

INTRODUCTION

This **twenty-fourth *Annual Report of the Network of Concerned Historians (NCH)*** contains news about the domain where history and human rights intersect, in particular 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 2017 and 2018.

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

All *Annual Reports* (1995–2018) were compiled by [Antoon De Baets](#).

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AFGHANISTAN

Previous *Annual Report* entries: 2000–2016.

In a welcome development, the Prosecutor of the International Criminal Court requested that a preliminary investigation be opened into crimes allegedly committed by all parties to the ongoing armed conflict in Afghanistan. The decision was an important step toward ensuring accountability for crimes under international law committed since 2003, and providing truth, justice and reparation for the victims.¹

On 28 December 2017, at least 41 people were killed and 84 wounded in a suicide bomb attack in the Shia Tabayan cultural center in West-Kabul where a discussion forum was being held to mark the 38th anniversary of the Soviet invasion of Afghanistan in 1979. A Shia cultural organization was the target but the Afghan Voice news agency was also hit. Islamic State (IS) said it was behind the attack; it considered Shia apostates and aimed to turn the conflict in Afghanistan into a sectarian war between Sunnis and Shias. President Ashraf Ghani's spokesman described the attack as an "unpardonable" crime against humanity.²

ALBANIA

Previous *Annual Report* entries: 1996, 2012, 2015–2017.

No measures were taken to locate the body of Remzi Hoxha, a Macedonian Albanian who was forcibly disappeared by National Intelligence Service officials in 1995. No progress was reported toward the exhumation of the remains of around 6,000 people who had disappeared between 1945 and 1991.³

Gentiana Sula, a former deputy minister of social welfare, became the head of the Authority on Access to Information on files of the former secret service Sigurimi [see also *NCH Annual Report 2017*].⁴

See also Serbia/Kosovo.

¹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 41.

² "[Afghanistan Suicide Bomb Attack: Dozens Killed in Kabul](#)," *BBC News* (28 December 2017).

³ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 70.

⁴ Andrew Hosken & Albana Kasapi, "[Albania: The Country Searching for Hundreds of Mass Graves](#)," *BBC News* (1 November 2017).

ALGERIA

Previous *Annual Report* entries: 1996, 2001–2017.

The authorities took no steps to open investigations and counter the impunity for grave human rights abuses and possible crimes against humanity, including unlawful killings, enforced disappearances, rape and other forms of torture committed by security forces and armed groups in the 1990s during Algeria's internal conflict (1992–2000), which left an estimated 200,000 people killed or forcibly disappeared. In January 2017, the Swiss judiciary shelved a war crimes investigation against retired Algerian Minister of Defense Khaled Nezzar for events between 1992 and 1994 in Algeria, citing inadmissibility due to the absence of armed conflict in Algeria at the time [see also *NCH Annual Reports 2003, 2013*].⁵

In February 2017, the United Nations (UN) Human Rights Committee found that the Algerian authorities had violated the right to remedy, the right to life, and the prohibition against torture with regard to Mohamed Belamrania, who was forcibly disappeared and extrajudicially executed in 1995. Days after the UN finding was published, police detained his son, Rafik Belamrania, and charged him with “advocating terrorism on Facebook.” He had filed his father's case before the UN body and documented other cases of enforced disappearance, arbitrary detention, and extrajudicial executions by Algeria's security forces against suspected supporters of the Islamic Salvation Front (FIS) party during the internal conflict. In November 2017, he was sentenced to five years' imprisonment and fined 100,000 Algerian dinars (around US\$ 870).⁶

ANGOLA

Previous *Annual Report* entries: 2003, 2009, 2017.

ARGENTINA

Previous *Annual Report* entries: 1997–2017.

As of November 2017, the Attorney General's Office reported 2,971 people charged, 818 convicted,

⁵ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 72.

⁶ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 72–73.

and 99 acquitted of crimes allegedly committed by the last military junta (1976–1983). Of 613 cases alleging crimes against humanity, judges had issued rulings in 193. Prosecutions were made possible by a series of actions taken in the early 2000s by Congress, the Supreme Court, and federal judges annulling amnesty laws and striking down pardons of former officials implicated in the crimes. As of September 2017, 125 people who were illegally taken from their parents as children during the dictatorship had been located. Many were reunited with their families. The large number of victims, suspects, and cases make it difficult for prosecutors and judges to bring those responsible to justice while respecting their due process rights. The Attorney General's Office reported in October 2017 that 533 pre-trial detainees and convicted prisoners were under house arrest, a right that Argentine law provides to people older than 70.⁷

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 of the crime. The investigation stalled when Iran, which Argentina's judiciary suspects 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) that allowed an international commission of jurists to review evidence and question Iranian suspects – but only in Tehran – likely rendering the interviews inadmissible in an Argentine court. A federal court declared the MOU unconstitutional: the Mauricio Macri administration said it would not appeal. A government decree issued in April 2017 transferred classified documents from the Prosecution Unit to the Ministry of Justice, compromising the independence of the investigation and restricting complainants' access to evidence. In August 2017, the government said it had asked Interpol to re-issue red notices – a form of international arrest warrant – to detain several Iranians implicated in the attack. In September, Vice-President Gabriela Michetti called on Iran to collaborate with the investigations during her speech at the United Nations General Assembly.

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 and a pistol beside him matching the wound. His death came just days after he had filed a criminal complaint accusing then-President Cristina Fernández de Kirchner and her foreign affairs minister of conspiring with Iran to undermine the investigation. Later in 2015, a federal court dismissed Nisman's complaint. However, following an appeal by a federal prosecutor, in December 2016, the judiciary ordered the case reopened. In October 2017, a judge requested that Fernández de Kirchner provide a statement on the case. As of September 2017, courts had not determined whether Nisman's death was suicide or murder. A new Gendarmerie report published that month stated that Nisman had been murdered. In 2015, a court began the trial of

⁷ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 34–35; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 31, 77.

several officials – including former President Carlos Menem, his head of intelligence, and a judge – for their alleged interference with the initial investigation into the bombing. The trial continued at the end of 2017.⁸

The Supreme Court ruled in the case of Luis Muiña – who was found guilty of crimes against humanity – that one day served in pre-trial detention must be considered as two, if the person has been detained without sentence for more than two years. Congress then passed a law clarifying that the so-called “2x1 formula” may not be applied to crimes against humanity, genocide, or war crimes.⁹

See also United Kingdom.

ARMENIA

Previous *Annual Report* entries: 2005–2006, 2010, 2014–2016.

See Netherlands, Turkey.

AUSTRALIA

Previous *Annual Report* entries: 1997, 2001, 2003, 2007–2009, 2014–2016.

In May 2017, over 250 Aboriginal and Torres Strait Islanders from 13 regions met and issued the “Uluru Statement from the Heart,” which urged constitutional reforms, including the establishment of a First Nations voice in the constitution and a truth and justice commission. In October 2017, the government formally rejected the key recommendation of the Referendum Council to establish an Indigenous advisory body to parliament.¹⁰

In August-September 2017, three city councils in Melbourne and Victoria voted to scrap the official Australia Day celebrations (Australia’s official national day marking the anniversary of the arrival of Britain’s first settlers on 26 January 1788) out of respect to Aboriginal and Torres Strait Islander

⁸ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 37–38; Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 77.

⁹ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 77.

¹⁰ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 49.

peoples. The colonization of Australia was accompanied with genocide and crimes against humanity against the Aboriginal population. Some compared the commemoration to “celebrating the Nazi Holocaust.” Many indigenous Australians referred to “Australia Day” as “Invasion Day,” but some Aboriginal leaders did not support the move. In August 2017, Prime Minister Malcolm Turnbull declared: “An attack on Australia Day is a repudiation of the values the day celebrates: freedom, a fair go, mateship and diversity.” Earlier in 2017, “Invasion Day” protests were held around the country. In the run-up to Australia Day on 26 January 2018, statues of colonizers were stained. At a statue of James Cook (1728–1779), daubed with paint, the message was left: “We do not forget the genocide.”¹¹

In May 2018, family historian Garry Smith discovered that the word Aboriginal being whited out from his great-grandmother's death certificate. He was told by the Western Australian Registry of Births, Deaths, and Marriages that the word had been redacted because it was an offensive term. Western Australia was the only jurisdiction in Australia to deem the word Aboriginal offensive and remove it from historical birth, death and marriage certificates. The Northern Territory registrar-general was the only other Australian bureaucrat to have this power, but he chose only to remove the term “half-caste.” Archivists, genealogists, and historians across Australia protested against the registrar's power to remove terms from certificates.¹²

AUSTRIA

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

On 5 October 2015, Jewish writer Stephan Templ ([1961–]) began a one year prison sentence for defrauding the state. In 2013, Vienna's regional criminal court had convicted him to three year's imprisonment (later reduced to one year) after he had omitted the name of an estranged aunt in an application on behalf of his mother for the return of property seized in 1938. He said that, given that the state had stolen the property from his family, it was its duty, not his, to track down any relatives.

Templ, a leading critic of Austria's restitution record, caused controversy in 2011 with a book co-written with historian Tina Walzer and entitled *Our Vienna: Aryanization Austrian-Style*, which documented properties in Vienna – including a sanatorium owned by Templ's relatives, Lothar Fuerth and his wife, apartment buildings, cinemas, and even a ferris wheel – that had been confiscated from

¹¹ “[Australia Day: Council Shifts Celebrations over Sensitivities](#),” *BBC News* (16 August 2017); “[Australia Day: Council Scraps ‘Grossly Insensitive’ Celebration](#),” *BBC News* (14 September 2017); “Australië: beeldenstorm,” *NRC Handelsblad* (26 January 2018), 6.

¹² Rebecca Turner, “[Outcry over Word ‘Aboriginal’ Continues as Historians Push for Ban on Changing Certificates](#),” *ABC News* (30 June 2018).

their Jewish owners. In 2006, Templ had made the restitution claim. In September 2015, President Heinz Fischer rejected a request for clemency, saying that the punishment was fair because the court had ruled that Templ had “damaged Austria” by his actions. Critics called the decision to imprison Templ an “overreaction” and suggested that it could be linked to his criticism of Austria’s restitution record. Seventy-five Holocaust historians signed a letter urging the government to cancel the sentence.

Templ wrote a new (English-language) book, *Austria’s Living Ghost* (published in late January 2018), partly written in prison. In the book, he examined the work of Austria’s Arbitration Panel for In Rem Restitution, a body set up in 2002 to review the restitution work done immediately after World War II on properties that in 2001 were in the state’s possession. The book reportedly showed that out of nearly 2,000 restitution cases handled in the 1940s and 1950s, the Arbitration Panel reopened and declared unjust a total of only nine cases. It intervened in another 18 cases that had not been the subject of a claim. In his reply to these conclusions, panel chairman Josef Aicher said that “To assess ‘extreme injustice’ the Arbitration Panel has developed a complex case law,” based on “restrictions on freedom of contract and discrepancy in value: the more the two criteria are pronounced, the more likely it is that an extreme injustice exists.” Aicher added that the Arbitration Panel has so far issued 138 recommendations for restitution with an estimated total value of \$59 million. According to Templ, all these recommendations pertained to only 28 assets. Citing independent appraisals, Aicher replied that “virtually all real estate that had been confiscated by the state was restituted in its entirety after the war” as well as 60 percent of the properties sold under duress.

In 2018, Templ faced a civil libel suit by Claire Fritsch, a legal adviser to the restitution authority who served as the main witness in his criminal court case. Fritsch claimed that she was libeled by his defense team’s attempts to undermine her testimony.¹³

See also Italy.

AZERBAIJAN

Previous *Annual Report* entries: 1995, 1997–1998, 2008–2013, 2015–2017.

The authorities continued to fail to hold senior officials accountable for torture and other human rights violations committed during and since the 2011 protests.¹⁴

¹³ Jasmine Coleman, “[Holocaust Historians Condemn Austria Jailing of Jewish Writer](#),” *BBC News* (6 October 2015); “[Austrian Historian Writes about Holocaust Restitution – from Prison](#),” *Jerusalem Post* (24 January 2018).

¹⁴ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 87.

On 17 May 2017, the Baku Appeal Court ordered human rights activists and historians Leyla and Arif Yunus [see also *NCH Annual Reports 2015–2017*] to return from the Netherlands to participate in the subsequent court hearings in their case. On 12 June 2017, several human rights organizations launched an appeal to Interpol to prevent the dissemination of an alert against the Yunuses, which would violate the prohibition in Interpol’s constitution against the misuse of its systems for political purposes.¹⁵

¹⁵ [“Statement: Prevent Misuse of INTERPOL in the Case of Prominent Azerbaijani Human Rights Defenders”](#) (12 June 2017).

BAHRAIN

Previous *Annual Report* entries: 2004, 2008–2012, 2015–2017.

BANGLADESH

Previous *Annual Report* entries: 1999, 2001, 2004–2006, 2008–2017.

In February and March 2018, two mandatory courses were introduced in every department of all universities across the country: “Swadhin Bangladesher Obvyudyer Itihas” [History of the Emergence of Independent Bangladesh], by Muntasir Mamun and Soumitra Shekhar, and “Bangla Bhasa O Sahityo” [Bangla Language and Literature], by Rafiqul Islam and Soumitra Shekhar. The decision had been taken by the University Grants Commission (UGC) in a meeting in June 2016. On 25 February 2018, the UGC presented a copy of the history book to Prime Minister Sheikh Hasina. In the book’s introduction, Mamun lamented that the younger generations were not aware of the non-communal and secular character of the country anymore, adding: “This apathy has contributed to the rise of religious fundamentalism and militancy in the country. Without learning the history and origin of Bangladesh, the new generation will forget their roots.”¹⁶

See also Myanmar.

BELARUS

Previous *Annual Report* entries: 1996–2000, 2005–2007, 2009–2011, 2014–2017.

Peaceful protests against a new tax on the unemployed took place in February and March 2017, including on 25 March, Freedom Day, the anniversary of the creation of the Belarusian People’s Republic in 1918, and continued the following day. Police arbitrarily detained at least 700 people in connection with the protests, including about 100 journalists and 60 human rights activists. At least 177 people were charged with fabricated offenses, such as hooliganism or participating in unsanctioned protests, and sentenced to fines or up to 25 days’ detention, following pro forma administrative court hearings. Also in March, authorities arrested 35 people on criminal charges of “organizing mass riots”

¹⁶ Rashid al Ruhani, “[UGC Introduces Two Mandatory Courses in All Universities](#),” *Dhaka Tribune* (27 February 2018).

for the Freedom Day protests. In June, authorities closed this rioting case due to lack of evidence, and released those who had been charged only with rioting.¹⁷

BELGIUM

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

See Burundi, Liberia.

BELIZE

Previous *Annual Report* entries: 2014.

BOLIVIA

Previous *Annual Report* entries: 2007, 2009–2017.

Bolivia had prosecuted only a few of the officials responsible for human rights violations committed under authoritarian governments from 1964 to 1982, partly because the armed forces had at times refused to give information to judicial authorities about the fate of people killed or forcibly disappeared. In August 2017, the government established a Truth Commission to carry out non-judicial investigations of grave human rights abuses committed in 1964–1982. It was due to submit a report in 2019. The commander-in-chief of Bolivian armed forces, General Luis Orlando Ariñez, said that the military would fully cooperate. The armed forces created a working group composed of military officers to provide support for the commission, including by granting access to their archives. The commission could provide information for judges to convict those responsible.¹⁸

In early October 2017, at the eve of the 50th anniversary of the death of the Cuban revolutionary, Ernesto “Che” Guevara, a row broke out between the government and army veterans. As Bolivia was a political ally of Cuba, the left-wing government of President Evo Morales was planning a series of

¹⁷ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 72–73.

¹⁸ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 77; Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 31, 94.

commemorations but the army veterans who fought Guevara's forces said they would not take part in the official ceremonies and rather would pay homage to the 59 soldiers who had died in the battle against Guevara. In 1966, Guevara had left Cuba to establish guerrilla groups elsewhere in Latin America; he was shot dead in Bolivia on 9 October 1967.¹⁹

BOSNIA and HERZEGOVINA

Previous *Annual Report* entries: 2001–2017.

The domestic prosecution of war crimes committed during the armed conflict of 1992–1995 remained slow, with a backlog of several hundred cases pending before various courts at the end of 2017. Despite recent progress, the prosecutions continued to suffer from lack of capacity and resources, ineffective case-management and persistent political obstruction. The goal to finish the most complex cases in the State Court War Crimes Chamber by the end of 2015 had not been reached. Between January and November 2017, the court delivered 37 verdicts, 20 of them appeals. Out of 37 verdicts, it reached 7 acquittals, 22 convictions, and 8 partial acquittals. The total number of final judgments since the court became fully operational in 2005 stood at 188. A revision of the 2008 National War Crimes Strategy to address key institutional deficiencies and to establish new deadlines for the completion of cases was under way at the end of 2017.

A report in June 2017 by the Organization for Security and Co-operation in Europe (OSCE) Mission to Bosnia and Herzegovina identified progress made by national courts in addressing conflict-related sexual violence stemming from the armed conflict. Between 2004 and 2016, 116 such cases were completed across all jurisdictions in the country. As of the end of 2016, 58 cases involving conflict-related sexual violence were ongoing in courts, and 128 cases remained under investigation. There was no progress in the adoption of the Law on Protection of Victims of Torture at the state level by the end of 2017. This law would guarantee a specific set of rights and entitlement for war victims on the whole territory of Bosnia and Herzegovina.

