 2015*.] A Syrian of Palestinian parents and 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 (see also below). He was held in incommunicado detention for eight months before his transfer to ‘Adra prison in Damascus in December 2012. He was tortured and ill-treated. On 9 December 2012, a Field Court (an exceptional court conducting secret trials) imprisoned him. On 21 April 2015, the United Nations Working Group on Arbitrary Detention declared his detention a violation of the International Covenant on Civil and Political Rights. On 3 October 2015, Khartabil managed to inform his family that he was transferred to an undisclosed location. It is feared that he was tried and sentenced to death by a Military Field Court in the Military Police headquarters in Al-Qaboun, Damascus. Also in October, his colleagues produced a new 3D model of Palmyra using data collected by him before his detention.¹⁷²

On 21 May 2015, after seizing Tadmur, Islamic State (IS) militants occupied the UNESCO World Heritage site of Palmyra. Called the “Venice of the Sands,” Palmyra was an ancient watering place on a trade route between the Mediterranean coast and the valley of the river Euphrates that became the center of an empire during the 3th century AD, which fought the Romans and the Sasanian Persians. Syria’s head of antiquities, Maamoun Abdulkarim, said that hundreds of Palmyra’s statues had been moved to safety but that large monuments could not be transferred. In July 2015, Palmyra’s theater served as an execution ground for captured government soldiers. On 23 August 2015, IS militants blew up the

¹⁷¹ European Court of Human Rights (Grand Chamber), [Case of Perinçek v. Switzerland: Judgment](#) (2015); [Press Release](#) (2015); [Q&A](#) (2015); Dirk Voorhoof, “[Criminal Conviction for Denying the Armenian Genocide in Breach with Freedom of Expression, Grand Chamber Confirms](#),” *Strasbourg Observers* (19 October 2015).

¹⁷² “[Break the Silence: Campaign for Jailed Human Rights Activists](#),” 10 December 2014; PEN International, “Syria: No Word on Activist’s Whereabouts” (4 November 2015); PEN International, “Syria: Renewed Calls for Bassel Khartabil’s Release on 4th Anniversary of Detention” (17 March 2016); Human Rights Council, Working Group on Arbitrary Detention, “Opinions Adopted at its 72nd Session, 20–29 April 2015—No.6/2015 (Syrian Arab Republic) (A/HRC/WGAD/2015; 6 May 2015).

ancient Temple of Baalshamin (1st century AD). The militants also attempted to blow up the Temple of Bel (Temple of Baal), the great sanctuary of the Palmyrene Gods and the most important structure of the site, but partly failed. Several funerary towers in the area known as the Valley of Tombs (including the Tombs of Iamblichus, Elahbel and Atenatan) were destroyed and looted. On 4 October 2015, the Arch of Triumph was blown up. On 27 March 2016, government forces recaptured Palmyra from IS. Abdulkarim said that the damage to the ancient city was less than previously feared.¹⁷³

On 18 August 2015, Islamic State (IS) militants beheaded archaeologist and historian Khaled al-Asaad (1934–2015), director of antiquities in Palmyra for 40 years (1963–2003), at a square outside the museum in Tadmur, in front of dozens of people. IS supporters circulated online photos showing his body tied to a traffic light. His severed head was placed underneath it. A sign attached to the body accused him of being an apostate who supported the al-Assad government, of representing Syria at overseas conferences with “infidels,” of being director of Palmyra’s “idols,” of visiting Iran and communicating with a brother in the Syrian security services. IS had detained and interrogated him in May for a few days and then in July-August for over a month to extract information about where valuable artefacts were hidden. Like many Syrian professionals, al-Asaad had been a member of the ruling Baath Party.

Qasem Abdullah Yehiya, assistant director of laboratories of the Directorate-General of Antiquities and Museums, died in a rocket attack on the Citadel of Damascus and the National Museum in mid-August 2015.¹⁷⁴

¹⁷³ [“Syrian Forces Battle IS near Ancient Ruins of Palmyra,”](#) *BBC News* (15 May 2015); Kevin Butcher, [“Palmyra: IS threat to ‘Venice of the Sands’,”](#) *BBC News* (15 May 2015); [“Islamic State Seizes Syria’s Ancient Palmyra,”](#) *BBC News* (21 May 2015); [“Palmyra’s Baalshamin Temple ‘Blown up by IS’,”](#) *BBC News* (24 August 2015); Jonathan Amos, [“Palmyra: Satellite Image of IS Destruction,”](#) *BBC News* (29 August 2015); [“Palmyra’s Temple of Bel ‘still Standing’,”](#) *BBC News* (31 August 2015); Dominic Bailey, [“Palmyra: Islamic State’s Demolition in the Desert,”](#) *BBC News* (5 October 2015); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 51, 352.

¹⁷⁴ [“Islamic State Militants Behead Archaeologist in Palmyra: Syrian Official,”](#) *Reuters* (18 August 2015); [“Syrian Archaeologist ‘Killed in Palmyra’ by IS Militants,”](#) *BBC News* (19 August 2015); Ben Hubbard, [“Syrian Expert Who Shielded Palmyra Antiquities Meets a Grisly Death at ISIS’ Hands,”](#) *New York Times* (19 August 2015); [“UNESCO Director-General Irina Bokova Deplores the Loss of Two Leading Scholars of Syrian antiquity”](#) (UNESCO Press; 19 August 2015); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 352.