Criminal courts continued the recent practice of granting financial compensation to victims of wartime rape, bringing the number of final judgments awarding financial reparation for war crimes in criminal proceedings to four. However, the compensations had not been paid by the end of 2017. The convicted perpetrators lacked funds and there was no alternative mechanism to compensate survivors of criminal acts. Most victims continued to be required to pursue compensation claims in separate civil proceedings, where they had to reveal their identity and incur additional costs. The 2016 Constitutional

¹⁹ [“Bolivia’s Army in Dispute with Government over Che Guevara Homage,”](#) *BBC News* (3 October 2017).

Court ruling that the statute of limitations applied to reparation claims directed against the perpetrators and not the state – even in war crimes cases – resulted in widespread dismissal of claims in 2017.

Although over 75% of missing persons from the war had been exhumed and identified, there were still 8,000 people missing in connection with the conflict. The process of exhumations continued to encounter significant challenges, including reduced funding and limited expertise. The Law on Missing Persons remained unimplemented, with the Fund for Families of the Missing still awaiting dedicated resources.

Cross-appeals against the conviction and sentence filed in April 2016 by lawyers for Bosnian Serb wartime President Radovan Karadžić and prosecutors at the International Criminal Tribunal for the former Yugoslavia (ICTY), in relation to his March 2016 conviction for genocide, crimes against humanity and war crimes, were pending at the end of 2017. On 22 November 2017, the ICTY convicted former Commander of the Republika Srpska Army, Ratko Mladić, of genocide in Srebrenica, war crimes, and crimes against humanity in Bosnia, and sentenced him to life in prison. In August 2017, the Appeal Court acquitted ten people indicted for concealing Mladić, arrested in Serbia in 2011. The ICTY delivered its final judgment on 29 November 2017, bringing to a close its largely successful 23-year effort to hold perpetrators of war crimes to account.²⁰

BOTSWANA

Previous *Annual Report* entries: —.

On 17 July 2017, parliament passed a bill which incorporated the Rome Statute of the International Criminal Court into domestic law, including the offenses of genocide, crimes against humanity, and war crimes. This followed Botswana's ratification of the Rome Statute in 2000.²¹

BRAZIL

Previous *Annual Report* entries: 1999, 2001–2003, 2005–2017.

The perpetrators of human rights abuses during military rule from 1964 to 1985 continue to be shielded

²⁰ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 84–85; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 52, 96, 323.

²¹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 98.

from justice by a 1979 amnesty law that the Supreme Court upheld in 2010, a decision that the Inter-American Court of Human Rights quickly ruled violated Brazil's obligations under international law. Since 2012, federal prosecutors had charged more than 40 former military officers and other agents of the dictatorship with killings, kidnappings, and other serious human rights abuses. Lower courts dismissed most of the cases, while the Supreme Court halted two, pending its re-examination of the validity of the amnesty law. In May 2017, the Inter-American Court of Human Rights held a hearing in the case of journalist Vladimir Herzog, who was tortured and killed by state agents in 1975. The court will have to address the 1979 amnesty law again when it decides the Herzog case.²²

BULGARIA

Previous *Annual Report* entries: 1995–1998, 2002, 2006, 2009, 2012, 2015–2017.

BURKINA FASO

Previous *Annual Report* entries: 2001, 2004, 2005, 2013, 2015–2017.

Fourteen people awaited trial in connection with the 1987 murder of former President Thomas Sankara, three of whom remained in detention [see also *NCH Annual Reports 2001, 2016–2017*].²³

The trial of former President Blaise Compaoré and 32 former ministers before the High Court of Justice was repeatedly delayed; in June 2017 it was temporarily suspended by the Constitutional Council. Compaoré was charged with acts of wilful assault, complicity in assault, assassination, and complicity in assassination in relation to the October 2014 uprising. An international arrest warrant for him and his former Chief of Security, Hyacinthe Kafando, remained in place. In May 2017, an international arrest warrant was issued against Compaoré's brother, François Compaoré, in relation to the murder of investigative journalist Norbert Zongo in December 1998. François Compaoré was placed under court supervision in France, where he was living, pending a decision on his extradition to Burkina Faso.²⁴

²² Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 97.

²³ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 106.

²⁴ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 106.

BURUNDI

Previous *Annual Report* entries: 1999, 2001–2003, 2005–2015, 2017.

In 2007, photographer Teddy Mazina (1972–) returned from exile in Belgium where he had stayed since 1995 because of the civil war (1993–2005). Calling Burundi an “amnesiac country” and himself “an activist of memory,” he started taking pictures to document, with others, nearly 800 cases of forced disappearance, death, rape, or torture. In 2015, he fled Burundi again after the repression following the re-election of President Pierre Nkurunziza.

His work served as evidence for the International Criminal Court, which in November 2017 started an investigation into the crimes against humanity committed in Burundi between April 2015 and June 2017. At least 1200 persons were believed to have died in that period and “thousands” were imprisoned or disappeared.²⁵

On 4 September 2017, the report of the United Nations (UN) Commission of Inquiry on Burundi concluded that there were reasonable grounds to believe that crimes against humanity had been committed since April 2015. On 28 September 2017, the UN Human Rights Council adopted a resolution mandating a team of three experts “to collect and preserve information [...] in cooperation with the Government of Burundi,” and “to make recommendations for technical assistance and capacity building.” On 29 September, the Council also renewed the Commission of Inquiry’s mandate for another year. Burundi’s withdrawal from the International Criminal Court (ICC) came into effect on 27 October 2017. Two days earlier, the Pre-Trial Chamber authorized an investigation into the situation in Burundi between April 2015 and October 2017, a decision made public in November 2017. The African Union (AU) Peace and Security Council did not meet to discuss Burundi in 2017, despite the continued presence of AU human rights observers and military experts in the country at the Council’s request.²⁶

²⁵ Sébastien Hervieu, “[Photographie: Un ‘activiste de la mémoire’ contre le régime burundais](#),” *Courrier international* (15 January 2018).

²⁶ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 24, 109–110; Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 111.

CAMBODIA

Previous *Annual Report* entries: 1999–2017.

At the Extraordinary Chambers in the Courts of Cambodia (ECCC), the Co-Investigating Judges issued a joint closing order dismissing the case against Im Chaem in Case 004/1 in February 2017. She was found not to fall within the ECCC’s personal jurisdiction of being a senior leader or one of the most responsible officials during the Khmer Rouge regime (1975–1979). In June 2017, closing statements were made in a second trial of Nuon Chea and Khieu Samphan in Case 002. The case against them had been severed by the Trial Chamber of the ECCC in 2011, resulting in two trials on different charges. They faced charges of crimes against humanity, genocide and grave breaches of the Geneva Conventions.²⁷

CAMEROON

Previous *Annual Report* entries: 2010, 2012–2014, 2016.

CANADA

Previous *Annual Report* entries: 1998, 2000, 2002–2003, 2005–2006, 2008–2009, 2012–2017.

When on 21 September 2017, Prime Minister Justin Trudeau addressed the United Nations General Assembly, he talked about Canada's historic failings regarding indigenous people. He said that Canada’s legacy of colonialism and its lasting impact on First Nations Canadians was one of “humiliation, neglect and abuse.” There were about 1.4 million indigenous people in Canada. In November 2017, Trudeau also apologized to members of the LGBT community for actions the government took through the late 1980s against thousands of workers in the military and the Canadian public service. The government also announced in May 2017 that it would pardon and expunge records for any Canadians who were charged, and who still have on their records, criminal offenses that were no longer on the books.²⁸

See also Poland.

²⁷ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 112.

²⁸ “[Justin Trudeau: Canada Humiliated Indigenous People](#),” *BBC News* (21 September 2017); Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 122.

CENTRAL AFRICAN REPUBLIC

Previous *Annual Report* entries: 2006–2009, 2011–2012, 2014–2017.

In May 2017, the National Assembly presented a peace roadmap – which included a national committee of victims and excluded amnesties for war crimes – to the government. In June, the government and 13 of the 14 armed groups signed a peace agreement which included an immediate ceasefire, political representation for armed groups, and the creation of a Truth and Reconciliation Commission. It also incorporated the potential for pardons. In July 2017, the African Union (AU) produced the Roadmap for Peace and Reconciliation in the Central African Republic, which launched a joint mediation.

In May 2017, the United Nations (UN) released a mapping report documenting serious violations of human rights and humanitarian law committed in 2003–2017, finding that some may amount to war crimes or crimes against humanity. The report may aid the work of the Special Criminal Court and future justice mechanisms. In February 2017, President Faustin-Archange Touadéra appointed the court's chief prosecutor, Toussaint Muntazini Mukimapa, the former advisor to the military attorney general of the Democratic Republic of Congo, in a process perceived to be fair and transparent, with external partners observing all discussions. In April 2017, Minister of Justice Flavien Mbata announced the appointment of two international judges, followed by the appointment of five national judges in May. In June, the president appointed a deputy international prosecutor. The Netherlands, the United States, and the UN were the principal donors to the Special Criminal Court, but the court's five-year budget remained only partially covered. The Special Criminal Court also continued to require technical assistance. The Office of the Prosecutor at the International Criminal Court (ICC) continued investigations into alleged war crimes and crimes against humanity committed in the country. The ICC issued no arrest warrants in 2017. The United Nations Human Rights Council renewed the mandate of the independent expert and scheduled a discussion with the independent expert, the United Nations (UN), African Union (AU), government representatives, and civil society in March 2018 to focus on the impact of the peace and reconciliation process on the human rights situation.

Jean-Pierre Bemba Gombo, a former vice president of the Democratic Republic of Congo and leader of the Mouvement pour la Libération du Congo (Movement for the Liberation of the Congo), was sentenced to one year's prison and fined €300,000 euros (approximately US\$ 353,000) in March 2017 for bribing witnesses during an earlier war crimes trial at the ICC. ICC judges found Bemba and four associates guilty of witness tampering in October 2016. Bemba was found guilty of rape, murder, and pillage in March 2016 for crimes committed in the Central African Republic in 2002 and 2003.²⁹

²⁹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 125, 130; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 23, 118, 120.

CHAD

Previous *Annual Report* entries: 2000–2012, 2015–2016.

See Senegal.

CHILE

Previous *Annual Report* entries: 1998–2017.

Victims of human rights violations during Chile's military regime (1973–1990) continued to demand truth, justice, and reparation. Although courts had heard hundreds of cases, most of those convicted did not serve prison sentences, and many victims continued to lack access to institutional mechanisms to demand reparation. Congress discussed a bill to make information gathered by former truth commissions available to prosecutors and parties to relevant judicial proceedings. In May 2017, the government filed a bill before Congress to establish a National Mechanism for the Prevention of Torture.³⁰

In June 2017, President Michelle Bachelet publicly apologized to the Mapuche people for all social injustices that their communities had historically endured and that were committed or tolerated by the state. In the context of the current Chilean constitutional-making process, indigenous people demanded the recognition of Chile as a multinational State, collective rights, access to political rights such as self-determination, special political representation, and territorial rights to land, ancestral waters, and natural resources. In 2014, applications of the Anti-Terrorism Law against Mapuche activists were found by the Inter-American Court of Human Rights – in *Norín Catrimán et al v. Chile* – to be in violation of the American Convention on Human Rights.³¹

In September 2017, the Michelle Bachelet administration submitted a bill to Congress that would lift the 50-year veil of secrecy over testimony given before the National Commission on Political Imprisonment and Torture, known as the Valech I Commission, from November 2003 to May 2004. The commission learned the places in which detention took place and the torture methods used by the

³⁰ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 124–125.

³¹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 136; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 124.

dictatorship (1973–1990), and recognized 28,459 victims of political imprisonment and torture (in a second revision, an additional 9,795 new torture victims were recognized). The lifting of the secrecy order generated intense debate among those who believed that opening the testimony to judges investigating human rights crimes violated the victims' privacy and those who claimed that the secret contributed to impunity enjoyed by the guilty.³²

CHINA

Previous *Annual Report* entries: 1995–2017.

In [2017], civil law was amended to punish “those who infringe upon the name, likeness, reputation, or honor of a hero or martyr, harming the societal public interest.” The legislation introduced the term “historical nihilism.” Chinese President Xi Jinping perceived independent historians with critical ideas about the official history of the Communist Party and its heroes as producers of “historical nihilism.” In a 2013 speech, he had said that in recent years “hostile forces” at home and abroad had “attacked, vilified and defamed” China’s modern history with the aim of overthrowing the Chinese Communist Party. He believed that sloppiness on the historical front had contributed to the collapse of the Soviet Union in 1991.³³

In March 2017, a historical novel, *Ruanmai* (Soft Burial) (People’s Literature Publishing House, 2016), written by Fang Fang, came under attack from Maoists because in describing the excesses during the land reform in the 1950s, it appeared to sympathize with the landlords. Critics believed that the novel discredited land reform, a major feat of the Communist Party of China, and saw it as a form of historical nihilism. The novel told the story of a dying woman, by following her buried memories and her son’s investigation of his family’s past. The wife of a rich landlord’s son in eastern Sichuan Province in the late 1940s, she witnessed her husband's entire family committing suicide. Many of the landlords and their families were killed or tortured during the campaigns, even after their land was confiscated. The book was not banned.

In 1999, Sichuan writer Xiao Shu had published a book called *The Truth of Liu Wencai*, trying to evaluate this landlord through a more neutral perspective, but the book had been banned for challenging

³² Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 133.

³³ Orville Schell, “[China’s Cover-Up: When Communists Rewrite History](#),” *Foreign Affairs* (12 December 2017; January–February 2018 Issue); Kiki Zhao, “[Chinese Court Upholds Ruling Against Historian Who Questioned Tale of Wartime Heroes](#),” *New York Times* (15 August 2016); Carrie Gracie, “[The Thoughts of Chairman Xi](#),” *BBC News* (13 October 2017); “[Party History and What The People Can’t Be Told \[Update\]](#),” *China Digital Times* (3 January 2018); Louisa Lim, “A Date (Not) To Forget,” *Index on Censorship*, 47 no. 1 (Spring 2018), 9.

China's New Democratic Revolution.³⁴

The government also continued to imprison those trying to commemorate peacefully the 4 June 1989 Tiananmen massacre. At least eleven activists were detained in June 2017 for commemorating the massacre; most were accused of “picking quarrels and provoking trouble.” In March 2017, a Sichuan court sentenced artist Chen Yunfei to four years’ imprisonment on charges of “picking quarrels and provoking trouble” in connection with his activities commemorating the massacre. Chen had paid his respects at the grave of Wu Guofeng, a 20-year-old student who had been shot and bayoneted to death by troops in Beijing on 4 June 1989. Four men who printed labels of Tank Man (the young white-shirted man facing down a column of tanks on the Avenue of Everlasting Peace on 4 June 1989) for liquor bottles faced long sentences for “inciting subversion of state power.” Li Xiaoling and Shi Tingfu remained in detention, and Ding Yajun was sentenced to three years’ imprisonment in September 2017.³⁵

At least ten activists were detained for holding memorials for Nobel Peace Prize laureate Liu Xiaobo who died in custody from liver cancer in July 2017 [see also *NCH Annual Reports 2010–2011, 2017*].³⁶

In the 20 years since Hong Kong came under Chinese rule, the office of the chief executive failed to hand over any official records at all for eight years and the Security Bureau for ten years. The fact that Hong Kong never had a freedom of information law or archives law was widely criticized. In 1994 and 1995, under British rule, the Government House gave nothing to the archives. Activists were anxious that records of sensitive information, such as government decisions during the 2014 pro-democracy street protests, could be destroyed with impunity. In February 2018, Hong Kong democracy activists again demanded that the United Kingdom release tens of thousands of files from Hong Kong. They believed that the files could help defend Hong Kong’s autonomy as Beijing tightened control. Release of the papers, however, was not prioritized. Hong Kong-related records from the Foreign and Commonwealth Office (FCO) in London dating up to 1989 were available at the National Archives, although large numbers were still closed. In addition, more than a quarter of a million files from the British administration were held as part of a controversial hoard of former colonial documents secretly

³⁴ Louisa Lim, “[Rewriting History in the People’s Republic of Amnesia and Beyond](#),” *The Conversation* (28 May 2018); Zhang Yu, “[Novel Exploring Excesses of 1950s Land Reform Draws Criticism from Maoists](#),” *Global Times* (22 March 2017).

³⁵ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 140; Louisa Lim, “A Date (Not) To Forget,” *Index on Censorship*, 47 no. 1 (Spring 2018), 9; Louisa Lim, “[Rewriting History in the People’s Republic of Amnesia and Beyond](#),” *The Conversation* (28 May 2018); Kevin Lui, “[Tens of Thousands in Hong Kong Commemorate the 1989 Tiananmen Massacre](#),” *Time* (4 June 2017); Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 37, 127.

³⁶ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 126.

held at a high-security FCO site, Hanslope Park.³⁷

In [July] 2017, Tsinghua University (Qinghua University) in Beijing canceled a history class about the Cultural Revolution which was to be taught in the fall by Tang Shaojie, a professor in the philosophy department. When it first appeared in 1995, the course was entitled “The History of the Cultural Revolution,” but when Tang asked to teach it in 2006, his application was ignored. He could only teach it after changing its name to “Chinese Cultural History of 1966–1976.”³⁸

In August 2017, Shi Jiepeng, a professor of classical Chinese at Beijing Normal University, was sacked for “improper comments”; Shi had called Mao Zedong (1893–1976) a “devil.”³⁹

On 18 August 2017, Cambridge University Press (CUP) confirmed that it had complied with a Chinese instruction (from an import agency) to block online access from China to 315 articles and book reviews from the *China Quarterly* (without the editorial board’s consent) in order “to ensure that other academic and educational materials ... remain available to researchers and educators in this market.” The list of articles to be blocked was sent by the General Administration of Press and Publications in China to CUP. CUP published the list. It showed that the blocked titles focused overwhelmingly on taboo topics such as the 1989 Tiananmen Massacre, the Cultural Revolution (1966–1976), Taiwan, Hong Kong’s fight for democracy, and ethnic tensions in Xinjiang and Tibet. They ranged from material published in the 1960s to materials recently published. Critics called CUP an “active participant in rewriting history.” Louisa Lim, author of a book on Tiananmen, *The People’s Republic of Amnesia*, said that a search for Tiananmen on the *China Quarterly* got 50 results overseas, but only five within China. In 2016, China had signed up to the International Publishers Association, which had as one of its guiding principles the freedom to publish. On 21 August 2017, after a wave of protests, CUP abruptly reversed its decision to censor online content and reposted the blocked articles. It made them available free of charge.

The CUP climb-down came as the *Journal of Asian Studies*, also published by CUP, received a similar instruction from China’s General Administration of Press and Publications concerning some 100 articles. On 21 August 2017, CUP said: “At present no *Journal of Asian Studies* articles have been removed from CUP website search results in China.”⁴⁰

³⁷ Venus Wu, “[Hong Kong’s Vanishing Archives and the Battle to Preserve History](#),” *Reuters* (6 September 2017); Tania Branigan, “[Hong Kong Democracy Activists Urge UK to Release Unseen Files](#),” *Guardian* (4 February 2018).

³⁸ Caroline Roy, “[Tsinghua University Cancels Professor’s Cultural Revolution History Class](#),” *Shanghaiist* (14 July 2017).

³⁹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 143.

⁴⁰ “Cambridge University Press Accused of ‘Selling Its Soul’ over Chinese Censorship,” *Guardian* (19 August 2017); “[Cambridge University Press Statement Regarding Content in China Quarterly](#)” (18 August 2017); “[List of Censored Titles](#)” (18 August 2017); Yojana Sharma, “[China Pressures Respected Journal to Censor Articles](#),” *University World News* (18 August 2017); “[Cambridge University Press Reverses China Censorship](#)”

On 3 January 2018, the *China Digital Times* posted presumably leaked internal minutes from a discussion held at the Central Party School in 2010. It did so under the title “[Party History and What The People Can’t be Told \[Update\]](#).” In this discussion, the panelists interpreted a speech delivered by Xi Jinping to the Central Party School in 2010 (prior to his ascendancy to President and General Secretary), in which he explained the limits to be placed on the officially-sanctioned public understanding of Party history.⁴¹

On 25 February 2018, as the Chinese Communist Party proposed removing a constitutional clause in order to extend Xi Jinping’s presidency, words such as “proclaiming oneself an emperor” were suddenly censored. In particular, allusions to Yuan Shikai (1859–1916), who in December 1915 – March 1916 tried to restore the monarchy, were perceived as cryptic references to Xi. Other censored terms were: *The Emperor’s Dream* (title of a 1947 animated puppet film) and *Hundred Days’ Reform* (a failed Qing Dynasty reform by the Guangxu Emperor, quashed by a coup carried out by supporters of the Empress Dowager Cixi).⁴²

On 27 April 2018, the “Heroes and Martyrs’ Protection Law” was passed, which prohibited the misrepresentation, defamation, profanation, or denial of the actions of heroes and martyrs, or to praise or beautify invasions. Those found in violation would be investigated for criminal responsibility and punished. The law banned criticism or questioning of the 1949 formation of the People’s Republic by Communist revolutionaries, and prohibited acts that glorified historical events considered unpatriotic, such as Japan’s invasion of China (1931–1945). The law stemmed from the Five Heroes of Langya Mountain case (2013–2016) [see *NCH Annual Report 2017*].⁴³

In April 2018, a row erupted about the review of history textbooks by a government-appointed panel in Hong Kong. The panelist deemed inappropriate phrases like “China taking back Hong Kong,” “China insisted on taking back Hong Kong’s sovereignty,” “the transfer of sovereignty,” “one-party

[Move](#),” *BBC News* (21 August 2017); Chris Buckley, “[After Criticism, Publisher Reverses Decision to Bow to China’s Censors](#),” *New York Times* (21 August 2017); Ben Bland, “[Curtailing Academic Freedom Is China’s Latest Export to the World](#),” *Financial Times* (22 August 2017); Christopher Balding, “[China Looks at Western Universities and Smells Weakness](#),” *Foreign Policy* (24 August 2017); Yojana Sharma, “[CUP Reverses China Censorship after Academic Uproar](#),” *University World News* (22 August 2017); Bruce Macfarlane, “[Universities Must Stand Up to Chinese Censorship](#),” *University World News* (25 August 2017); “[Petition Cambridge University Press Not to Censor China Articles](#)”; Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 143.

⁴¹ “[Party History and What The People Can’t be Told \[Update\]](#),” *China Digital Times* (3 January 2018); Amber Ziyue Wang, “[Universities Told to Further Embed Chinese Culture](#),” *University World News* (5 June 2018).

⁴² Kerry Allen, “[China Censorship after Xi Jinping Presidency Extension Proposal](#),” *BBC News* (26 February 2018); Oiwan Lam, “[China: Riddles and Funny Memes Outwit Online Censors](#),” *Global Voices Advox* (13 March 2018).

⁴³ “[China Criminalizes Defamation of Revolutionary Heroes](#),” *Deutsche Welle* (27 April 2018); Louisa Lim, “[Rewriting History in the People’s Republic of Amnesia and Beyond](#),” *The Conversation* (28 May 2018).

dictatorship,” and “the city [Hong Kong] is located south of China.” At the same time, a new curriculum framework for teaching Chinese history at Hong Kong junior secondary school levels was announced on 24 April 2018 – with no separate sections on Hong Kong’s past and no mention of the 4 June 1989 Tiananmen Massacre or the 1967 anti-colonial riots. The framework would be implemented progressively in Form One, starting from September 2020.⁴⁴

See also Singapore, Zimbabwe.

COLOMBIA

Previous *Annual Report* entries: 1997–1998, 2000, 2004, 2006–2017.

The government and the Revolutionary Armed Forces of Colombia (FARC) reached an agreement in 2016 to end their 52-year armed conflict (1964–2016). The Unit for the Victims’ Assistance and Reparation, created in 2011 by Law 1148, recorded a total 8,532,636 victims for the duration of the armed conflict. This included 363,374 victims of threats, 22,915 victims of sexual offenses, 167,809 victims of enforced disappearance, 7,265,072 victims of forced displacement, and 11,140 victims of anti-personnel mines.

Between 28 January and 18 February 2017, 6,803 FARC guerrillas moved into 26 demobilization zones with the support of the United Nations (UN) Monitoring and Verification Mission in Colombia established by UN Security Council resolution 2261 of 2016. In accordance with the Peace Agreement (see below), the UN Security Council adopted resolution 2377 (2017) approving a second verification mission on the political, economic, and social reintegration of FARC members, which commenced on 26 September 2017.

However, civilians continue to suffer serious abuses by the National Liberation Army (ELN) guerrillas and paramilitary successor groups that emerged after a demobilization process a decade ago. Violence associated with the conflict had forcibly displaced more than seven million Colombians since 1985, generating the world’s largest population of internally displaced persons. Human rights defenders, trade unionists, journalists, indigenous and Afro-Colombian leaders, and other community activists faced death threats and violence, mostly from guerrillas and successor groups. Perpetrators of these abuses were rarely held accountable.

⁴⁴ “[Changes to History Textbooks Offer Lessons that Must Be Learned](#),” *South China Morning Post* (29 April 2018); Peace Chiu, “[No Separate Sections on Hong Kong for New History Curriculum, Education Authority Says](#),” *South China Morning Post* (25 April 2018); Kimmy Chung, “[‘No Political Considerations’ behind Chinese History Curriculum Change, Hong Kong Education Chief Says](#),” *South China Morning Post* (26 May 2018).

In February 2017, the government and the ELN started peace talks in Quito, Ecuador, after more than two years of exploratory negotiations. In September 2017, days before Pope Francis's visit to Colombia, the parties agreed to hold a bilateral ceasefire between October 2017 and January 2018. The ELN also agreed to stop certain abuses, including recruiting children under 15 and using antipersonnel landmines. Also in September, "Otoniel," leader of the Gaitanista Self-Defenses of Colombia (AGC), the country's largest paramilitary successor group, said that he was willing to negotiate ending the groups' crimes. The reported negotiations remained confidential at the end of 2017.⁴⁵

Between 2003 and 2006, right-wing paramilitary organizations with close ties to security forces and politicians had undergone a deeply flawed government demobilization process in which many members remained active and reorganized into new groups. These successor groups continued to commit such widespread abuses as killings, disappearances, and rape. At times they benefited from the tolerance and even collusion of state agents. Implementation of the 2005 Justice and Peace Law, which offered dramatically reduced sentences to demobilized paramilitary members who confessed their crimes, had been slow, despite significant progress since 2014. As of July 2016, 182 of the more than 30,000 paramilitary troops who officially demobilized had been sentenced under the law. The convictions covered a small portion of the more than 4,000 defendants seeking the law's benefits. "Parapolitics" investigations and prosecutions of members of Congress accused of conspiring with paramilitaries continued in 2017. From 2006 through August 2015, 63 legislators had been convicted of crimes related to "parapolitics."⁴⁶

Point 5 of the 2016 Peace Agreement created the "Truth, Justice, Reparation and Nonrepetition System," which included the Special Jurisdiction for Peace and judicial mechanisms such as a unit for investigating and dismantling the criminal organizations that succeeded paramilitarism. Point 5 also defined the position regarding reparations for the victims of the armed conflict (1964–2016). In this context, victims of the armed conflict demanded guarantees of access to justice, as well as guarantees of the right to truth and reparation and, especially, of non-repetition of abuses such as forced displacement and sexual violence for Indigenous, Afro-descendant, and peasant farmer communities at risk. These demands had yet to be met, and the agreement's long-term viability was threatened due to the perpetrators of crimes under international law, including war crimes, crimes against humanity, and human rights abuses not being brought to justice. On 27 November 2017, Congress approved the Special Jurisdiction for Peace.

⁴⁵ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 152; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 131; "[Colombia Registers 82,998 Disappearances in 59 Years](#)," *Telesur* (28 February 2018).

⁴⁶ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 153–154; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 131–132.

Individuals responsible for crimes against humanity and serious war crimes who fully cooperated with the new jurisdiction and confessed their crimes would be subjected to up to eight years of “effective restrictions on freedoms and rights,” but no prison time. In December 2016, Congress passed an amnesty law, with the stated purpose of excluding human rights violations from amnesty. The law, however, had language that could allow people responsible for atrocities to benefit from amnesties. As of September 2017, the Constitutional Court was reviewing the law’s constitutionality.⁴⁷

On 9 November 2017, senator and former President Álvaro Uribe Vélez tweeted that the works of Mauricio Archila Neira, a historian at the Universidad Nacional de Colombia and member of Centro de Investigación y Educación Popular (CINEP; Center for Research and Popular Education) were libelous and promoted terrorism. Archila Neira recently became a member of the Comisión para el Esclarecimiento de la Verdad, la Convivencia y la No Repetición (Commission for the Elucidation of Truth, Coexistence, and Non-Repetition), established as part of the peace process between the government and FARC. Uribe Vélez’s remarks were widely condemned by historians in and outside the country. Archila Neira published about 20th-century Colombian social and oral history.⁴⁸

In December 2017, a new law re-established the compulsory teaching of Colombian history in primary and secondary schools. It reversed a 1994 law which had taken history classes off school curricula, making them part of a wider social sciences module together with geography, anthropology, and politics. Viviane Morales, a former senator running for president, had proposed the law, saying “The absence of this subject in the curricula of Colombian schools has led to a sort of amnesia or historic and cultural illiteracy.” A commission of the Ministry of Education would launch a new history curriculum before June 2020.⁴⁹

⁴⁷ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 155–156; Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 131–133.

⁴⁸ Álvaro Uribe Vélez, tweet (@AlvaroUribeVel) (9 November 2017); César Augusto Duque Sánchez, personal communication (9 November 2017); Carta de apoyo de historiadores colombianos a Mauricio Archila, “A la opinión pública” (Bogotá, 11 November 2017); Declaración del Grupo de Trabajo CLACSO “Izquierdas latinoamericanas,” “Apoyo a Mauricio Archila Neira ante los ataques recibidos de parte de los enemigos de la paz” (November 2017); CINEP, “[¿Quién le teme a la verdad? Comunicado sobre los ataques calumniosos al profesor Mauricio Archila Neira y al Cinep/PPP](http://www.cinep.org.co/Home2/component/k2/item/512-quien-le-teme-a-la-verdad.html)” (<http://www.cinep.org.co/Home2/component/k2/item/512-quien-le-teme-a-la-verdad.html>); 15 November 2017).

⁴⁹ Irene Caselli, “Colombia’s New History Test,” *Index on Censorship*, 47 no. 1 (Spring 2018), 61.

CONGO (Democratic Republic)

Previous *Annual Report* entries: 1998–2000, 2003–2017.

In 2017, Sylvestre Mudacumura, military commander of the Forces démocratiques de libération du Rwanda (FDLR; Democratic Forces for the Liberation of Rwanda) armed group, remained at large. The International Criminal Court (ICC) issued an arrest warrant against him in 2012 for attacks on civilians, murder, mutilation, cruel treatment, rape, torture, destruction of property, pillage, and outrages against personal dignity, allegedly committed in 2009 and 2010 in eastern Congo. The trial continued at the ICC for Bosco Ntaganda, who was accused of 13 counts of war crimes and five counts of crimes against humanity allegedly committed in northeastern Congo's Ituri province in 2002 and 2003.⁵⁰

See also Central African Republic.

CONGO (Republic)

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

COSTA RICA

Previous *Annual Report* entries: 2010.

CÔTE D'IVOIRE

See Ivory Coast.

CROATIA

Previous *Annual Report* entries: 1995–2001, 2003–2013, 2015–2017.

⁵⁰ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 176.

Of the over 6,000 people who went missing during the 1991–1995 war, the fate and whereabouts of more than 1,500 remained unclarified. The International Commission on Missing Persons reported that Croatia failed to make significant steps toward fulfilling the rights to truth, justice, and reparation for victims, including by failing to account for over 900 unidentified mortal remains in its mortuaries.⁵¹

In 2018, there were no formal commemorations of the centenary of the Kingdom of Yugoslavia, founded in 1918.⁵²

CUBA

Previous *Annual Report* entries: 1997–2002, 2006, 2010–2012, 2015–2016.

In 2016, artist Luis Manuel Otero Alcántara and Yanelys Nuñez Leyva, art curator and staff writer at *Revolución y Cultura* (a magazine published by the Ministry of Culture), launched the Cuban Museum of Dissidence, a website listing all those who stood up against the government during Cuba’s history (Hatuey, José Martí, Fidel Castro, Oswaldo Payá, etc.). Otero Alcántara was detained twice in 2017 and followed and threatened on several occasions; Nuñez Leyva was dismissed. The museum website was blocked in Cuba. The duo relied on Facebook and other social networks to post information related to the project.⁵³

See also Bolivia.

CYPRUS

Previous *Annual Report* entries: 2002, 2005, 2008–2011, 2013, 2015–2017.

In 2017, the Committee of Missing Persons in Cyprus exhumed the remains of 46 people, bringing the total number of exhumations since 2006 to 1,217. Between 2007 and 31 December 2017, the remains of 855 missing individuals (645 Greek Cypriots and 210 Turkish Cypriots) were identified.⁵⁴

⁵¹ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 138.

⁵² Luka Ostojić, “Another Country,” *Index on Censorship*, 47 no. 1 (Spring 2018), 15.

⁵³ Irene Caselli, “Tracing a Not Too Dissident Past,” *Index on Censorship* (2018 no. 1), 28–30.

⁵⁴ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 142.

CZECH REPUBLIC

Previous *Annual Report* entries: 1997–1998, 2000, 2010, 2013–2017.

In May 2017, the Council of Europe Commissioner for Human Rights urged the Czech authorities to remove a pig farm from the site of a former Nazi concentration camp, where most of the victims were Roma, in the village of Lety u Písku. While appreciating the government's efforts to buy the land, the commissioner was concerned over the length of the process, and the government's repeated failure to remove the pig farm and create a memorial as a measure of reparation for the Roma who suffered and died there during World War II. In November 2017, the government signed a contract to buy off the land from the owner of the pig farm and made a commitment to build a memorial on the site.⁵⁵

⁵⁵ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 144.