TAIWAN

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

On 30 July 2015, about 700 nationalist students belonging to the Sunflower Movement climbed barricades around the Ministry of Education compound and early on 31 July about 200 students were encamped inside the compound, demanding an audience with Education Minister Wu Se-hwa in order to drop the pro-Chinese history curricula and textbooks. Over the past several months, young activists had demonstrated in protest against the government's pro-Beijing "one China" policy. A week earlier, police had arrested 33 people—including student activist Lin Kuan-hua ([1985]–2015)—for illegal entry and damaging public property when a group of students had burst into the education minister's office and blocked authorities from entering. Wu reportedly threatened to file a criminal complaint against the arrested protesters. Lin then committed suicide, intensifying the anti-China protests.¹⁷⁵

After Tsai Ing-wen of the Democratic Progressive Party won the presidential elections in January 2016, the movement to re-evaluate Taiwan's authoritarian past gained strength. Among the injustices brought to new attention were the 228 Incident (a 1947 crackdown on protesters who voiced discontent over the then Kuomintang party's rule over Taiwan as it faced defeat by the Communists in mainland China; estimates of the number of civilians killed in the crackdown ranged from 2,000 to more than 25,000 civilians) [see also *NCH Annual Reports 2008, 2012*] and the White Terror (1949–1992). The Chinese Nationalist Party Kuomintang ruled Taiwan as a one-party state from 1945 until the first democratic presidential election in 1996.

From 1947 to 1987, tens of thousands of Taiwanese were imprisoned and at least 1,000 were executed, most in the early 1950s, after being accused of spying for Communist China. Although many archival records were destroyed, especially before the Archives Act was adopted in 2002, many court records and letters of prisoners written before their execution still survived. In 2012, Democratic Progressive Party Legislator Yu Mei-nu proposed a political archives act (co-drafted with the Taiwan Association for Truth and Reconciliation [TATR] and modeled on the Stasi Records Act passed by Germany in 1991) to regulate the archives of political persecution cases, but her motion was blocked at least 74 times by Kuomintang lawmakers. The draft act aimed at distinguishing "political victims" from "perpetrators" and granting the former and their families, not the latter, free files access and privacy protection. Yu intended to reintroduce the bill in parliament.

¹⁷⁵ Aftab Ali, "[Taiwan's Students Storm Education Ministry in Taipei in Protest of 'pro-China' Textbooks after Activist, Lin Kuan-hua, Takes His Own Life](#)," *Independent* (31 July 2015); Reuters, "[Taiwan Students Storm Education Ministry Compound in Textbook Protest](#)," *Daily Mail* (31 July 2015); Marije Vlaskamp, "[Studenten bestormen ministerie Taiwan uit woede over geschiedenisboeken](#)," *Volkskrant* (31 July 2015).

In February 2016, the news that the military police searched without a warrant the home of a civilian selling White Terror era documents sparked a public uproar. According to the military, the documents held and sold online by the civilian were related to Chinese communist spies and their confessions after they surrendered to the Kuomintang government in the 1960s and 1970s.¹⁷⁶

TANZANIA

Previous *Annual Report* entries: 2010.

History textbooks reportedly mentioned that in 1963 a bloody revolution took place in Zanzibar, without any reference, however, to the massacre of about 30,000 persons (mainly Arabs) during that revolution.¹⁷⁷

THAILAND

Previous *Annual Report* entries: 1995, 1999, 2001–2002, 2005, 2007–2015.

On 11 November 2015, the Chang Puak Police Station in northern Chiang Mai Province issued a summons to Attachak Sattayanurak, a history lecturer from Chiang Mai University, and seven other academics to report to the police station on 24 November 2015. According to Attachak, the summons was related to a joint statement of a national network of academics, which he read out in a public lecture hall on 31 October 2015. The statement urged the junta not to intervene in academic freedom, saying that “universities are not military camps.” After the May 2014 coup d’état, military and police officers had come to Attachak’s house while he was on a fellowship program in Japan. Upon his return, the officers had showed up at the university several times in order to talk with him.¹⁷⁸

Prime Minister General Prayut frequently stated that soldiers should not be condemned for violence connected to the military dispersal of street protests organized by the activist group United Front for Democracy against Dictatorship (UDD), known as the “Red Shirts,” in April and May 2010—in

¹⁷⁶ Paul Mozur, “[Taiwan Families Receive Goodbye Letters Decades After Executions](#),” *New York Times* (3 February 2016); Cindy Sui, “[Taiwan Kuomintang: Revisiting the White Terror years](#),” *BBC News* (13 March 2016); Alison Hsiao, “[Legislator Calls for Act to Archive Sensitive Documents](#),” *Taipei Times* (15 March 2016).

¹⁷⁷ Anonymous, personal communication (27 January 2016).

¹⁷⁸ “[Defiant Academic Summoned after Calling for Academic Freedom](#),” *Prachatai / English* (19 November 2015).

which 90 people died and more than 2,000 were injured—despite evidence that most casualties resulted from unnecessary or excessive use of lethal force by soldiers. No military personnel were charged for killing and wounding civilians at that time. The government, however, expedited investigations into cases in which persons connected to the UDD used violence in 2010, and UDD leaders and supporters faced serious criminal charges. In contrast, there was little progress in investigating or prosecuting alleged rights abuses and criminal offenses committed by the People's Alliance for Democracy (PAD), the so-called “Yellow Shirts,” and by the People's Democratic Reform Committee (PDRC) during political confrontations in 2008 and 2013–2014, respectively.¹⁷⁹

See also United States.

TIMOR-LESTE

Previous *Annual Report* entries: 2003–2013, 2015.

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. No progress by the authorities was reported in implementing recommendations addressing impunity from the Commission for Reception, Truth and Reconciliation (CAVR) and the bilateral Indonesia-Timor-Leste Commission of Truth and Friendship (CTF). In September 2015, a follow-up report by the United Nations Working Group on Enforced or Involuntary Disappearances noted with regret that Timor-Leste had yet to debate a draft law on the establishment of a Public Memory Institute, intended to implement the CAVR and CTF recommendations.¹⁸⁰

TOGO

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

¹⁷⁹ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 565–566.