DENMARK

Previous *Annual Report* entries: 2006–2007, 2013, 2016–2017.

On 29 January 2018, the former unofficial collaborator of the East German Stasi intelligence service Jan Aage Jeppesen appeared at Copenhagen City court in a defamation case against historian Bent Jensen and publisher Gyldendal over two statements made in the 2014 book *Ulve, får og vogtere, I* (Wolves, Sheep and Guards I). While admitting to having been a Stasi collaborator (he was paid, inter alia for infiltrating the Ost-West Transfer group, which helped smuggle East German citizens to the West, gave the Stasi a description of Danish security service PET's offices, and took photographs of Polish activists in Copenhagen), Jepessen disputed accusations made in the book that he “caused several East German citizens to end up in East German prisons,” and “spied against Denmark,” for which, he said, there was no evidence. He did not seek legal penalties against Jensen or Gyldendal. The State Prosecution Service had shelved a criminal case against Jeppesen in 2002, stating that it was unlikely he would be convicted and that the case was too old. A verdict was scheduled for 5 March 2018.⁵⁶

DJIBOUTI

Previous *Annual Report* entries: 2008.

DOMINICAN REPUBLIC

Previous *Annual Report* entries: 2013.

⁵⁶ [“Danish Former Stasi Collaborator Sues Historian for Libel,”](#) *The Local* (30 January 2018).

ECUADOR

Previous *Annual Report* entries: 2005–2007, 2009–2017.

A Truth Commission set up by the Rafael Correa administration to investigate government abuses from 1984 to 2008 (from the beginning of the repressive presidency of León Febres Cordero until Correa took office) documented 136 cases of gross human rights violations involving 456 victims, including 68 extrajudicial executions and 17 disappearances. A special prosecutorial unit created in 2010 to investigate the cases had initiated judicial procedures in fewer than ten of them, and progress on those had been slow. The United Nations Committee on Enforced Disappearances noted in March 2017 that no criminal responsibility had been established for 17 cases of enforced disappearances identified by the Truth Commission, and that the whereabouts of 12 of those victims remained undisclosed. In February 2017, the Inter-American Court of Human Rights ruled that Ecuador was responsible for an enforced disappearance in 1995 and for failing to conduct a diligent investigation into the case. Despite the fact that the official Truth Commission report had concluded that the victim had been forcibly disappeared, Ecuador denied before the court that state agents were responsible.⁵⁷

See also Colombia.

EGYPT

Previous *Annual Report* entries: 1996–2001, 2003, 2006–2007, 2010–2017.

Despite an explicit constitutional provision recognizing the Nubian Indigenous People's right to return to their traditional lands, the government continued to deny displaced Nubians the right to access their traditional lands, posing a threat to the preservation of their cultural, historical, and linguistic identity. On 3 September 2017, Nubian activists held a protest calling on the authorities to repeal a 2014 presidential decree that classified 16 villages on traditional Nubian lands as military zones and prohibited residents from living there. The police arrested 25 activists and detained them for three months.⁵⁸

⁵⁷ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 182, 183; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 151.

⁵⁸ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 156.

The eight-grade textbook “Our Arab homeland ... geographic trends and Islamic culture,” published by an independent publisher, showed the Israeli flag instead of the Palestinian one on a map of the Middle East, which caused the Education Ministry in September 2017 to order the removal of the controversial page from the book and bar it from further distribution. The head of the general education department said steps would be taken against the publisher if an investigation found that the textbook did not receive a license from the Education Ministry.⁵⁹

In January 2018, the independent media group Mosireen launched an Internet “resistance archive” (<https://www.youtube.com/user/Mosireen>) named “858” for the number of hours of footage that were shot during the 2011 Revolution (25 January–11 February 2011) and collected by the group. At the time, Mosireen had hoped to use the crowd-sourced videos as evidence against President Hosni Mubarak’s security forces in court, but those trials never came to pass (Courts cleared Mubarak and some of his top aides of any responsibility). In addition, after the 2013 coup, prosecutors used Mosireen’s videos against protesters in court. Members of Mosireen described the act of assembling their video archive as a defense of the revolution’s memory against a regime that wanted to erase history but they also saw the need to balance the publication of the videos with the security of people featuring in them (their risk to be prosecuted). In early 2018, the government also struck all reference to the 2011 and 2013 uprisings from school textbooks.⁶⁰

In [May] 2018, Ahmed Rashwan, a history lecturer at the Teachers’ School of state-run Damanhour University, was suspended. In his book *Studies in Modern Arab History*, Rashwan reportedly accused the government of President Hosni Mubarak (toppled in 2011) of promoting “religious mania” and political Islamism at the hands of theologians, including influential clerics Metwaly el-Sharawy (?–1998), former minister of religious affairs, and Amr Khaled, a television preacher. The university president ordered an internal investigation into Rashwan’s writings to find out whether he had defamed prominent Muslim clerics. The news of the possible defamation triggered online condemnations and angered Egyptian lawmakers, including Omar Hamrush, who headed the parliament’s religious committee. Rashwan denied the allegations.⁶¹

See also Israel.

⁵⁹ Roi Kais, “[Textbook Featuring Israeli Flag Raises Ire in Egypt](#),” *Ynetnews.com* (13 September 2017).

⁶⁰ Amir-Hussein Radjy, “[How to Save the Memories of the Egyptian Revolution](#),” *The Atlantic* (25 January 2018).

⁶¹ Ashraf Khaled, “[Lecturer Probed over Alleged Defamation of Top Clerics](#),” *University World News* (3 May 2018).

EL SALVADOR

Previous *Annual Report* entries: 2001–2017.

Measures were adopted nationally and internationally to redress crimes under international law and punish perpetrators of human rights violations committed during the armed conflict (1980–1992). In May 2017, a court ordered the reopening of the case of Óscar Arnulfo Romero y Galdámez, Archbishop of San Salvador, who was murdered in 1980 by a death squad while celebrating mass. Following a judgment by the Supreme Court in 2016 in which the 1993 Amnesty Law was ruled to be unconstitutional, the Court held a hearing in July to 2017 determine what steps the government had taken to comply with the ruling. In that hearing, both the executive and legislative branches of government admitted to being in contempt of the ruling. In September 2017, the government created a commission to search for people who had been subjected to enforced disappearance during the armed conflict. In November 2017, the United States Supreme Court cleared the way for Colonel Inocente Orlando Montano Morales to be tried in Spain on charges that he conspired in the killing of six Jesuit priests, their housekeeper and her daughter in El Salvador in 1989.⁶²

EQUATORIAL GUINEA

Previous *Annual Report* entries: —.

ERITREA

Previous *Annual Report* entries: 2008, 2016.

The right of people to leave Eritrea was severely restricted. The authorities continued to prohibit those aged between five and 50 from travelling abroad, and anyone attempting to leave was subject to arbitrary detention. If caught by the military, they were detained without charge until they paid exorbitant fines. People caught during national holidays to commemorate independence were subject to higher fines.⁶³

⁶² Amnesty International, *Report 2017/18: The State of the World's –Human Rights* (London: AI, 2018), 157–158.

⁶³ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 160.

ESTONIA

Previous *Annual Report* entries: 2007, 2010, 2015, 2017.

ETHIOPIA

Previous *Annual Report* entries: 1998–2011, 2015–2017.

On 3 September 2017, police broke up the launch party for “Ethiopia,” the fifth album of popular singer Teddy Afro (1976–) (born Tewodros Kassahun). Despite the fact that “Ethiopia” briefly hit no. 1 on Billboard’s world music chart and could be purchased or heard on virtually every street corner in the capital, Addis Ababa, after its May 2017 release, his songs were nowhere to be found on state radio and television. Teddy Afro’s music glorified Amhari rulers such as Emperors Menelik II (1844–1913) and Haile Selassie (1892–1975), in opposition to the nationalism of the ruling Ethiopian People’s Revolutionary Democratic Front, a formerly Marxist guerrilla movement that has ruled the country since 1991 (until 26 April 2018) and which was dominated by a political party from the Tigrayan people. The government promoted Ethiopia’s ethnic diversity and used “unity through diversity” as its slogan. The song – and its criticism of rising ethnic division in Ethiopia – reportedly challenged this official vision.

In 2005, a first confrontation with the government took place when Teddy Afro’s album “Yasteseryal” came out days before an election that descended into violence after the opposition denounced it as rigged. The album was a homage to Haile Selassie, and its lead single “Jah Yasteseryal,” questioning whether the government was improving the country, became a protest anthem. Another album, “Tikur Sew” (2012), was an homage to Menelik II. Among Ethiopia’s largest ethnic group, the Oromos, however, this album was seen as an affront because it glorified an emperor who brutally absorbed Oromo territory into Ethiopia’s borders.⁶⁴

⁶⁴ Paul Schemm, “[The World Loves Ethiopian Pop Star Teddy Afro—His Own Government Doesn’t](#),” *Washington Post* (17 September 2017); “[Teddy Afro](#),” *Wikipedia* (12 January 218); AFP, “[Ethiopian Pop Star Teddy Afro Delights Fans](#),” *Enca.com* (28 December 2017).

FIJI

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

FINLAND

Previous *Annual Report* entries: 2011–2012, 2017.

FRANCE

Previous *Annual Report* entries: 1996–1999, 2001–2009, 2011–2014, 2016–2017.

On 15 September 2017, the Constitutional Council ruled that restrictions until 2021 on access to the archives of former President François Mitterand (1916–1996) concerning Rwanda were “justified on the grounds of common interest and are proportional,” citing a law protecting presidential archives for 25 years after the death of a head of state. Genocide researcher François Graner had sought permission to study them after an announcement by the French presidency in April 2015 that its archives on Rwanda for 1990–1995 would be declassified. Graner wrote a book accusing French officers of helping the Hutu militias during the 1994 genocide; France denied any such complicity. Graner called the ruling political. On 14 December 2017, he and Thomas Borrel, member of the association “Survie” submitted a complaint to the European Court of Human Rights.⁶⁵

See also Burkina Faso, Netherlands, Poland, Serbia/Kosovo.

⁶⁵ “[Rwanda Genocide: France Keeps 1990s Archives Secret](#),” *BBC News* (15 September 2017); “[Un chercheur réclame l’ouverture du ‘verrou’ des archives de l’Élysée sur le génocide rwandais](#),” *VOA* (13 December 2017); Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 457.

GABON

Previous *Annual Report* entries: 2016.

The International Criminal Court (ICC) continued its preliminary examination into whether alleged crimes committed after May 2016, including in the context of the 2016 presidential elections, could amount to crimes under the Rome Statute, and whether the criteria for opening an investigation were met. In June 2017, ICC representatives conducted a two-day visit.⁶⁶

GAMBIA

Previous *Annual Report* entries: 2016–2017.

The human rights climate in Gambia improved dramatically as the new president, Adama Barrow, and his government took steps to reverse former President Yahya Jammeh's legacy of authoritarian and abusive rule. After winning the December 2016 election and taking office in January 2017, Barrow moved quickly to distinguish his government from Jammeh's, whose security forces used arbitrary arrests, torture, and extrajudicial killings to suppress dissent and independent media during his 21 years in power (1996–2017). The new government promised to make Gambia the "human rights capital of Africa," released scores of political prisoners, and began to strengthen the judiciary and reform the security services. It also reversed Jammeh's planned withdrawal from the International Criminal Court (ICC).

In October 2017, the Ministry of Justice drafted legislation establishing a Truth, Reconciliation and Reparation Commission (TRRC) to document violations committed from 1994 to January 2017 and oversee reparations to victims. On 13 December 2017, the TRRC bill was passed by the National Assembly, following consultation on the bill with national and international actors. The Ministry of the Interior had created a specialized police unit, the Panel on Missing Persons, in February 2017 to investigate enforced disappearances during the Jammeh era. It was expected to submit a list of missing people to be investigated by the TRRC. The bodies of four people suspected of being forcibly disappeared during the Jammeh era were exhumed in March 2017, including opposition activist Solo Sandeng (murdered in April 2016). Ousmane Sonko, minister of the interior from 2006 until he fled the country in September 2016, was being investigated in Switzerland for alleged crimes against humanity committed during the Jammeh era.

⁶⁶ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 169.

In addition, the government had frozen assets suspected of belonging to Jammeh and established a commission of inquiry to investigate Jammeh's alleged abuses of public finances. The commission began hearing evidence in public sessions in August 2017.

Nevertheless, human rights groups were concerned that the government had not taken steps to preserve documentary and physical evidence of security force abuses. In October 2017, Gambian victims, civil society organizations, and international human rights groups formed a coalition to campaign to bring Jammeh and his accomplices to justice.⁶⁷

GEORGIA

Previous *Annual Report* entries: 1998, 2003, 2010–2012, 2014, 2016.

GERMANY

Previous *Annual Report* entries: 1995, 1997–2000, 2003, 2006–2013, 2015–2017.

See Australia, Denmark, Netherlands, Poland, Tajikistan, Turkey, Ukraine.

GHANA

Previous *Annual Report* entries: 2002, 2004–2008, 2017.

GREECE

Previous *Annual Report* entries: 1995, 1999, 2004–2011, 2013–2017.

On 19 May 2018, the mayor of Thessaloniki, Yiannis Boutaris ([1943–]), was treated in hospital after being beaten up by a group of nationalists angry over his appearance at a remembrance event, a ceremony to mark the killing of ethnic Greeks by Turks in World War I, marking what is known in

⁶⁷ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 235, 237, 240; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 170–171.

Greece as the “Pontic Genocide” (1913–1922).⁶⁸

See also Macedonia.

GRENADA

Previous *Annual Report* entries: 2007.

GUATEMALA

Previous *Annual Report* entries: 1995–2017.

In April 2017, former dictator Efraín Ríos Montt (1926–2018) was ordered to stand trial for his role in the 1982 Dos Erres massacre, in which army Special Forces killed around 200 civilians. In 2011 and 2012, five former members of the military had been convicted for their roles in the massacre. At the end of 2017, no trial date for Ríos Montt had been set. In May 2013, Ríos Montt had been found guilty of genocide and crimes against humanity for the assassination of over 1,771 Mayan Ixil civilians in 105 massacres, when he was head of state in 1982 and 1983. He had been sentenced to 80 years in prison, but ten days later the Constitutional Court had overturned the verdict on procedural grounds. The retrial began in March 2016 but was suspended two months later. In May 2017, the Constitutional Court ruled that because Ríos Montt was mentally unfit for a public trial, proceedings against him would take place behind closed doors, but those against his co-defendant, José Mauricio Rodríguez Sánchez – the former intelligence director – would be public. The trial date for each defendant had yet to be scheduled at the end of 2017.

Mass protests took place in August and September 2017 and Guatemala faced a political crisis when several members of the government resigned in September, in reaction to President Jimmy Morales’s attempt to expel the head of the International Commission against Impunity in Guatemala (an independent body established by the United Nations and the Guatemalan government in 2006 to strengthen the rule of law post-conflict).⁶⁹

⁶⁸ [“Thessaloniki Mayor Yiannis Boutaris Beaten Up,”](#) *BBC News* (20 May 2018).

⁶⁹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 248–249; Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 30, 31, 180.

GUINEA

Previous *Annual Report* entries: 2007, 2009–2017.

There was progress in the trial proceedings relating to the killing of over 150 peaceful demonstrators and the rape of at least 100 women in the Conakry Stadium in 2009. In March 2017, Aboubacar Sidiki Diakité was extradited to Guinea from Senegal after being at large for several years, and faced charges in connection with the Stadium event. He was the former aide to Moussa Dadis Camara (leader of the military junta in 2009). Several people charged in connection with the killings and rapes retained influential positions, including Mathurin Bangoura, Moussa Tiégboro Camara, and Claude Pivi who were senior officials in the military junta at the time. In November 2017, the investigating judges announced that the judicial investigation had been completed; however, none of the suspected perpetrators had been brought to trial by the end of 2017. In September 2017, a group of victims filed a lawsuit against Sékouba Konaté, who served as Minister of Defense in 2009, as well as transitional President between 2009 and 2010.⁷⁰

GUINEA-BISSAU

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

GUYANA

Previous *Annual Report* entries: 1997.

⁷⁰ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 183.

HAITI

Previous *Annual Report* entries: 1997, 2000–2003, 2006, 2008–2009, 2013–2017.

The United Nations Human Rights Committee called on Haiti to continue investigations into financial and human rights crimes allegedly committed during the tenure of former President Jean-Claude Duvalier (1951–2014) from 1971 to 1986. It called on Haiti to bring to justice all those responsible for serious human rights violations committed during that time. Allegations of violations included arbitrary detentions, torture, disappearances, summary executions, and forced exile. Duvalier died in 2014, six months after the Port-of-Prince Court of Appeal ruled that the statute of limitations could not be applied to crimes against humanity and ordered that investigations against him should continue. As of November 2017, a re-opened investigation into crimes committed by Duvalier’s collaborators remained pending.⁷¹

HONDURAS

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

HONG KONG

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

HUNGARY

Previous *Annual Report* entries: 1995, 1997, 2004, 2007–2017.

On the instruction of the Hungarian Academy of Sciences, the removal and transfer of the manuscripts held at the György Lukács Archives began on 15 January 2018. On 24 May 2018, the last research associate was dismissed [see also *NCH Annual Reports 2016–2017*].⁷²

⁷¹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 253–254.

⁷² “[Statement on the Formation of the Lukács Archive International Foundation \(LAIF\) \(Hungarian: LANA\)](#)” (31 August 2016); updates (13 January 2018; 3 June 2018).

INDIA

Previous *Annual Report* entries: 1996–1997, 2000–2017.

The Supreme Court directed the Central Bureau of Investigation to investigate more than 80 alleged extrajudicial executions by police and security force personnel in the state of Manipur between 1979 and 2012, ruling that cases should not go uninvestigated merely because of the passage of time.⁷³

In May 2017, four men were arrested in Chennai and held in administrative detention for more than three months for attempting to stage a memorial for Tamils killed in the civil war in Sri Lanka (1983–2009).⁷⁴

A special investigation team set up in 2015 to reinvestigate closed cases related to the 1984 Sikh massacre closed 241 cases and filed charges in 12 others. In August 2017, the Supreme Court set up a panel comprising two former judges to examine the decisions to close the cases.⁷⁵

On 2 August 2017, the Madras High Court (Tamil Nadu) issued two court orders to ban Internet Archive (<http://web.archive.org>; a digital library allowing people to find archived versions of webpages via a free service called the Wayback Machine) and more than 2,600 other file-sharing websites. The ruling was based on the petitions of two Bollywood production houses, Red Chillies Entertainment and Prakash Jha Productions, to stop file-sharing websites from distributing pirated copies of two recently released Bollywood movies, “Jab Harry Met Sejal,” and “Lipstick under My Burkha.”⁷⁶

In October 2017, Sangeet Som, a lawmaker for the ruling Bharatiya Janata Party (BJP) in Uttar Pradesh, while addressing supporters in Meerut, called the Taj Mahal a “blot on Indian culture” built by “traitors.” The remarks came weeks after the famous mausoleum, built by Muslim Emperor Shah Jahan in memory of his favorite wife in 1643, was excluded from an Uttar Pradesh tourism booklet. In June 2017, Hindu nationalist Yogi Adityanath, the chief minister of Uttar Pradesh, had said that the Taj Mahal “did not reflect Indian culture.” Both remarks sparked shock and outrage online.⁷⁷

On 27 October 2017, the Additional Sessions court in Pune acquitted 68 members of the Shambhaji

⁷³ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 39.

⁷⁴ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 191.

⁷⁵ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 190.

⁷⁶ Global Voices Advox, “[India Bans the Internet Archive over Concerns of Pirated Bollywood Films](#),” *Ifex News* (14 August 2017).

⁷⁷ “[Indian Politician: ‘Taj Mahal Built by Traitors](#),” *BBC News* (16 October 2017).

Brigade, including its former president Anant Chonde, who had been charged with dacoity (an act of armed robbery committed by a gang) and rioting for ransacking the Bhandarkar Oriental Research Institute (BORI) in Pune in December 2003 during the James Laine affair [See *NCH Annual Report 2004*]. A total of 72 had been charged but four died during the trial. After examining nine witnesses, the prosecution failed to establish the identities and roles of the actual attackers and if the 72 had been among them.⁷⁸

In November 2017, Hindu groups and a Rajput caste organization called to ban *Padmavati*, a film that told the story of the fictional 14th-century Hindu queen Padmavati belonging to the high Rajput caste and the Muslim ruler Alauddin Khilji. The movie, based on the 1540 epic poem *Padmavat* by 16th-century poet Malik Muhammad Jayasi, was directed by Sanjay Leela Bhansali; Bollywood stars Deepika Padukone and Ranveer Singh played the lead roles. The epic extolled the virtue of Padmavati who committed sati (the practice of a widow immolating herself on her husband's funeral pyre) to protect her honor from the invading Khilji who had killed her husband, the Rajput king, in a battle. Rumors of a scene in the film of Khilji dreaming of getting romantic with Padmavati enraged many like the Rajput Karnik Sena, a fringe caste group, who called for the film to be banned. The group disrupted the film set and slapped Bhansali earlier in 2017, vandalized cinemas, and threatened to chop off Padukone's nose (referring to a story in the epic Ramayana where a character has her nose chopped off as punishment). The group also held protests against the film in several states ruled by the Hindu nationalist Bharatiya Janata Party (BJP). Rajput community members burned effigies of Bhansali and also sought a ban of the film. Rajasthan Chief Minister Vasundhara Raje said that the film should not be released until "necessary changes [were] made so that sentiments of any community are not hurt." A regional BJP leader announced a reward of nearly 1.5 million dollar for anyone beheading Bhansali and Padukone. Bhansali denied that the film contained such a dream sequence. Many cinemas refused to screen the film. On 19 November 2017, the producers announced that the 1 December 2017 release of the film – the most expensive film ever made in India – had been indefinitely delayed following the protests. On 28 November 2017, the Supreme Court rejected an appeal to block the global release of the film. On 30 December 2017, the Central Board of Film Certification (CBFC) told local media that it had not recommended any cuts. It added, however, that it wanted the film's title to be changed into *Padmaavat* and two disclaimers to be shown, one saying that the film did not claim historical accuracy and another saying that the film did not promote sati. On 1 January 2018, the general president of the Indian History Congress, historian K. M. Shrimali, said that the RSS and BJP were trying to rewrite

⁷⁸ ["68 Arrested for Ransacking BORI in 2004 Acquitted," Sakal Times \(27 October 2017\)](#); ["68 Sambhaji Brigade Men Acquitted of BORI Attack," Pune Mirror \(27 October 2017\)](#); Yogesh Yoshi, ["Pune Court Acquits 68 Members of Sambhaji Brigade Accused Of Ransacking Bhandarkar Institute," Hindustan Times \(28 October 2017\)](#).

history to create a Hindu nation, where minorities were treated as second-class citizens. On 23 January 2018, the Supreme Court ruled that bans on the film in Rajasthan and Madhya Pradesh were unlawful.⁷⁹

On 19 January 2018 Minister for Higher Education Satyapal Singh took aim at the theory of evolution. Calling himself “a responsible man of science,” Singh, a chemist, suggested that Darwin’s theory was “scientifically wrong” and “need[ed] to change” in school and university curricula. On 21 January 2018, India’s three science academies released a statement endorsed by more than 2000 scientists, declaring that “it would be a retrograde step to remove the teaching of the theory of evolution from school and college curricula or to dilute this by offering nonscientific explanations or myths.”⁸⁰

On 5 March 2018, a few days after a Bharatiya Janata Party (BJP)-led coalition defeated the Communist Party of India (Marxist) in elections, winning 43 out of 59 seats, BJP supporters allegedly pulled down a statue of Vladimir Lenin in Belonia, state of Tripura. Local BJP leader Raju Nath denied that the excavator used to remove the statue was hired by his party and told *The Indian Express* that the statue fell because of an “overflow of anger.” It was the first act in a wave of vandalism. On 6 March 2018, BJP leader H. Raja made calls on his Facebook page to destroy the statue of activist Periyar Ramasamy, admired by lower castes, in the state of Tamil Nadu. Hours later, the statue was defaced. On 7 March 2018, district officials in Meerut, state of Uttar Pradesh, discovered a statue of Dalit leader B. R. Ambedkar (1891–1956) in pieces. Dalits blamed upper-caste Tyagis for defacing the statue. On the same day, residents of Kolkata found the damaged and defiled bust of the BJP founder, Syama Prasad Mookerjee. On 8 March 2018, vandals attacked a statue of Mahatma Gandhi (1869–1948) in the state of Kerala, breaking its wire-rimmed eyeglasses.⁸¹

On 6 June 2018, Shoma Sen ([1958]–), professor of English at Rashtrasant Tukadoji Maharaj Nagpur University, Nagpur (Maharashtra), and member of the Committee for the Protection of Democratic Rights, was arrested together with four others. Reasons for the detentions were shifting – from an initial accusation of involvement in violence that broke out at the Bhima Koregoan memorial on 1 January 2018, to a charge of being affiliated with Naxal (Maoist) groups, to a charge of plotting an assassination. On 1 January 2018 there had been a commemoration for the 200th anniversary of a battle in which the

⁷⁹ [“Padmavati: Why a Bollywood Epic Is Facing Fierce Protests,”](#) *BBC News* (21 November 2017); [“Padmavati: India’s Supreme Court Rejects Bid to Block Bollywood Epic,”](#) *BBC News* (28 November 2017); [“Padmavati: Controversial film ‘Cleared by Indian Censor Board,’”](#) *BBC News* (30 December 2017); “Distorting History Another Form of Terror, Says Historian,” *The Tribune* (2 January 2018); Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 191.

⁸⁰ Pallava Bagla, [“India’s Education Minister Assails Evolutionary Theory, Calls for Curricula Overhaul,”](#) *Science* (22 January 2018).

⁸¹ [“India Crowd Pulls Down Tripura Lenin Statue after Communist Defeat,”](#) *BBC News* (6 March 2018); Maria Abi-Habib & Hari Kumar, [“As India’s Tensions Boil, Even a Statue of Gandhi Isn’t Safe,”](#) *New York Times* (10 March 2018).

Dalits helped the British East India Company defeat the local ruling army. The commemoration caused riots between the Dalit and their allies and right-wing Hindu nationalists. Sen and the four others were charged with participation in an alleged left-wing conspiracy. Sen had also been involved in a fact-finding effort to look into an incident in which law enforcement authorities killed 40 people in an anti-Naxal operation in the Gadchiroli district of Maharashtra in April 2018.⁸²

INDONESIA

Previous *Annual Report* entries: 1996, 1998, 2001–2002, 2004–2013, 2015–2017.

Despite commitments made by President Joko Widodo, Indonesia failed to address past human rights violations. In February 2017, the Administrative Court in the capital, Jakarta, overturned a decision by the Public Information Commission ordering the government to publish a report on the 2004 murder of human rights defender Munir Said Thalib, which reportedly implicated senior intelligence officers. The Court made the decision on the grounds that the current government had not received the report from the previous government. In August 2017, the Supreme Court upheld the Administrative Court's decision.⁸³

In August 2017, police and military personnel forced the cancellation of a public workshop on financial compensation for victims of the massacres of 1965–1966. Security forces “interrogated and intimidated” organizers, claiming that they lacked a permit. On 16 September 2017, police blockaded the offices of the Jakarta Legal Aid Institute to stop a public forum (organized by Bonnie Setiawan) on the 1965 massacre. Police and military officers surrounded the compound, preventing participants from entering the building on the pretext that the organizers lacked a permit for the gathering. Two hundred people were trapped in the building. The next day, an armed mob – several hundred hard-line Islamists, nationalist militia members, and hired local street thugs, armed with rocks and sticks – laid siege to it. Police officers dispersed the mob with warning shots and tear gas. Those attending the event had to be evacuated to safety. The mob – opposed to public discussion of the 1965 massacre of Communists – apparently thought that they were breaking up an illegal gathering of Communist sympathizers. On 18 September 2017, 22 people were arrested for rioting. Five officers were injured in the confrontation.⁸⁴

⁸² Committee of Concerned Scientists, “[Chair of English Department at Nagpur University Arrested](#)” (18 June 2018).

⁸³ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 193.

⁸⁴ Reuters, “[Anti-communist Mob Attacks Indonesia Meeting, 22 Arrested](#),” *Bangkok Post* (18 September 2017); Joe Cochrane, “[Indonesia Takes a Step Back From Reckoning With a Past Atrocity](#),” *New York Times* (29 September 2017); Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 274.

On 16 October 2017, historian A. B. Kusuma said during a discussion at the Indonesian parliament in Jakarta that researchers faced difficulties in accessing primary sources about the Agency for the Preparatory Work for Indonesian Independence (BPUPKI) and the Indonesian Independence Preparation Committee (PPKI).⁸⁵

In October 2017, the National Security Archive, a United States (US) nongovernmental public transparency organization, released 39 declassified documents from the US Embassy in Jakarta showing that US diplomatic personnel had been fully aware of the 1965–1966 massacres. Amnesty International urged the government to use the information contained in these declassified US Embassy documents as new momentum to reveal the truth and deliver justice to survivors. It urged state institutions, including the TNI (Indonesian military) to also open their archives. In a response, Chief Security Minister Wiranto said that the declassified files could not automatically be taken into account in legal proceedings as they need to be examined first.⁸⁶

See also Timor-Leste.

IRAN

Previous *Annual Report* entries: 1996–2017.

In Iran, the authorities jailed scores of peaceful critics including women’s rights activists, minority rights and environmental activists, trade unionists, lawyers, and those seeking truth, justice and reparation for the mass executions and enforced disappearances of the 1980s.⁸⁷

On 7 August 2016, Xiyue Wang ([1980–]), a fourth-year graduate student in the Princeton University History Department and a China-born naturalized United States citizen since 2009, was detained and confined to Evin Prison in Tehran while in Iran to study Farsi and do Ph.D. research into late 19th and early 20th century Eurasian history, particularly regional governance practices across multiple countries. After he left Iran he was planning to continue his research in Russia. Wang was interested in

⁸⁵ [“Researchers Rue on the Difficulty of Accessing Sources from National Archives,”](#) *Netralnews.com* (17 October 2017).

⁸⁶ Adinda Putri, [“Amnesty International Urges Gov’t to Reveal Archives on 1965 Mass Killings,”](#) *Jakarta Globe* (22 October 2017); National Security Archive, [“U.S. Embassy Tracked Indonesia Mass Murder 1965”](#) (17 October 2017); Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 276.

⁸⁷ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 56, 197.

archives about the administrative and cultural history of the Qajar dynasty (1785–1925) in Tehran and Mashhad. He spent his first 18 days in solitary confinement. In February 2017, he was charged with two counts of espionage, widely believed to be fabricated. In April 2017 he was convicted and sentenced to ten years' imprisonment. On 16 July 2017, the Iranian judiciary's Mizan News Agency said that he was "sent" by Princeton University to "infiltrate" Iran and that he had connections to American and British intelligence agencies. The agency also declared that Wang had illicitly scanned 4,500 pages of digital documents and had done "highly confidential research for the United States State Department, Harvard Kennedy School and the British Institute of Persian Studies." Wang's appeal was denied in August 2017. On 5 December 2017, he was transferred to Ward 7; he was told that he would be with Taliban and other prisoners who have badly beaten him in the past.⁸⁸

See also Argentina, United States.

IRAQ

Previous *Annual Report* entries: 1998, 2000–2017.

In September 2017, the United Nations (UN) Security Council passed a resolution that was aimed at ensuring accountability for war crimes and human rights abuses committed by Islamic State (IS) in Iraq, but crucially failed to include any provisions to ensure accountability for crimes committed by Iraqi forces, militias, and the United States-led coalition.⁸⁹

In November 2017, writer and activist Saad Salloum (1975–), assistant professor at the College of Political Sciences of Mustansiriyah University and founding member of the Iraqi Council for Interfaith Dialogue, and his colleagues at the Iraqi-based NGO Masarat Foundation for Cultural and Media Development were subjected to death threats by an unknown Islamic armed group through phone calls

⁸⁸ "[Academic Statement for the Release of Xiyue Wang](#)" (petition); personal communication Trudy Peterson (18 July 2017); personal communication Eleanor Hubbard (24–25 July 2017); Princeton University, "[Frequently Asked Questions about Xiyue Wang](#)" (20 July 2017; updated 28 July 2017); Rick Gladstone, "[Iran Sentences U.S. Graduate Student to 10 Years on Spying Charges](#)," *New York Times* (16 July 2017); Carly Baldwin, "[Iran Convicts Princeton Grad Student Of Spying](#)," *Princeton Patch* (16 July 2017); Mitch Gerber, "[Iran Sentences Princeton Ph.D. Student to 10 Years in Prison](#)," *The Chronicle of Higher Education* (16 July 2017); Saeed Kamali Dehghan, "[Iran Sentences Chinese-born American to 10 years in Jail on Spying Charges](#)," *Guardian* (16 July 2017); AFP, "[Iran Sentences Chinese-American Princeton Historian Xiyue Wang to 10 years for Espionage](#)," *South China Morning Post* (17 July 2017); "[Iran Denies Graduate Student's Appeal of 10-Year Sentence](#)," *Town Topics* (23 August 2017); "[Iran Court Upholds 10-year Jail Sentence of US 'Spy'](#)," *BBC News* (3 September 2017); Hua Qu (Xiyue Wang's wife), "Xiyue Wang Transferred to More Extreme Prison" (5 December 2017).

⁸⁹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 63.

and letters asking the foundation staff to halt its activities. The Masarat Foundation, coordinated by Salloum, worked to support the rights of minority groups, collective memory studies, and inter-faith dialogue. In 2017, it suffered from two cases of robbery of its archive material and possessions. Among Salloum's books were "Minorities in Iraq: Memory, Identity & Challenges" (2013) and "Êzidîs in Iraq: Memory, Beliefs and Current Genocide" (2016).⁹⁰

See also Kuwait, United Kingdom.

IRELAND

Previous *Annual Report* entries: 2000, 2002, 2004, 2006, 2013, 2015–2016.

ISRAEL

Previous *Annual Report* entries: 1996, 1998, 2000–2003, 2008–2014, 2016–2017.