¹⁸⁰ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 362.

TUNISIA

Previous *Annual Report* entries: 2001, 2011–2015.

On 24 December 2013, the National Constituent Assembly (NCA) adopted the Law on Establishing and Organizing Transitional Justice. The law provided criminal accountability via specialized chambers within the civil court system to adjudicate cases arising from past human rights violations, including abuses committed by military and security forces. The law also established an Instance vérité et dignité (IVD; Truth and Dignity Commission) tasked with uncovering the truth about abuses committed between July 1955, shortly before Tunisia's independence from France, and the law's adoption in 2013. The NCA elected 15 IVD members on 15 May 2014. In August 2015, the IVD said it had received 16,000 complaints from people alleging human rights abuses and had begun processing them.

On 14 July 2015, however, the government approved a draft Law on Economic and Financial Reconciliation, strongly supported by President Beji Caid Essebsi. If enacted, the law would offer broad amnesty to officials of former President Zine El Abidine Ben Ali's regime (1987–2011) and terminate prosecutions and trials of, and cancel any sentences against, corrupt business executives who submitted a reconciliation request to a state-run commission. The proposed law would threaten the IVD's role to mediate cases relating to corruption and economic crimes, which were endemic during the Ben Ali rule.

On 29 February 2016, the director of the national archives, Hedi Jalleb, announced that the presidential archives were available for use by the IVD. [See also *NCH Annual Report 2015*.]¹⁸¹

TURKEY

Previous *Annual Report* entries: 1995–1998, 2000–2015.

In May 2008, the government blocked all access to YouTube under the 1951 law that prohibited “insulting the memory of Atatürk” because it contained about ten videos that were deemed insulting to former President Mustafa Kemal Atatürk (1881–1938) by the court that issued the ban. It remained in effect until October 2010. Serkan Cengiz, Yaman Akdeniz and Kerem Altıparmak, university lecturers in law, challenged the ban in the name of free expression, a reasoning which was confirmed by the

¹⁸¹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 56; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 573–575; “[Les archives de la présidence finalement mises à la disposition de l’IVD](#)” *Espace Manager* (29 February 2016).

European Court of Human Rights in December 2015. The Court noted, *inter alia*, that the lecturers were active YouTube users who accessed videos related to their work and also uploaded academic work. In addition, it pointed out the importance of YouTube as a means to disclose political information ignored by mainstream media, thereby contributing to the emergence of citizen journalism. The interference, it maintained, was also unlawful because the Atatürk law allowed bans of specific publications only, not blanket bans of entire websites.¹⁸²

In April 2015, commemorations were held to mark the 100th anniversary of the 1915 massacres of Armenians in Ottoman Turkey with peaceful demonstrations across the country. No progress was made towards fully recognizing the crimes committed.¹⁸³

After the 7 June general elections, the Justice and Development Party (AK Party) reportedly destroyed two truckloads of official documents (regarding, among others, dissenters, fund expenditures and civil servant recruitment) after it lost its overall majority in Parliament. Most of the destruction was reportedly done in the Prime Ministry.¹⁸⁴

On 14 January 2016, Ramazan Kurt, a PhD student of philosophy and history of philosophy at the Faculty of Social Studies of Erzurum Atatürk University, was detained in his home and suspended because he had signed a petition calling on the government to end its military operations in southeastern Turkey, including in civilian areas. The petition was drafted by the Initiative of Academics for Peace, signed by 1128 scholars from 89 Turkish universities and by more than 300 scholars from abroad, and issued on 11 January 2016. Kurt was charged with “terror propaganda,” “incitement to hatred or defaming people” and “defaming the state’s judicial bodies.” He testified before the prosecutor. The court released him the same day pending investigation but imposed an overseas travel ban. The university condemned the petition as a latent support for separatists.

On 13 January 2016, Kurt had received threats, including by telephone, visits to his office, a social media campaign against him, and a protest by a far-right group and students. He complained to the prosecutor and requested police protection, but the police said they could not provide protection. Kurt left for his hometown in İzmir province because of safety fears. All the Turkish signatories of the petition were placed under investigation.¹⁸⁵

¹⁸² European Court of Human Rights, [Cengiz versus Turkey: Judgment](#) (2015); Marina van Riel, [“Cengiz and Others v. Turkey: A Tentative Victory for Freedom of Expression Online,”](#) *Strasbourg Observers* (5 January 2016).

¹⁸³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 369.

¹⁸⁴ [“Report: AK Party Has Destroyed 2 Truckloads of Documents since Election,”](#) *Today’s Zaman* (10 August 2015).

¹⁸⁵ [“Ramazan Kurt,”](#) *Academic Freedom Monitor* (14 January 2016); [“Investigations, Universities’ Reactions against Academics,”](#) *Bianet* (15 January 2016); [“Turkish Academic Supports Probes,”](#)

See also Armenia, Cyprus, Switzerland, United States.

TURKMENISTAN

Previous *Annual Report* entries: 2001–2004, 2009, 2011–2012, 2015.

Despite plans for constitutional reform and the establishment of an ombudsman institution, President Gurbanguly Berdymukhamedov and his associates enjoy unlimited power and total control over all aspects of public life in Turkmenistan. The Turkmen government often forced people to gather for hours for events attended by Berdymukhamedov. They were not permitted to leave or use the toilet. According to the Turkmen Initiative for Human Rights (TIHR), a Vienna-based group, on 5 August 2015, many were forced to wait for almost seven hours in the sun in heat of 41 degrees Celsius (105.8 degrees Fahrenheit) to welcome Berdymukhamedov for the opening of a new stadium in Ashgabat. Three of them died the same day.¹⁸⁶

The whereabouts of prisoners who were subjected to enforced disappearance after an alleged assassination attempt against then President Saparmurat Niyazov in 2002 remained unknown. The authorities did not respond to a request made in June 2015 during the European Union-Turkmenistan Human Rights Dialogue to provide relevant information. For 13 years, the families of those detained had not received any information about their whereabouts or wellbeing.¹⁸⁷

[Urges for Moderation](#),” *Asbarez* (3 February 2016); “[Over 120 Academics Face Investigations for Signing Peace Declaration](#),” *Cihan* (4 February 2016); Human Rights Watch, “[Turkey: Academics Jailed For Signing Petition](#)” (16 March 2016).