More than three years after the end of the 2014 Gaza-Israel conflict, in which some 1,460 Palestinian civilians were killed, many in evidently unlawful attacks including war crimes, the authorities had previously indicted only three soldiers for looting and obstructing the investigation. The Office of the Prosecutor of the International Criminal Court continued its preliminary examination of alleged crimes under international law committed in the Occupied Palestinian Territories since 13 June 2014, including during the 2014 Gaza-Israel conflict.⁹¹

On 6 March 2017, dozens of Israeli soldiers invaded al-Biereh, near Ramallah (West Bank), and killed the Palestinian pharmacist and historian Bassel al-A'raj ([1986]–2017), who was hiding there, after exchanging fire with him for more than two hours. He was killed from a close range; his corpse was taken to an unknown destination. Al-A'raj had been wanted by the Israeli army for several months, and the soldiers frequently invaded his home, and his family's home, looking for him amidst violent searches. In March 2016, al-A'raj and five other Palestinians had gone missing for a week, but they were later detained and interrogated by the Palestinian Security Forces about their whereabouts. They had declared open-ended hunger strikes in Palestinian prisons until they were released. Shortly after

⁹⁰ PEN International, "[Iraq: Fears for Safety of Prominent Iraqi Writer and His Colleagues at Masarat Foundation](#)" (22 November 2017); Masarat Foundation, "[Statement](#)," (21 November 2017).

⁹¹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 63, 211.

their release, Israeli soldiers abducted four of them but they could not find al-A'raj, who remained "wanted" by the army until he was killed. He was a pharmacist who graduated from an Egyptian university, and worked in this profession near Jerusalem. He was also a historian and a writer who documented the Palestinian revolutions, starting with those from the 1930s against the British occupation, and worked with various youth groups introducing them to the history of Palestine, including through trips to historic sites. He also wrote several detailed articles in support of resistance against the Israeli occupation, and had called for a complete boycott of Israel.⁹²

On 6 September 2017, the finance ministry stipulated that two events produced by Einat Weizman at the Jaffa Theater in June and August 2017 met the criteria of the 2011 Nakba law, which gave the finance minister the authority to reduce government funding to organizations that openly rejected the definition of Israel as a Jewish and democratic state, or that marked Israel's Independence Day as a day of mourning. At the second event, on 30 August 2017, actors Leora Rivlin and Doron Tavori read transcripts from Palestinian-Israeli poet Daren Tatour's trial. Tatour has been under house arrest for two years while tried on charges of incitement to violence and terrorism and of supporting a terrorist organization. Theater director Igal Ezraty would be summoned to a hearing on reducing the theater's budget for violating the law. The hearing would be conducted by a joint committee comprised of representatives of the ministries of finance, justice and culture and sports, after which Finance Minister Moshe Kahlon was to render a decision. Ezraty said: "[E]vents that we hosted and did not censor ... were recorded and transcribed, every word in them can be heard and we will prove they do not include a call for terrorism, revolt, or violence."⁹³

In January 2018, outgoing Chief Archivist Yaakov Lozowick published a comprehensive report on the state of the government archives and presented it to the High Council of the Archives (the statutory body with limited advisory jurisdiction in archival matters.) Lozowick said that "Israel is not dealing with its archival material in a manner befitting a democracy. The vast majority of the material is sealed and will never be opened. The little of the material that will be made accessible, will be accessible only with unreasonable restrictions. The process of releasing of records lacks any public accountability or transparency." Among the reasons for this situation were fear of exposing war crimes, fear of provoking the "Arab population," fear of harming Israel's image, and a power struggle between the chief archivist and the archives' legal advisor, as well as the Prime Minister's Office. Only some 1.29 percent of state archival material had been made accessible to the public.⁹⁴

⁹² "[Israeli Army Kills a Palestinian near Ramallah](#)," *IMEMCnews* (6 March 2017).

⁹³ Yair Ashkenazi, "[Israel Weighs Cutting Funding to Jaffa Theatre over Alleged Incitement](#)," *Haaretz* (6 September 2017); Ital Mol, "Israel knevelt kritische kunstenaars" *NRC Handelsblad* (10 October 2017), C3.

⁹⁴ Noam Hofstadter, "[What Secrets Is Israel's State Archive Hiding from the Public?](#)" *+972 Blog* (26 January 2018).

See also Argentina, Egypt, Poland, United States.

ITALY

Previous *Annual Report* entries: 1998, 2001, 2003, 2008, 2010, 2012, 2016–2017.

In December 2017, arts activist Laura Ghianda posted a picture of the “Venus of Willendorf” (a famous 11-centimeter 30,000-year-old statuette depicting a naked woman as a fertility symbol) on Facebook. It went viral – and Facebook censored the photo, labeling it, at first, as “dangerously pornographic.” Ghianda messaged that the “war on human culture and modern intellectualism will not be tolerated.” On 28 February 2018, the Natural History Museum in Vienna, where the figurine was on display, expressed its outrage, saying: “An archaeological object, especially such an iconic one, should not be banned from Facebook because of ‘nudity,’ as no artwork should be.” On 1 March 2018, a Facebook spokesperson officially apologized for its censorship of the photo.⁹⁵

See also Poland.

IVORY COAST (Côte d’Ivoire)

Previous *Annual Report* entries: 2004, 2006–2017.

Ivorian judges continued to investigate crimes committed by both sides during the 2010-2011 post-election crisis, but the deeply flawed trial of former First Lady (and historian) Simone Gbagbo, acquitted on 28 March 2017, raised doubts about Ivorian courts’ ability to effectively try serious human rights cases. Human rights groups acting on behalf of victims refused to participate in Simone Gbagbo’s trial, which was marred both by fair trial concerns and the prosecution’s failure to present sufficient evidence to fully explore her role during the 2010–2011 crisis. Simone Gbagbo was also wanted by the International Criminal Court (ICC) on four counts of crimes against humanity, but so far the Ivorian government has refused to transfer her to The Hague. Neither Ivory Coast’s Special Investigative and Examination Cell, established in 2011, nor the ICC were investigating crimes committed during election-related violence in 2000 or the 2002–2003 armed conflict.

The ICC trial of former President (and historian) Laurent Gbagbo and the former youth minister and

⁹⁵ Dagmar Breitenbach, [“Facebook Apologizes for Censoring Prehistoric Figurine ‘Venus of Willendorf.’”](#) *Deutsche Welle* (1 March 2018).

militia leader Charles Blé Goudé for crimes against humanity committed during the 2010–2011 crisis continued in 2017. In July 2017, the ICC Appeals Chamber ordered the Trial Chamber to review its ruling to deny Gbagbo’s provisional release. The ICC also intensified its investigations into crimes committed by pro-Ouattara forces during the crisis, but had yet to issue arrest warrants. President Alassane Ouattara said that all further cases related to the 2010–2011 crisis would be tried in national courts.⁹⁶

⁹⁶ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 160–162; Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 137, 138.

JAMAICA

Previous *Annual Report* entries: 2017.

Jamaica again failed to ratify the Rome Statute of the International Criminal Court (ICC), which it signed in September 2000, nor had it adhered to the United Nations Convention against Torture or the International Convention for the Protection of All Persons from Enforced Disappearance.⁹⁷

More than a year after a Commission of Enquiry published its findings into the events that took place in Western Kingston during the 2010 state of emergency that left at least 69 people dead, the government had still not officially responded on how it planned to implement the recommendations, or made a public apology. In June 2017, the Jamaica Constabulary Force completed an internal administrative review into the conduct of officers named in the commissioners' report. However, it found no misconduct or responsibility for human rights violations during the state of emergency.⁹⁸

See also Trinidad and Tobago.

JAPAN

Previous *Annual Report* entries: 1995–2017.

Since March 2016, at least 11 national and private junior high schools across Japan had received many postcards and persistent phone calls objecting to their use of *Tomoni Manabu Ningen no Rekishi* (“Human history we learn together”), a history textbook for junior high schools published by Manabisha in Tokyo mentioning wartime comfort women, which the postcards described as “far left, anti-Japan.” Some of the postcard senders identified themselves as local assembly members or heads of local governments. One school had received more than 200 letters of protest over a six-month period. The textbook, edited by Kodomo to Manabu Rekishi Kyokasho no Kai (Association for History Textbooks to Teach Children), was reportedly the only junior high school history textbook that mentioned the comfort women issue.⁹⁹

⁹⁷ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 216.

⁹⁸ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 215.

⁹⁹ [“Schools Hit with Protests for Using History Textbook Mentioning ‘Comfort Women,’”](#) *The Mainichi* (9 August 2017).

In February 2017, the Japan Federation of Bar Associations pressed the Ministry of Health, Labor and Welfare to provide a formal government apology and financial compensation to the approximately 84,000 persons mostly with genetic disorder (including 16,500 persons forced to have sterilization surgery) victimized under the Eugenic Protection Act between 1948 and 1996.¹⁰⁰

Reflecting the recent rise of anti-ethnic Korean groups, Tokyo Governor Yuriko Koike, for the first time in a decade, did not send a eulogy to the annual memorial service on 1 September 2017 for ethnic Korean victims of the 1923 Kanto Great Earthquake. Ethnic Koreans (Zainichi) were massacred in the aftermath when demagogues claimed that Koreans were looting and committing arson. Historically, ethnic Koreans had faced widespread social and economic discrimination in Japan, attitudes that persisted in ultra-nationalist political groups.¹⁰¹

In December 2017, President Moon Jae-in of the Republic of Korea (South Korea) made a statement that the 2015 agreement between Japan and South Korea on Japan's Military Sexual Slavery System failed to solve the issue, following the findings of the task force appointed in July to review the deal. The agreement had been criticized by civil society organizations as well as historians for its failure to provide a fully victim-centered approach and to provide an official, unequivocal recognition of responsibility by Japan for serious human rights violations committed by its military against women and girls before and during World War II.¹⁰²

See also Korea, South, United States.

¹⁰⁰ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 303.

¹⁰¹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 302.

¹⁰² Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 217.

JORDAN

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

In December 2017, the International Criminal Court (ICC) ruled that Jordan failed to comply with its obligations as a state party to the Rome Statute of the ICC after it did not execute the Court's request for the arrest of Sudanese President Omar al-Bashir. The ICC decided to refer Jordan's noncompliance to the Assembly of States Parties of the Rome Statute and to the United Nations Security Council. Jordanian authorities failed to arrest al-Bashir when he visited Jordan in March 2017 for the Arab League summit. The ICC has issued two arrest warrants against him on charges of genocide, war crimes, and crimes against humanity in Darfur, Sudan.¹⁰³

¹⁰³ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 219–220.

KAZAKHSTAN

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

KENYA

Previous *Annual Report* entries: 1999–2000, 2002–2005, 2007, 2009–2017.

Impunity for abuses committed during the 2007–2008 post-election violence persisted, after the International Criminal Court (ICC) dropped cases against President Uhuru Kenyatta, his deputy William Ruto, and four others. The government had yet to develop a plan to implement a reparations fund it established in 2015 to support the post-election violence victims. Although it had taken steps to help some victims from the 2007 political violence such as internally displaced persons, the government did not assist rape survivors who still needed medical treatment and financial help. Three men wanted by the ICC since 2013 and 2015 for witness interference in one of the cases had yet to be surrendered. Challenges to the arrest warrants or surrender were pending in Kenyan courts.¹⁰⁴

KOREA, NORTH

Previous *Annual Report* entries: 2001, 2006–2007, 2009–2011, 2013–2015, 2017.

See Korea, South.

KOREA, SOUTH

Previous *Annual Report* entries: 1995, 1998–2001, 2003, 2006, 2008–2010, 2012–2013, 2016–2017.

South Korea's "North Korean Human Rights Act" came into effect on 4 September 2016. The law required that the government establish a foundation to support research on the human rights situation in North Korea, develop a strategy to promote human rights in the North, fund groups working on issues of North Korean human rights, and create the Center for North Korean Human Rights Records under

¹⁰⁴ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 317.

the Ministry of Unification (MOU) to do research and act as an archive of North Korean human rights violations for possible use in future prosecutions.¹⁰⁵

On 11 September 2017, following President Moon Jae-in's order to investigate unanswered questions about the Gwangju Democratization Movement of 18–27 May 1980, the Ministry of National Defense established a special investigation committee chaired by Lee Geon-lee. On 23 October 2017, it reported that the Chun Doo Hwan administration (1980–1988) had launched a top secret fact-finding mission (“80 Commission”) into the May 1980 uprising in June 1985, led by the Agency for National Security Planning, but used it to whitewash the military's repression of anti-government protesters. The 80 Commission manipulated military records on the uprising. A Gwangju White Paper supposedly produced by the 80 Commission had still to be located in the National Intelligence Service archives. Later, in 1988, military authorities ordered the unfavorable parts of 1981 statements about the 21 May 1980 shootings to be deleted before their publication. Also, the Defense Security Command under the administration of Roh Tae-woo, Chun's successor, operated a team to downplay the Chun regime's brutality in suppressing the uprising in order to influence public sentiment during the National Assembly hearings. Allegations that soldiers had been ordered to fire at protesters from a helicopter and that fighter jets armed with bombs had been ready to support the crackdown were not yet resolved. Meanwhile, on 23 October 2017, the May 18 Memorial Foundation said that it would start an excavation at the former site of Gwangju Prison.¹⁰⁶

On 27 October 2017, the Seoul High Court overturned the acquittal of Park Yu-ha, author of a book on the comfort women, fining her US\$ 8,846 for defaming victims of Japanese wartime sexual slavery in her book. Stating harmful facts, especially when those facts contravened narratives relevant to Japan's wartime aggressions, was punishable with up to three years in prison or a fine up to US\$ 17,849. The court found that Park's research, regardless of whether it was true or not, had harmed the nine plaintiffs by causing them “mental stress” [see also *NCH Annual Reports 2016–2017*].¹⁰⁷

On 28 December 2017, President Moon Ja-in said that the 2015 deal, in which Japan apologized for the wartime sexual slavery system and promised to give 1 billion yen (\$8.6 million) to a fund for Korean women, had deficiencies [see also *NCH Annual Report 2017*]. A commission who had investigated the deal criticized its secret aspects (including avoidance by South Korea of the term “sexual slavery” and

¹⁰⁵ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 499.

¹⁰⁶ Ser Myo-Ja, “[Gwangju Massacre Probe Makes Strides](#),” *Korea JoongAng Daily* (24 October 2017).

¹⁰⁷ Choe Sang-Hun, “[Professor Who Wrote of Korean ‘Comfort Women’ Wins Defamation Case](#),” *New York Times* (25 January 2017); David Volodzko, “[South Korean Professor Fined for Book about ‘Comfort Women’, Proving the Truth is Still Dangerous](#),” *South China Morning Post* (5 November 2017).

removal of a statue outside the Japanese embassy in Seoul).¹⁰⁸

See also Japan.

KOSOVO

See Serbia / Kosovo.

KUWAIT

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

On 17 December 2016, the Iraqi Defense Ministry pledged high rewards to those who provided credible information about the whereabouts of remnants of Kuwaiti missing persons, and Kuwait's national archive. On 19 September 2017, Kuwait urged the United Nations Assistance Mission in Iraq (UNAMI) to press the Iraqi government to double efforts in the search of the Kuwaiti prisoners and missing persons, as well as property and the national archive.¹⁰⁹

KYRGYZSTAN

Previous *Annual Report* entries: 2010–2013, 2016–2017.

¹⁰⁸ Kjeld Duits, "Zuid-Korea rakelt oude ruzie met Japan weer op," *NRC Handelsblad* (30–31 December 2017), 8; Annemarie Luck, "No Comfort in the Truth," *Index on Censorship* (2018 no. 1), 19–21.

¹⁰⁹ "[Iraqi Offers Rewards for Information about Kuwaiti POWs, Archive](#)," *Kuwait News Agency* (17 December 2016); "[Kuwait Urges UN to Press Iraq over Prisoners, Nat'l Archive](#)," *Kuna.net* (20 September 2017).

LATVIA

Previous *Annual Report* entries: 1998, 2006, 2008, 2015–2016.

LEBANON

Previous *Annual Report* entries: 2000–2003, 2006–2017.

Lebanon failed to advance justice or accountability for the families of the estimated 17,000 kidnapped or “disappeared” during the 1975–1990 civil war and its aftermath. In October 2012, Justice Minister Shakib Qortbawi had put forward a draft decree to the cabinet to establish a national commission to investigate the fate of the “disappeared,” but no further action had been taken. In September 2014, the government finally provided the families of the disappeared with the files of the Official Commission of Inquiry appointed in 2000. These showed that the government had not conducted any serious investigation.¹¹⁰

LIBERIA

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

Most of the 2009 recommendations of the Truth and Reconciliation Commission were yet to be implemented, including a recommendation to establish a criminal tribunal to prosecute crimes under international law, and measures aimed at obtaining accountability and reparation for victims. The Commission was established following human rights violations and abuses carried out during the 14-year civil war (1979–2003). No one had been prosecuted for human rights violations committed during the civil war. However, Mohammed Jabbateh was convicted of perjury and immigration fraud in the United States, in relation to his role in alleged war crimes. Investigations also continued in Switzerland and Belgium into alleged war crimes committed by Alieu Kosiah and Martina Johnson – commanders in rebel groups – who were arrested in Switzerland and Belgium respectively, in 2014.¹¹¹

¹¹⁰ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 341.