¹⁸⁶ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 586.

¹⁸⁷ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 374.

UGANDA

Previous *Annual Report* entries: 2005–2009, 2011–2013, 2015.

On 6 January 2015, Dominic Ongwen, a senior commander in the Lord's Resistance Army (LRA) was taken into custody by United States forces in the Central African Republic, and subsequently transferred to the custody of the International Criminal Court (ICC). Ongwen was indicted by the ICC in 2005 for crimes committed in Gulu, Northern Region, in 2004. He faced three counts of crimes against humanity and four counts of war crimes. On 10 September 2015, the ICC pre-trial chamber recommended to the ICC Presidency that Ongwen's confirmation of charges hearing be heard in Uganda. ICC arrest warrants for Joseph Kony, the LRA leader, and two other LRA commanders remained in force. The men were still at large at the end of 2015.¹⁸⁸

See also Central African Republic.

UKRAINE

Previous *Annual Report* entries: 1996, 2009–2011, 2014–2015.

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.¹⁸⁹

In April 2015, the authorities banned a number of Russian films (films made in Russia after January 2014 and post-1991 films portraying the Russian military in a positive light) which allegedly distorted history.

In May 2015, a package of "decommunization" laws entered into force that banned Nazi and Communist symbols and criminalized denial of the "criminal nature of the Communist totalitarian regime," punishable by up to five years' imprisonment. "Propaganda" of either ideology was punishable by up to ten years' imprisonment. Another law, entitled "On the Legal Status and Honoring of Fighters for Ukraine's Independence in the Twentieth Century" recognized as "fighters for independence" nationalist groups that fought Germany during World War II but also those who collaborated with the

¹⁸⁸ *Amnesty International, Report 2015/16* (London: Amnesty International, 2016), 22, 377–378.

¹⁸⁹ Tatyana Malyarenko, "Universities under Fire in Ukraine's War," *Index on Censorship* (Summer 2015), 17.

Nazis and were implicated in atrocities and ethnic cleansing. The law ruled that denial or disrespect of their role in fighting for Ukrainian independence was an unlawful “desecration of their memory.” In June 2015, the parliament passed a law to make public archives of Ukraine’s Soviet-era KGB files. The Soviet term “Great Patriotic War” was replaced with “Second World War.” Historian Volodymyr Vyatrovych [Viatrovych] (1978–), founder of the nongovernmental Center for Research on the Liberation Movement (2002), former director of the Security Service of Ukraine Archives (2008–2010) and the director of the Ukrainian National Memory Institute, had introduced the laws in parliament. Critics said that the laws provided the infrastructure for an official version of Ukrainian twentieth-century history and would curtail critical views of that history.¹⁹⁰

In 2015, no significant progress was achieved in accountability for perpetrators of abuses during the 2014 Maidan protests, in which more than 100 protesters and 13 law enforcement officers died and many were injured. In its March 2015 report, the Council of Europe’s International Advisory Panel criticized the slow progress and poor quality of the investigation, noting a “widespread perception of impunity” on the part of law enforcement agencies.

In December 2015, the authorities established a Special Investigation Division within the Prosecutor General’s Office tasked specifically with Maidan-related investigations. The prosecutor’s office claimed that it had identified all senior government officials who took part in decision-making during the Maidan events, but in late 2015, it was unclear whether any had been charged. Authorities detained several riot police officers suspected of killing protesters from 18 to 20 February 2014. In late 2015, the trial of two of them remained ongoing. Many of the alleged perpetrators had reportedly left Ukraine.¹⁹¹

In September 2015, the government issued a declaration accepting the jurisdiction of the International Criminal Court (ICC) for crimes committed in the country since 20 February 2014. Although Ukraine was not yet an ICC member state, this declaration paved the way for the ICC prosecutor to consider whether the court should investigate abuses committed during the armed conflict. A February 2015 parliamentary resolution that prompted the government’s declaration attempted to cast the ICC’s potential inquiry as limited to alleged crimes committed by Russia or Russia-backed forces, but the ICC prosecutor would be able to consider conduct by all sides to the conflict. The government had

¹⁹⁰ Lily Hyde, “[Ukraine to Rewrite Soviet History with Controversial ‘Decommunisation’ Laws](#),” *Guardian* (20 April 2015); Yulia Gorbunova, “[Ukraine Shouldn’t Take a Leaf out of Russia’s Book](#),” *Human Rights Watch* (11 August 2015); Shaun Walker, “[Russian Region Bans British Historians, Books from Schools](#),” *Guardian* (5 August 2015); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 380; Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 599, 600.

¹⁹¹ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 598.

also accepted ICC jurisdiction for the time period covering the Maidan protests during the period 21 November 2013—22 February 2014. In November 2015, the ICC prosecutor reported that based on the information available, the abuses committed during that period did not amount to crimes against humanity, but that the prosecutor could reconsider this in light of any additional information.¹⁹²

See also Russia.

UNITED ARAB EMIRATES

Previous *Annual Report* entries: 2013.

In May 2015, the Dubai Criminal Court sentenced an Indian national to one year in prison, followed by deportation, after it convicted him of blasphemy in relation to a Facebook post deemed to “insult” Islam and the Prophet Muhammad.¹⁹³

UNITED KINGDOM

Previous *Annual Report* entries: 1996, 1998–2001, 2003–2004, 2006–2015.

In 2014, a furore broke out over the cancelation of a show at the Barbican in London called *Exhibit B*. The work, by the white South African artist Brett Bailey, used black actors to recreate the “human zoos” of the nineteenth century, which saw kidnapped Africans paraded as entertainment. Some 23,000 people signed a petition urging the Barbican to cancel the show, which it did following concerns about its ability to safely police protests outside.¹⁹⁴

On 26 June 2015, the Belfast High Court upheld the government’s decision not to hold an independent inquiry into the 1989 killing of Belfast solicitor Patrick Finucane. The government, along with Northern Ireland political parties and the Irish government, failed to agree legislation that would have established new mechanisms to investigate deaths attributed to the conflict in Northern Ireland (1969–1998), as had been promised under the December 2014 Stormont House Agreement (SHA).

In September 2015, the *Derry Journal* submitted a Freedom of Information request to view draft

¹⁹² Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 598–599.

¹⁹³ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 382.

¹⁹⁴ Jodie Ginsberg, “Global View,” *Index on Censorship*, 45 no. 1 (Spring 2016), 57.

proposals on how to deal with the legacy of the Northern Ireland conflict within the SHA. It was refused by the Northern Ireland's Department of Justice on account of the fact that disclosure could compromise future consultation and thwart the exchange of ideas. On 23 September 2015, Secretary of State for Northern Ireland, Theresa Villiers, confirmed that those guilty of Troubles-related murders would be able to confess and then walk free and that, as agreed during the SHA, victims' relatives would not be notified of any such disclosures and that any information given over would not be admissible in legal proceedings. Relatives of Derry victims of the Troubles feared that the deal would amount to an amnesty for the perpetrators. Official plans also contained proposed legislation required for an oral archive to document the history of the conflict.¹⁹⁵

In August 2015, the British Library declined to store a large collection of Taliban-related documents because it reportedly contained some material which could contravene the Terrorism Act. The collection included newspapers, maps and radio broadcasts from when the Taliban were in power in Afghanistan (1996–2001). The loose counter-terrorism laws were criticized for instilling a climate of fear among academics studying extremist groups. The Terrorism Acts of 2000 and 2006 made it an offense to “collect material which could be used by a person committing or preparing for an act of terrorism”; they criminalized the “circulation of terrorist publications.”¹⁹⁶

The legal battle to get access to some of the Boston tapes continued in 2015 [See *NCH Annual Reports 2012–2015*]. 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. On 29 September 2015, the PSNI said that evidence on the recordings was “hearsay” and useless in court, and declined to prosecute seven of the eight suspects identified in the 1972 abduction and death of Jean McConville.¹⁹⁷

On 13 August 2015, a first-tier tribunal in London dismissed on grounds of national security an application by Cork historian Barry Keane, author of *Massacre in West Cork*, to release the names of

¹⁹⁵ Eamon Sweeney, “[Freedom of Information Request into ‘Deal on the Past’ Refused](#),” *Derry Journal* (24 September 2015); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 386.

¹⁹⁶ “[British Library Declines Taliban Archive over Terror Law Fears](#),” *BBC News* (28 August 2015).

¹⁹⁷ “[Boston College Tapes: Police Get Access to Ex-Loyalist Prisoner Winston Rea’s Interviews](#),” *BBC News* (5 June 2015); Alan Erwin, “[Court Refuses to Hear Winkie Rea’s Appeal over Boston Tapes](#),” *Irish Times* (19 May 2015); 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); “[Boston College Tapes Prompt New Probe into 1970s Murder Bid](#),” *News Letter* (8 October 2015); Beth McMurtrie, “[After Battle to Get Boston College’s ‘Belfast’ Records, Prosecutors Now Largely Dismiss Their Value](#),” *Chronicle of Higher Education* (30 September 2015).

paid British informers who worked in Ireland against Irish secret societies between 1882 and 1916 (the year of the Easter rising). He lost his appeal against the Home Office, the Metropolitan police service and the United Kingdom Information Commissioner by a 2-to-1 majority decision. The tribunal decided that releasing the informers' names would risk harm their descendants and hamper the recruitment of informants. It said their names should remain secret "in perpetuity".¹⁹⁸

See also Russia, Rwanda, South Africa.

UNITED STATES

Previous *Annual Report* entries: 1995–2015.

During the Rapp-Coudert investigations of 1940–1942, historians Philip Foner (1910–1994), specialist in labor and Afro-American was denied tenure because of his membership in the Communist Party of the United States of America (CPUSA). During the 1941 loyalty probe, Foner was dismissed as a history instructor at City College of New York (1933–1941), together with others, including his twin brother Jack Foner (1910–1999), also a historian at the same college and pioneer in black studies. Philip Foner became the educational director of the Fur and Leather Workers Union (1941–1945), chief editor of Citadel Press, New York (1945–1967) and professor of Pennsylvanian History (1967–1979) and Independence Foundation Professor (1980s) at Lincoln University, a historically black college outside of Philadelphia. He wrote the ten-volume *History of the Labor Movement in the United States* (1947–1994). In 1946, the Federal Bureau of Investigation (FBI) started an investigation into Philip Foner which would last for decades. Only in September 2015 did the FBI release a heavily redacted 45-page file on him. A document from 1984 referred to the fact that Foner was closely followed during the 1960s, listing his request to visit countries like Cuba, North Vietnam, and the USSR for research purposes.¹⁹⁹

In September 2015, the Central Intelligence Agency (CIA) and the Lyndon B. Johnson Library released online a collection of 2,500 declassified President's Daily Briefs (PDBs) from the Kennedy and Johnson administrations. [See also *NCH Annual Reports 2005–2006*.]²⁰⁰

¹⁹⁸ First-Tier (London), *Barry Keane versus Information Commissioner et alii: Appeal* (concernedhistorians.org/le/387.pdf; 13 August 2015); Justine McCarthy, "[Historian Loses Legal Battle To Name Past British Informers](#)," *Sunday Times* (23 August 2015); "[UK Court Quashes Historian Barry Keane's Attempt To Name Past British Informers](#) (comment)" *Politics.ie* (1 September 2015).