¹¹¹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 239.

LIBYA

Previous *Annual Report* entries: 2003, 2005–2017.

On 26 May 2017, the Tripoli Revolutionaries Brigade, a militia allied with the Interior Ministry of the United Nations-backed Government of National Accord (GNA), overran the al-Hadba Correctional Facility in Tripoli and transferred from there to another location in Tripoli detained Gaddafi-era officials, including former intelligence chief Abdullah Sanussi, former Prime Minister Abuzaid Dorda, and al-Saadi Gaddafi, a son of ousted Libyan leader Muammar Gaddafi (ruled 1969–2011).

The prosecutor of the International Criminal Court (ICC) has a mandate to investigate war crimes, crimes against humanity, and genocide committed in Libya since 15 February 2011, pursuant to United Nations Security Council Resolution 1970. In April 2017, the ICC unsealed an arrest warrant for Mohamed Khaled al-Tuhamy, a former chief of the Internal Security Agency under Muammar Gaddafi, for war crimes and crimes against humanity during the 2011 uprising. His whereabouts were unknown at the end of 2017.

Saif al-Islam Gaddafi, another son of Gaddafi, continued to be subject to an arrest warrant issued by the ICC to face charges of crimes against humanity. In 2015, the Tripoli Court of Assize sentenced Gaddafi to death in absentia for crimes committed during the 2011 uprising. The Abu Baker al-Siddiq militia in Zintan, which had held him since 2011, reported it released him on 9 June 2017, citing an amnesty law passed by Libya's parliament. His release could not be confirmed; independent international observers had not seen or heard from Gaddafi since June 2014.¹¹²

LITHUANIA

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

In 2017, a publishing house reportedly withdrew the books of a prominent historian of the Holocaust [name unknown] after she accused a national hero of complicity in atrocities against Jews during World War II.¹¹³

¹¹² Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 346.

¹¹³ David Matthews, "[Historians Fear 'Censorship' under Poland's Holocaust Law](#)," *Times Higher Education* (21 February 2018).

MACEDONIA

Previous *Annual Report* entries: 1999, 2006–2008, 2010–2015, 2017.

On 17 June 2018, Greece and Macedonia (Former Yugoslav Republic of Macedonia – FYROM) signed an agreement that aimed to settle a decades-long dispute over Macedonia’s name. Under the agreement, Macedonia would be known as North Macedonia (name of the language: “Macedonian”; name of the inhabitants: Macedonians / citizens of the Republic of North Macedonia). As part of the agreement, Greece would lift its objections to the renamed nation joining the European Union and NATO. Greece had long feared that use of the name Macedonia implied a claim to its northern province also called Macedonia. The agreement still needed approval by both parliaments and by a referendum in Macedonia [see also *NCH Annual Reports 1995, 1999, 2006, 2009–2011, 2017*].¹¹⁴

See also Albania.

MADAGASCAR

Previous *Annual Report* entries: —.

In July 2017, the United Nations Human Rights Committee called on Madagascar to immediately provide the National Human Rights Commission with an independent and sufficient budget to enable it to carry out its mandate. It also recommended that the government expedite the establishment of the High Council for the Defense of Democracy and the Rule of Law, whose mission included the promotion and protection of human rights, and provide it with financial autonomy.¹¹⁵

MALAYSIA

Previous *Annual Report* entries: 1996, 2002, 2007–2008, 2010–2011, 2016–2017.

See United Kingdom.

¹¹⁴ “[Macedonia Name Dispute: PMs Watch as Ministers Sign ‘Historic’ Deal](#),” *BBC News* (17 June 2018).

¹¹⁵ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 246.

MALAWI

Previous *Annual Report* entries: 2011–2012.

MALDIVES

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

MALI

Previous *Annual Report* entries: 2011, 2013–2017.

Efforts to tackle impunity faltered as several high-profile trials related to abuses committed in northern Mali during the 2012–2013 occupation failed to make significant progress. The 2015 peace agreement, which recommended the establishment of an international commission of inquiry to investigate crimes under international law including war crimes, crimes against humanity, and human rights violations, had not been implemented by the end of 2017. Judicial authorities made little progress in ensuring justice for the victims of violations committed during the 2012–2013 armed conflict. The Truth, Justice, and Reconciliation Commission, established by presidential executive order in 2014 with a three-year mandate to investigate crimes and the root causes of violence dating back to 1960, however, made meaningful progress in 2017. The 25-member commission operationalized five regional offices and took over 5,000 statements from victims and witnesses. The credibility of the commission was undermined, however, by government’s inclusion of nine armed group members, while excluding victims’ group representatives.¹¹⁶

The situation in Mali remained under investigation by the International Criminal Court (ICC) since 2012. On 17 August 2017, the ICC ordered Al Mahdi to pay 2.7 million euros (US\$ 3.2 million) for damage to the buildings, economic losses and moral harm to victims – primarily the people of Timbuktu, who depend on tourism. The ICC also ordered Al Mahdi to pay the symbolic sum of one euro (US\$ 1.17) to Mali and one euro to the international community via UNESCO, which is responsible for World Heritage site cultural listings. The ICC said that the destruction of cultural monuments like those in Timbuktu “carries a message of terror and helplessness. (It) destroys part of

¹¹⁶ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 362; Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 253.

humanity's shared memory and collective consciousness, and renders humanity unable to transmit its values and knowledge to future generations." In 2016, Al Mahdi had been convicted of the war crime of intentionally directing attacks against religious and historic buildings in Timbuktu, and sentenced to nine years' imprisonment.¹¹⁷

MALTA

Previous *Annual Report* entries: 2012.

MARSHALL ISLANDS

Previous *Annual Report* entries: 2013, 2015.

MAURITANIA

Previous *Annual Report* entries: 2001–2002, 2009, 2011, 2017.

MAURITIUS

Previous *Annual Report* entries: 2012.

¹¹⁷ 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); "[Islamist Rebel Apologises for Destroying Timbuktu Shrines at ICC Trial](#)," *BBC News* (22 August 2016); "[Mali Islamist Jailed for Nine Years for Timbuktu Shrine Attacks](#)," *BBC News* (27 September 2016); "[Ahmad al-Faqi al-Mahdi: The Vandal of Timbuktu](#)," *BBC News* (27 September 2016); Lorne Cook, "[ICC Orders Mali Extremist to Pay \\$3.2 Million in Reparations](#)," *AP News* (17 August 2017); Amnesty International, *Amnesty International Report 2016/17: The State of the World's Human Rights* (London: AI, 2017), 22, 246; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 253–254; Human Rights Watch, *World Report 2017: Events of 2016* (New York: Human Rights Watch, 2017), 421–422; Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 363.

MEXICO

Previous *Annual Report* entries: 1997, 1999, 2001–2017.

Since 2006, the security forces have carried out widespread enforced disappearances. In August 2017, the government reported that the whereabouts of more than 32,000 people who had gone missing since 2006 remain unknown. Prosecutors and police routinely failed to take basic investigative steps to identify those responsible for enforced disappearances, often telling the missing people's families to investigate on their own. Authorities routinely failed to identify remains of bodies or body parts found in various locations, including in clandestine graves, throughout Mexico.

The federal government pursued potentially promising initiatives to find people who have gone missing, but they produced limited results. In 2013, it created a unit in the Attorney General's Office to investigate disappearances, which became a Special Prosecutor's Office in October 2015. However, the office has made only limited progress in investigating and prosecuting cases of forced disappearance. In 2015, Congress approved a constitutional reform giving it authority to pass general laws on enforced disappearances and torture that would establish a single nationwide definition for each of the crimes and facilitate their prosecution in all 31 states and Mexico City. The law was passed in November 2017. At the end of 2017, its implementation remained pending.¹¹⁸

As of July 2016, the National Human Rights Commission (CNDH) had received almost 10,000 complaints of abuse by the army since 2006 – including more than 2,000 during the administration of Enrique Peña Nieto (2012–2018). It found in more than 100 cases that military personnel committed serious human rights violations. In November 2017, the Chamber of Deputies approved the Law on Internal Security, authorizing military involvement in domestic law enforcement activities – including intelligence gathering – without including meaningful measures to improve accountability. At the end of 2017, the proposal was under discussion in the Senate.¹¹⁹

On 1 February 2017, the Supreme Court of Justice ruled that the families of the more than 1,200 people who disappeared during the “Dirty War” (1968–1982) had the right to access government records with the names “of all those listed as disappeared by the government,” on the grounds that the information requested could not be kept classified when it referred to human rights violations, including disappearances. The court ordered the National Institute of Access to Information and Personal Data to issue a new resolution, ordering the Procuraduría General de la República (PGR; federal prosecutor's office) to disclose the requested information to the claimant, and allowing the claimant to make those

¹¹⁸ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 365–366.

¹¹⁹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 367; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 29.

names public.

At the time of the crimes, systematic attempts to erase records that the disappeared persons ever existed (for example, by destroying birth or school certificates), had reportedly taken place. Some local prosecutors had launched investigations into disappearances, but all ended without any charges being filed, and with the investigative files and the names of the victims being kept secret by the PGR.

After 2003, a request was filed under the access to information law (2003) in order to obtain the names of those disappeared by the government. The PGR refused to release the relevant 135 files, a decision supported by the National Institute of Access to Information and Personal Data overseeing the law. The Open Society Justice Initiative and Litiga OLE then filed a constitutional challenge to this decision with the Supreme Court (an “*amparo*”) on the grounds that the access to information law included a “human rights override,” stipulating that government agencies could not withhold information related to investigations of human rights violations. The *amparo* also cited the collective aspect of the right to truth, the right to the recognition of legal personality, and the right to a name for the victims, which must be proportionally weighed in cases on enforced disappearances.¹²⁰

See also Spain.

MOLDOVA

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

MONGOLIA

Previous *Annual Report* entries: 2007, 2013.

MONTENEGRO

Previous *Annual Report* entries: 2008–2009, 2011–2013, 2015–2017.

¹²⁰ Mariana Mas, “[A Victory for the Truth about Mexico’s ‘Dirty War’](#),” *Open Society Foundations* (8 February 2017).

MOROCCO / WESTERN SAHARA

Previous *Annual Report* entries: 2000–2013, 2015–2017.

The authorities failed to take any steps toward addressing impunity for grave violations including systematic torture, enforced disappearances and extrajudicial executions in Morocco and Western Sahara between 1956 and 1999, despite the recommendations made by the Equity and Reconciliation Commission transitional justice body in 2005.¹²¹

The Polisario Front again failed to hold to account those responsible for committing human rights abuses in camps under its control during the 1970s and 1980s.¹²²

MOZAMBIQUE

Previous *Annual Report* entries: —.

Mozambican law enforcement continued its practice of not investigating a range of serious crimes. The cases of ten high-profile figures, including senior opposition members, state prosecutors, and prominent academics, who were either killed or injured in apparently politically motivated attacks in 2016, remained unresolved. Authorities also failed to investigate human rights abuses allegedly committed by government security forces in 2015 and 2016 in relation to clashes with armed men from the former rebel group, now political party, Resistência Nacional Moçambicana (RENAMO; Mozambican National Resistance), such as enforced disappearances, arbitrary arrests, and property destruction. In 2016, the United Nations High Commissioner for Human Rights said that at least 14 RENAMO officials were killed or abducted across the country in the first quarter of 2016.¹²³

MYANMAR (BURMA)

Previous *Annual Report* entries: 1997–2001, 2003, 2005–2006, 2008–2017.

In 2017, the government failed to adequately investigate and hold to account perpetrators of serious human rights violations in Rakhine State, including crimes against humanity. In November 2017, a

¹²¹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 267.

¹²² Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 267.

¹²³ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 382.

military investigation concluded that no human rights violations had been committed in Rakhine State following the 25 August 2017 attacks by the armed group Arakan Rohingya Salvation Army (ARSA) and subsequent military campaign against them.¹²⁴

The Office of the United Nations High Commissioner for Human Rights reported that the Myanmar security and armed forces purposely destroyed the property of the Rohingyas, scorched their dwellings and entire villages in northern Rakhine State. The destruction included “an effort to effectively erase all signs of memorable landmarks in the geography of the Rohingya landscape and memory in such a way that a return to their lands would yield nothing but a desolate and unrecognizable terrain. Information received also indicates that the Myanmar security forces targeted teachers, the cultural and religious leadership, and other people of influence in the Rohingya community in an effort to diminish Rohingya history, culture, and knowledge.” Meanwhile, according to Azrin Afrin, a history lecturer at Jahangirnagar University, Dhaka (Bangladesh), historical documents showed that Rohingyas had been living in Rakhine state for centuries, yet the Myanmar government insisted that they were illegal immigrants from Bangladesh, which underpinned their moves to drive them out of Myanmar.¹²⁵

¹²⁴ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 272–273.

¹²⁵ United Nations Human Rights Office of the High Commissioner of Human Rights, *Mission report of OHCHR rapid response mission to Cox's Bazar, Bangladesh—13-24 September 2017* (Geneva 2017), 1; Mushfique Wadud, “[Universities Take up Rohingya Cause, Call for Research](#),” *University World News* (6 October 2017).

NAMIBIA

Previous *Annual Report* entries: 1995, 2006–2009, 2011, 2016–2017.

The trial of eight prisoners of conscience, accused in the long-running Caprivi case [see also *NCH Annual Reports 2009, 2011, 2016–2017*], resumed in May 2017. The eight were charged and convicted of treason and sedition in 2007. In 2013, the Supreme Court set aside their convictions and sentences ranging from 30 to 32 years and ordered a retrial. However, they remained in detention pending trial, in violation of international fair trial standards, at the end of 2017.¹²⁶

NEPAL

Previous *Annual Report* entries: 2007–2017.

The transitional justice process was plagued by a lack of political will from all parties, as well as the military. At least 13,000 people had been killed and over 1,300 forcibly disappeared during the civil war (1996–2006), yet political leaders continued to neglect calls for accountability. The government did not amend the Investigation of the Disappeared Persons, Truth and Reconciliation Commission Act 2014 as ordered by the Supreme Court in 2014 and 2015. By the end of 2017, two bodies – the Truth and Reconciliation Commission (TRC) and the Commission of Investigation on Enforced Disappeared Persons (CIEDP) – had respectively collected over 60,000 and 3,000 complaints of human rights violations, such as murder, torture, and enforced disappearances committed by state security forces and Maoists during the conflict. Effective investigations did not take place. An acute shortage of resources and capacity adversely affected the ability of the two bodies to deliver truth, justice, and reparation. Political parties resisted amending transitional justice laws in what was widely perceived as a prioritization of reconciliation and monetary compensation over truth, justice, and other reparations, including guarantees of non-repetition. No effective investigations had taken place into the hundreds of killings of demonstrators by security forces since 1990 in various parts of Nepal. In August 2017, the commissions began preliminary investigations into the more than 65,000 complaints they received. However, reports of flawed implementation, including lack of transparency and weak engagement with victims, sustained concerns among stakeholders.¹²⁷

¹²⁶ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 274.

¹²⁷ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 387–388; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 39, 276.

NETHERLANDS

Previous *Annual Report* entries: 1995, 2004–2005, 2007–2017.

On 22 February 2018, the Lower House (Second Chamber) of the Dutch parliament near unanimously passed a motion recognizing the massacre of an estimated 1.5 million Armenians in 1915 as a genocide. It also decided to send a cabinet-level representative to the Armenian capital, Yerevan, for the annual commemoration of the genocide on 24 April. The government, however, announced that it only recognized events as genocide if that was supported by a binding United Nations Security Council resolution or a verdict from an international court and, therefore, that it would not follow the parliamentary judgment and would continue to speak of “the question of the Armenian genocide.” Five members of the Dutch parliament from Turkish origin who had voted in favor of the motion were attacked in the Turkish press and on the social media as “traitors.” As early as 2004, the parliament had urged the cabinet to discuss the genocide. The new move heightened Dutch-Turkish tensions. More than twenty nations, including Russia, Germany, France and the Vatican, had recognized the 1915 massacres as genocide.¹²⁸

See also Azerbaijan, Central African Republic, Nigeria.

NEW ZEALAND

Previous *Annual Report* entries: 1997, 2003, 2005, 2007, 2017.

NICARAGUA

Previous *Annual Report* entries: 1998.

¹²⁸ [“Dutch MPs Vote to Recognise Disputed Armenian ‘Genocide’,”](#) *BBC News* (22 February 2018); “Kamer erkent Armeense genocide, kabinet niet,” *NRC Handelsblad* (23 February 2018); Clara van de Wiel, “Politici van Turkse komaf overspoeld met haat,” *NRC Handelsblad* (28 February 2018), 9; “Genocide: Gif in debat over Armeense genocide zit bij fractie van Denk,” *NRC Handelsblad* (1 March 2018), 17; Mike Corder (Associated Press), [“Dutch Lawmakers Label Massacre of Armenians as Genocide,”](#) *Business Insider* (22 February 2018).

NIGER

Previous *Annual Report* entries: 2009, 2013.

NIGERIA

Previous *Annual Report* entries: 2000–2006, 2008, 2010–2013, 2016–2017.