¹⁹⁹ Matthew Guariglia, "[Eccentric with a Slightly Gruff Manner'. Philip S. Foner's FBI File](#)," *Muckrock* (7 September 2015).

²⁰⁰ National Security Archive, "[President's Daily Briefs from Kennedy and Johnson Finally Released](#)"

In December 2015, the Institute of Turkish Studies (ITS; founded 1971), an educational foundation based at Georgetown University and overseeing the distribution of the proceeds from an endowment by the Turkish government to support Turkish studies in the United States, lost its funding from the Turkish government. The Turkish embassy in Washington declined to comment on the reasons why. Some linked the withdrawal to the November 2015 election results, in which the opposition party associated with the ITS parent trust was not successful. The ITS was seeking new funds.

In late 2006, Donald Quataert (1941–2011), professor of history at Binghamton University, State University of New York, and expert on the Ottoman empire, forcibly resigned as chairman of the ITS board of governors (2001–2006). He had published a book review of Donald Bloxham's *The Great Game of Genocide: Imperialism, Nationalism, and the Destruction of the Ottoman Armenians* (Oxford University Press) in the *Journal of Interdisciplinary History* in the fall of 2006. In the review, he denounced the self-censorship in Ottoman historical writing regarding the massacre of the Ottoman Armenians in 1915 and called it a taboo that needed to be shattered. He wrote that the events "satisfie[d] the U.N. definition of genocide" and that it was wrong not to acknowledge this. ITS honorary chairman, Turkish Ambassador Nebi Şensoy, reportedly asked him to publicly retract his statements in the review or resign as chair if the ITS was to continue receive funding from the Turkish government. Birol Yesilada, a professor of political science and international relations at Portland State University, quitted ITS, among other things, over the Quataert case. ITS board member Fatma Müge Göçek, a sociologist at the University of Michigan, sent e-mail messages to other board members explaining that she thought that Quataert was within his rights as a scholar to write the review as he did; she called the forced resignation a violation of Quataert's academic freedom.²⁰¹

On 2 October 2015, the University of Washington Center for Human Rights (UWCHR) filed a freedom of information request against the Central Intelligence Agency seeking information about possible war crimes committed by retired Colonel Sigifredo Ochoa Pérez in El Salvador during that country's civil war (1979–1992). Two weeks later, someone broke into the office of Angelina Godoy, the center's director and stole her desktop computer and a hard drive containing about 90 per cent of the information relating to the center's research in El Salvador. The stolen files contained details of investigations related to the civil war, which left at least 75,000 people dead, 8,000 missing and a million displaced. According to the 1992 United Nations-sponsored truth commission, the vast majority of crimes were

(16 September 2015).

²⁰¹ Elizabeth Redden, "[Turkey Ends Funding for Controversial Research Institute](#)," *Inside HigherEd* (22 December 2015); Scott Jaschik, "[Is Turkey Muzzling U.S. Scholars?](#)" *Inside HigherEd* (1 July 2008); Middle East Studies Association, "Letter to Prime Minister Recep Tayyip Erdogan" (27 May 2008); Donald Quataert, "The Massacres of Ottoman Armenians and the Writing of Ottoman History," *Journal of Interdisciplinary History* (Autumn 2006), 249–259.

committed by United States-backed military dictatorships against civilians in rural communities suspected of supporting the leftist guerrillas.²⁰²

In November 2015, Princeton University students urged officials to rename programs and buildings (such as the Woodrow Wilson School of Public and International Affairs) named for former President Woodrow Wilson (1856–1924; Princeton University president 1902–1910; United States president 1913–1921). Although a progressive president, Wilson had supported racial segregation: as university president he had blocked black students from attending the university. He once called racial segregation “a benefit” and defended the enslavement of blacks by saying slaves “were happy and well-cared for.” Princeton University President Christopher Eisgruber agreed to consider the demands of the students, whose protest was led by the Black Justice League. On 4 April 2016, the university announced that it would not rename the school, saying that Wilson’s accomplishments deserved to be recognized along with his faults.²⁰³

On 18 November 2015, State Board of Education (SBE) members in Texas narrowly (with a 8–7 vote) rejected a plan to create a group of state university professors to check the history textbooks for factual errors. The call for more experts came after more than a year of controversy over SBE-sanctioned textbooks’ coverage of Islamic history; slaves as workers; the Civil War; and the importance of Moses and the Ten Commandments to the Founding Fathers when writing the Declaration of Independence and the Constitution.²⁰⁴

In 2003 the records of the Korean National Association, dating to 1906, were discovered in the attic of a building being renovated in Los Angeles, California. The Association had functioned as a government-in-exile, and led independence efforts against Japanese colonial rule in the Korean peninsula (1910–1945). In January 2016, a drawn-out lawsuit about whether the records belonged in the United States or Korea was settled: the University of Southern California would digitize the 15,000 to 16,000 pages and send the originals to South Korea. Among the papers was a 1919 letter to President Woodrow

²⁰² Ansel Herz, [“Two Weeks After It Sued the CIA, Data Is Stolen from the University of Washington’s Center for Human Rights,”](#) *The Stranger* (21 October 2015); Nina Lakhani, [“Confidential Files on El Salvador Human Rights Stolen after Legal Action against CIA,”](#) *Guardian* (23 October 2015).

²⁰³ [“Princeton Considers Dropping Woodrow Wilson Name after Protests,”](#) *BBC News* (20 November 2015); [“Princeton Rebuffs Calls To Rename Woodrow Wilson School,”](#) *BBC News* (5 April 2016); David Wright, [“Princeton Keeps Woodrow Wilson’s Name on the School despite Protests,”](#) *CNN Politics* (4 April 2016).

²⁰⁴ Robert T. Garrett, [“Texas School Board Rejects Push to Enlist Academics to Check Textbooks for Factual Errors,”](#) *Dallas Morning News* (18 November 2015); Yanan Wang, [“Workers” or Slaves? Textbook Maker Backtracks after Mother’s Online Complaint,](#) *Washington Post* (5 October 2015).

Wilson, asking for his help and protesting the “brutal force” being used to suppress independence efforts in Korea.²⁰⁵

In February 2016, several staff members involved in a controversy over a freshman-retention plan at Mount St. Mary’s University, Maryland, were dismissed. Gregory Murry, an assistant history professor who spoke at length with student journalists for their original article about the retention plan, was locked out of his university email account and threatened with dismissal.²⁰⁶

In March 2016, Harvard Law School changed its official seal, in use since the 1930s, after protests because it incorporated the coat of arms of the eighteenth-century donor and slave owner Isaac Royall, known for his cruelty (including burning 77 slaves alive). In February 2016, Harvard University had already decided to remove the word “master” from academic titles, after protests from students who claimed that the title had echoes of slavery.²⁰⁷

In its one-year update to the United Nations Human Rights Committee, the United States (USA) said that it prohibited torture and other ill-treatment, enforced disappearance and arbitrary detention of “any person in its custody wherever they are held,” and that it held “accountable any persons responsible for such acts.” Yet by the end of 2015, no action had been taken to end the impunity for the systematic human rights violations committed in the secret detention program operated by the Central Intelligence Agency (CIA), under authorization granted by former President George W. Bush after the attacks of 11 September 2001 (9/11).

The USA also told the Human Rights Committee that it “supported transparency” in relation to this issue. Yet by the end of 2015, more than twelve months after the publication of the declassified summary of the report by the Senate Select Committee on Intelligence into the CIA program, the committee’s full 6,700-page report, containing details of the treatment of each detainee, remained classified top secret. Most, if not all, of the detainees were subjected to enforced disappearance and to conditions of detention and/or interrogation techniques which violated the prohibition of torture and other cruel, inhuman or degrading treatment. Classification of the report continued to facilitate impunity and the denial of remedy. During 2015, military prosecutors reportedly learned of a cache of some 14,000 photographs relating to CIA “black sites” in Afghanistan, Thailand, Poland, Romania, Lithuania and possibly elsewhere, including images of naked detainees being transported. The

²⁰⁵ Victoria Kim, “[Legal Fight over Century-Old Korean Papers Found in L.A. Ends](#),” *Los Angeles Times* (24 February 2016); USC Libraries Research Guides, “[Documents of the KNA Building](#).”

²⁰⁶ Sarah Brown & Katherine Mangan, “[Fallout at Mount St. Mary’s Spreads as Scholars Protest Firings](#),” *Chronicle of Higher Education* (10 February 2016).

²⁰⁷ Sean Coughlan, “[Harvard Law School Scraps Official Crest in Slavery Row](#),” *BBC News* (4 March 2016); Sean Coughlan, “[Harvard Abolishes ‘Master’ in Titles in Slavery Row](#),” *BBC News* (25 February 2016).

photographs had not been made public by the end of 2015.²⁰⁸

The City of Chicago, Illinois, passed an ordinance to provide reparations to over 100 survivors of torture committed by members of the Chicago Police Department from 1972 to 1991. The ordinance included a US\$ 5.5 million fund for survivors, a formal apology from the Chicago City Council, free college education for survivors and their families, an educational component in Chicago Public Schools on the history of torture by the Chicago Police Department, a public memorial to torture survivors and a counseling center for torture survivors.²⁰⁹

See also Afghanistan, Angola, China, Cuba, El Salvador, Israel, Korea, South, Lebanon, Peru, Poland, Sierra Leone, Spain, Uganda, Vietnam.

URUGUAY

Previous *Annual Report* entries: 2001–2013, 2015.

In May 2015, a presidential decree established the Truth and Justice Working Group to investigate human rights violations that occurred between 1968 and 1985. The group was to be formed of seven members having fulfilled autonomy and independence criteria throughout their careers, as well as the president and vice-president of Uruguay. A 2013 Supreme Court ruling remained an obstacle to ensuring justice; the ruling had overturned key articles of Law 18.831, adopted in 2011, which established that crimes committed during the period of civil and military rule between 1973 and 1985 were crimes against humanity and that no statute of limitations could be applied.²¹⁰

On 28 March 2016, information of the Grupo de Investigación en Arqueología Forense (GIAF, Research Group in Forensic Archaeology; <http://alafforense.org/grupo-de-investigacion-en-arqueologia-forense-del-uruguay-giaf/>) of the Humanities and Educational Sciences Faculty, Universidad de la República Uruguay, Montevideo, was stolen and members of the group were reportedly threatened. GIAF was collecting data about those who disappeared under the military dictatorship (1973–1985) by excavating human remains in unmarked graves.²¹¹

²⁰⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 388.

²⁰⁹ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 389.

²¹⁰ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 392.

²¹¹ “[Informe: La sociedad uruguaya reacciona frente al robo del laboratorio del equipo de Antropología forense](#)” (Universidad de la República; 28 March 2016); “[Declaración del Consejo](#)” (Universidad de la República; 30 March 2016).

UZBEKISTAN

Previous *Annual Report* entries: 2005–2014.

13 May 2015 marked ten years since government forces killed hundreds of largely peaceful protesters in the city of Andijan. Defying numerous calls to allow an independent investigation into the massacre, Uzbek officials continued to state that the matter was “closed.” On the massacre’s tenth anniversary, both the Office for Democratic Institutions and Human Rights and former United Nations High Commissioner for Human Rights Louise Arbour renewed calls for an independent investigation. In 2015, Human Rights Watch interviewed dozens of Uzbeks, many outside the country, who expressed fear about speaking on the record about Andijan, citing threats to themselves and family members who remained in Uzbekistan. They stated that authorities still regularly called their relatives in for questioning, and forced them to sign statements saying that those who fled abroad after the massacre were terrorists. The wife of one Andijan refugee said that since the massacre, officials had interrogated her monthly, including about her husband’s whereabouts, and threatened to force her into prostitution in retaliation for his participation in the protest.²¹²

See also Kyrgyzstan.

²¹² Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 628.

VATICAN

Previous *Annual Report* entries: 1996, 1998, 2000, 2004, 2009, 2011, 2015.

VENEZUELA

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

VIETNAM

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

In May 2014, Nguyen Huu Vinh (Nguyễn Hữu Vinh; male), co-founder in 2007 of the popular blog, *Anh Ba Sam*, known for its anti-China posts, and his assistant, Nguyen Thi Minh Thuy (Nguyễn Thị Minh Thủy; female), were arrested on charges of “abusing democratic freedoms.” In February 2015, the indictment was issued, detailing also charges in connection with two other political blogs—*Dan Quyen* (Dân Quyền; Citizens’ Rights) and *Chep Su Viet* (Chép sử Việt; Writing Vietnam’s History), both of which were critical of government policies and officials, and had been shut down by the authorities. The indictment stated that the two blogs had more than 3.7 million page views. No trial date was set. Nguyen Huu Vinh was a former policeman and son of a former high-ranking government official and member of the ruling Communist Party of Vietnam, who was ambassador to the former Soviet Union.²¹³

In January, April, and July 2015, police prohibited unsanctioned Buddhist Hoa Hao groups from commemorating the anniversaries of the birth and death of Hoa Hao founder Huynh Phu So (1920–1947) and of his establishment of the Hoa Hao faith. Participants were intimidated, harassed, and assaulted.²¹⁴

On 14 March 2015, alleged pro-government commentators insulted online activists and hindered them as they gathered offline in Hanoi to commemorate the Johnson South Reef Skirmish between China and Vietnam on 14 March 1988, in which more than seventy Vietnamese died. The reef, also called Gac Ma

²¹³ Amnesty International, “[Demand Release of Blogger and Assistant](#)” (ASA 41/2801/2015; 4 November 2015); Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 399.

²¹⁴ Human Rights Watch, *World Report 2016: Events of 2015* (New York: Seven Stories Press, 2016), 640.

Reef, was part of the Spratly Islands. The government denied that the commentators acted on its behalf.²¹⁵

Draft legislation on the National General Education Curriculum Design prepared by the Ministry of Education and Training since 2013 and put out for consultation in November 2015, suggested that in secondary schools history should be integrated into a new course, “Citizenship and the Motherland,” which combined history, citizenship and national security. Many historians and others criticized this as a further devaluation of the importance of history, which was reportedly taught in an unattractive manner (A few years ago, when the decision was taken not to include history in the high school graduation exam, thousands of students in Nguyen Hien school ripped their history books up and threw them away).²¹⁶

On 1 January 2016, history teacher Phuong tried to commit suicide during a ceremony held by Le Quy Don High School for the Gifted to celebrate the school’s 15th anniversary. When the ceremony almost ended, Phuong unexpectedly came to the stage and gave a paper to the chair of the Binh Dinh provincial People’s Committee and then tried to stab his stomach but people prevented the action. “The school’s management board and the trade union repressed and defamed me and offended my human dignity,” he declared. In the past, he had sent petitions to management agencies showing wrongdoings at the school many times. Eventually, the Quy Nhon City Education and Training Department and Binh Dinh provincial authorities had sent inspectors, who discovered eight violations. A member of the Vietnam Veterans Association (having joined the anti-American resistance war for which he received a medal), he had received flowers and congratulations every 22 December on the occasion of the Vietnamese People’s Army Day. However, after he had denounced the wrongdoings in 2014, he did not receive flowers or congratulations anymore. Phuong also complained that the headmaster refused to sign and confirm his civil servant résumé.²¹⁷

See also Cambodia.

²¹⁵ Freedom House, [Freedom on the Net 2015](#) (Washington: Freedom House, 2015), 933.

²¹⁶ Ly Pham, [“How Should We Teach History?”](#) *University World News* (20 November 2015).

²¹⁷ [“History Teacher Tried to Commit Suicide at 15th Anniversary of School Establishment,”](#) *Vietnamnet* (4 February 2016).

WESTERN SAHARA

See Morocco / Western Sahara.

YEMEN

Previous *Annual Report* entries: 2001, 2003, 2010, 2013–2015.

Yemeni authorities failed to hold thorough and independent investigations into past human rights violations, including unlawful killings and other serious abuses committed by government forces in connection with mass popular protests in 2011. In September 2015, President Abd Rabbu Mansour Hadi decreed the establishment of a national commission of inquiry to investigate all violations committed since the beginning of 2011.²¹⁸

²¹⁸ Amnesty International, *Report 2015/16* (London: Amnesty International, 2016), 404.

ZAMBIA

Previous *Annual Report* entries: 2009, 2015.

ZIMBABWE

Previous *Annual Report* entries: 1998–2001, 2004, 2006, 2008–2015.