In June 2017, the widows of four men from the Ogoni region in the Niger Delta who were executed following an unfair trial in 1995, filed a lawsuit in the Netherlands against Shell, demanding compensation and a public apology. They accused Shell of complicity in the unlawful arrest and detention of their husbands during a brutal crackdown by the then military authorities on the Movement for the Survival of the Ogoni People. International organizations called for Shell to be investigated for involvement in these crimes. Environmental pollution linked to the oil industry continued to undermine the economic, social, and cultural rights of the Niger Delta communities.¹²⁹

NORWAY

Previous *Annual Report* entries: 2009, 2012, 2016–2017.

¹²⁹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 285.

OMAN

Previous *Annual Report* entries: 2010, 2017.

PAKISTAN

Previous *Annual Report* entries: 1998, 2001, 2004, 2006, 2009–2012, 2014, 2016.

Enforced disappearances continued in Pakistan; the victims were at considerable risk of torture and other ill-treatment, and even death. No perpetrators were known to have been brought to justice for the hundreds or thousands of cases reported across the country in recent years.¹³⁰

PALESTINIAN AUTHORITY

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

In Gaza, Hamas authorities took no steps to prosecute members of its forces and Hamas' military wing, the 'Izz al-Din al-Qassam Brigades, for extrajudicial executions they carried out in 2014 and 2016.¹³¹

See also Egypt, Israel.

PANAMA

Previous *Annual Report* entries: 2003, 2008, 2013, 2015–2017.

PAPUA NEW GUINEA

Previous *Annual Report* entries: 2014.

PARAGUAY

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

¹³⁰ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 39.

¹³¹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 294.

PERU

Previous *Annual Report* entries: 2001–2017.

The Truth and Reconciliation Commission estimated in 2003 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. Authorities achieved limited progress in prosecuting wartime abuses by government forces, in part due to lack of collaboration from the Defense Ministry. According to Peruvian human rights groups, prosecutors had only achieved rulings in 78 cases related to abuses committed during the armed conflict, as of May 2017, and only 17 convictions. One year after its approval, the National Plan for the Search for Disappeared Persons was still not implemented.

Since May 2017, new evidence had become public corroborating longstanding allegations that former President Ollanta Humala Tasso (in office 2011–2016 and a former army officer) ordered egregious human rights violations committed by security forces in the early 1990s in the Madre Mía military base in the Alto Huallaga region. The evidence – including testimony from victims, witness, and soldiers involved in the abuses – strongly implicated Humala in crimes including torture, enforced disappearances, killings, and an attempt to conceal incriminating evidence when he ran for president in 2006. At the end of 2017, Humala remained under investigation for the abuses and in pre-trial detention on corruption charges.

Efforts to secure the early release of former President Alberto Fujimori gained strength during 2017. Fujimori was sentenced in a landmark trial in 2009 to 25 years in prison for killings, enforced disappearances, and kidnappings committed in 1991 and 1992. In May, Keiko Fujimori, his daughter and the runner-up in the 2016 tight presidential elections won by Pedro Pablo Kuczynski, filed a motion seeking to overturn her father's conviction for kidnappings. A Lima court rejected the motion, but her appeal remained pending at the end of 2017. In June 2017, Kuczynski told *The Economist* that the time to secure Fujimori's release from prison was "about now." Although the president denied it, his announcement seemed to be a reaction to growing pressure from Fujimori supporters who controlled the Congress under the lead of Keiko Fujimori. In 2016, prosecutors decided to close the investigation of Alberto Fujimori in connection with forced sterilizations of mostly poor and indigenous women committed during his administration. On 24 December 2017, Kuczynski granted a humanitarian pardon and grace to former President Fujimori. Thousands took to the streets to protest against the decision.

A national registry of victims of forced sterilizations committed between 1995 and 2001, was created in 2015 and more than 4,700 victims had been registered at the end of 2017. Fujimori's intelligence advisor, Vladimiro Montesinos, three former army generals, and members of the Colina group – a state-sponsored death squad – were also serving sentences ranging from 15 to 25 years for the 1991

assassination of 15 people in the Lima district of Barrios Altos, and for six disappearances. In August 2017, military officers were sentenced for the torture, enforced disappearance, and extrajudicial execution of 53 people in Los Cabitos military barracks in Ayacucho in 1983. In September 2017, the trial began of former navy personnel charged with killing more than 100 people during a riot in El Frontón prison in 1986, a charge which could amount to a crime against humanity. Courts made much less progress in addressing violations, including extrajudicial killings, disappearances, and torture, committed during the earlier administrations of Fernando Belaúnde (1980–1985) and Alan García (1985–1990).¹³²

PHILIPPINES

Previous *Annual Report* entries: 2011–2015.

POLAND

Previous *Annual Report* entries: 1995–1998, 2000–2001, 2004–2005, 2007–2011, 2014–2017.

Under legislation passed in June 2017, the PiS government gave local officials and landowners one year to remove all public monuments and memorials that “paid tribute to persons, organizations, events, or dates symbolizing Communism or other totalitarian systems.” About 500 were identified, almost all from the Communist era as the Soviets had already removed Nazi ones.¹³³

In early 2018, a controversial memory law, sent to the Sejm on 16 August 2016, was approved by the Lower House (on 26 January 2018), the Senate (on 31 January 2018, with 57 against 23 votes and 2 abstentions), and President Andrzej Duda (on 6 February 2018), and would come into force on 1 March 2018. The bill – an amendment to a 1998 law which established the official Instytut Pamięci Narodowej (IPN, Institute for National Remembrance, a state body tasked with establishing an official historical narrative and prosecuting Nazi and Communist-era crimes) – was authored by Deputy Justice Minister Patryk Jaki. It said that:

“Art. 55a. 1. Whoever publicly and contrary to the facts attributes to the Polish Nation or to the

¹³² Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 423–424; Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 30, 298.

¹³³ Rick Lyman, “[Political Rage over Statues? Old News in the Old World](#),” *New York Times* (17 August 2017).

Polish State responsibility or co-responsibility for the Nazi crimes committed by the German Third Reich, as specified in Article 6 of the Charter of the International Military Tribunal – Annex to the Agreement for the prosecution and punishment of the major war criminals of the European Axis, executed in London on 8 August 1945 (Journal of Laws of 1947, item 367), or for any other offenses constituting crimes against peace, humanity, or war crimes, or otherwise grossly diminishes the responsibility of the actual perpetrators of these crimes, shall be liable to a fine or deprivation of liberty for up to three years. The judgment shall be communicated to the public. 2. If the perpetrator of the act specified in section 1 above acts unintentionally, they shall be liable to a fine or restriction of liberty. 3. An offense is not committed if the perpetrator of a prohibited act set out in sections 1 and 2 above acted within the framework of artistic or scientific activity.”

The amendment would enable IPN or an NGO to bring a claim against individuals. Civil remedies could include a retraction of the statement and/or compensation (including large fines). The government insisted that the legislation aimed to prevent the international defamation of Poland, and was not intended to hamper academic debate. On 6 February 2018, Duda said that the bill “protect[ed] the Polish interests ... protect[ed] our dignity, the historical truth, so that we could be judged fairly in the world, so that we would not be slandered as a state and as a nation.” Duda also said that he would send the bill to the Constitutional Tribunal to check its regulations. The law would make it illegal to describe Nazi death camps on Polish soil as “Polish death camps,” which was a point of general consensus. However, critics of the bill (such as the Warsaw-based Polish Center of Holocaust Research of the Institute of Philosophy and Sociology of the Polish Academy of Sciences and Yad Vashem’s International Institute for Holocaust Research) said that this should not be imposed by law. The bill also did not clearly state how artistic or scientific activity would be defined. In addition, and above all, critics feared that due to its broad scope and terminology, the bill would have a chilling effect on free speech and on debating history by possibly outlawing any references to the collaboration with, or complicity of, Poles in crimes committed in Poland during the Holocaust, as found in evidence or expressed by Holocaust survivors, witnesses, journalists, teachers, academics – Polish or foreign. Not only did the law cover crimes committed during the Holocaust, it also tried to prevent any trivialization of massacres of Poles by Nazi-allied Ukrainian forces during the war (such as the Volyn [Volhynia] Massacre), and to stifle any criticism of post-war Polish partisans – who were accused of atrocities against Jews and Ukrainians – who fought the Communist government. The law was also widely criticized by, among others, Israel, the United States, and France. Israeli MPs were backing a bill that would give legal aid to any Holocaust survivors telling their story who were prosecuted in a foreign country. During World War II, Poland had been attacked and occupied by Nazi Germany. Millions of its citizens were killed, including three million Polish Jews in the Holocaust. The Polish Center for Holocaust Research described the law as an “unprecedented (and unknown in a democratic system) intrusion into the debate about the Polish history.” The American Historical Association and 41 other scientific associations condemned the law,

saying that as it referred specifically to histories that documented and explored Polish participation in violence against Jews during World War II, it therefore threatened free pursuit of historical inquiry. The Polish Government, in a reply to the Council of Europe, emphasized that the bill solely concerned protection of the “Polish Nation” and “Polish State” rather than of individuals or groups. On 22 March 2018, the office of Justice Minister and Prosecutor General Zbigniew Ziobro described as partly unconstitutional the memory law on the website of the Constitutional Court. It said that penalizing acts committed abroad independently of the laws in place there was against the constitution, which opposes “excessive interference,” and added that the law was “dysfunctional,” could have “opposite results than those intended,” and could “undermine the Polish state’s authority.” On 27 June 2018, the government proposed to decriminalize the offense, an amendment to the law which was backed by the lower house of parliament (with 388 voting in favor of the amendment, with 25 against and five abstentions). The government said that the amendment took into account the widespread international outrage caused by the law.

On 21 February 2018, Maja Borkowska, a journalist for the public broadcaster PR24 (Radio Poland 24), resigned after her supervisor ordered her not to report that the opposition political party Civic Platform was preparing amendments to the bill. Also in February, German historian Bernd Rother, who had participated in the IPN conference “Nations in Occupied Europe and the Holocaust” in Warsaw, declared that he would not offer his contribution for publication in a book as long as the law was in force. He also feared that the IPN would actively prosecute historians. According to Rother, eight other speakers also refused to offer their contribution for publication. In March 2018, the Polish League against Defamation, close to the PiS, filed defamation charges against Argentinian newspaper *Página 12*, which had published an article in December 2017 about the massacre of Jews in Jedwabne in 1941. In late March 2018, Deputy Prime Minister Piotr Glinski publicly attacked the head of Polin, a Warsaw museum of Polish-Jewish history, for what he termed “very deep political involvement,” saying that the museum was “supposed to create positive values, and not arouse conflicts.” In [early April 2018], IPN historian Adam Pulawski said he was to be transferred away from his post because of his work on Poland’s wartime relations with Jews. IPN would reportedly not publish his latest book. Polish-Canadian Holocaust researcher Jan Grabowski said that he received death threats after being accused by the Polish League against Defamation, a nationalist group, of falsifying the history of Poland. After the Holocaust law was approved, officials at the Auschwitz-Birkenau memorial and museum, including its director Piotr Cywiński, described how they were subjected to a wave of “hate, fake news and manipulations” at the hands of Polish nationalists. Concerns were raised about pressure being exerted on official guides at the site, after the home of one Italian guide in Krakow was attacked and supporters of a convicted anti-Semitic filmed themselves repeatedly bullying their guide during a visit to the camp in March 2018. The nationalists falsely accused the museum of deliberately downplaying the fate of the approximately 74,000 non-Jewish Polish prisoners who perished in the camp, by focusing exclusively

on its Jewish victims.

Polish lawmakers had tried to pass a similar bill in 2013 but failed. After the conservative Law and Justice Party won the first parliamentary majority since the end of Communism, new attempts were announced on 15 February 2016. An anti-Holocaust denial law has existed in Poland since 1998. As early as 23 November 2016, the United Nations Human Rights Committee had reported that it was “concerned about a draft law that would impose up to three years of imprisonment on anyone who referred to the Nazi camps operated in occupied Poland during the Second World War as Polish” and recommended that Poland should “review the draft law of August 2016 concerning reference to Nazi camps operated in occupied Poland during the Second World War to bring it into line with article 19 of the Covenant.”¹³⁴

¹³⁴ Certified English translation of the law: <https://www.ms.gov.pl/pl/informacje/news,10368,nowelizacja-ustawy-o-ipn-wersja-w-jezyku.html> (2 February 2018); United Nations Human Rights Committee, “Concluding observations on the seventh periodic report of Poland” (CCPR/C/POL/CO/7; 23 November 2016), paragraphs 37–38; Polish Government, “[Answer to the Alert on the Platform to Promote the Protection of Journalism and Safety of Journalists](#)” (6 February 2018); Institute of National Remembrance, “[A Statement of the Council of the Institute of National Remembrance](#)” (27 February 2018); Reuters, “[Poland Plans to Punish Use of the Phrase ‘Polish Death Camps’](#),” *Guardian* (13 February 2016); Jan Grabowski, “[‘Patriotic’ Move Threatens Academic Freedom](#),” *University World News* (17 February 2016); Roeland Termote, “Noem je Auschwitz een ‘Pools kamp’? 5 jaar celstraf,” *NRC Handelsblad* (17 February 2016), 14; Polish Center for Holocaust Research, “[Center’s Statement regarding the Planned Changes to the Law about the Institute of National Remembrance](#),” (12 September 2016); Don Snyder, “[Poland Is Poised to Put ‘Bad’ Historians of the Holocaust in Prison](#),” *Forward* (2 September 2016); AP, “[Poland Moves To Ban References to Nazi-era ‘Polish Death Camps’](#),” *World Israel News* (27 January 2018); Ruth Eglash & Avi Selk, “[Israel and Poland Try To Tamp Down Tensions after Poland’s ‘Death Camp’ Law Sparks Israeli Outrage](#),” *Washington Post* (28 January 2018), “[Israel Criticises Poland over Proposed Holocaust Law](#),” *BBC News* (29 January 2018); “[Poland President To Review Holocaust Bill after Israel Outcry](#),” *BBC News* (29 January 2018); “[Poland’s Senate Passes Controversial Holocaust Bill](#),” *BBC News* (1 February 2018); Joel Gunter, “[Holocaust Law Wields a ‘Blunt Instrument’ against Poland’s Past](#),” *BBC News* (3 February 2018); “[Poland President Duda ‘Will Sign’ Controversial Holocaust Bill](#),” *BBC News* (6 February 2018); “[Poland Holocaust Law: France Criticises ‘Ill Advised’ Text](#),” *BBC News* (7 February 2018); “[Israel Rebukes Poland PM for ‘Jewish Perpetrators’ Remark](#),” *BBC News* (18 February 2018); “[Israel-Poland Spat](#),” *BBC News* (19 February 2018); “[Poles Told to Report ‘Anti-Polish Slander’ to Diplomats](#),” *BBC News* (20 February 2018); American Historical Association, “[AHA Condemns Polish Law Criminalizing Public Discussion of Polish Complicity in Nazi War Crimes](#)” (February 2018); Uladzislau Belavusau, “[Polen verkondigt met herinneringswet de teloorgang van zijn liberale democratie](#),” *Volkskrant* (20 februari 2018); David Matthews, “[Historians Fear ‘Censorship’ under Poland’s Holocaust Law](#),” *Times Higher Education* (21 February 2018); Council of Europe, “[Poland: New Bill Could Ban Journalists from Historical Debate](#),” (1 February 2018); OSCE, “[New Law on World War II Crimes in Poland Can Threaten Freedom of Expression, Says OSCE Representative Désir](#)” (1 February 2018); Todor Gardos (Human Rights Watch), “[Poland’s Twisted Holocaust Law](#)” (10 February 2018); “[Poland: PR24 Journalist Resigns after Being Told Not Report on Opposition Amendments to Holocaust Law](#)” (21 February 2018); Nikolay Kuposov, “[Memory Laws and Nationalist Lies](#),” *Project Syndicate* (7 March 2018); Robert Mackey, “[Polish Law on Holocaust Draws New Attention to Anti-Semitism in Poland’s Past and Present](#),” *The Intercept* (3 March 2018); Paul Ingendaay, “[Widrige Fakten in Polen](#),” *Frankfurter Allgemeine Zeitung* (13 March 2018); AFP, “[Polish Attorney General’s Office Calls Holocaust Law Unconstitutional](#),” *Times of Israel* (22 March 2018); Sam Sokol, “[Polish Historian Says He Was Forced to Switch Jobs because of His Holocaust Research](#),” *Jewish Chronicle* (5 April 2018); Konstanty Gebert, “[Projecting Poland and Its Past](#),” *Index on Censorship* (2018 no. 1), 35–37; Jemimah Steinfeld, “[Holocaust Law: The Story So Far](#),” *Index on Censorship*, 47 no. 1 (Spring 2018), 36; Bernt Hagtvet, “[Masters of None](#),” *Index on Censorship*, 47 no. 1 (Spring 2018), 55–56; *Resisting Ill Democracies in Europe: Understanding the Playbook of Illiberal Governments To Better Resist Them: A case-study of Croatia, Hungary, Poland and Serbia* (Oslo, Geneva, Zagreb, Human Rights House Foundation, November 2017), 28; Christian Davies,

See also Denmark, Russia.

PORTUGAL

Previous *Annual Report* entries: 2017.

[“Poland’s Holocaust Law Triggers Tide of Abuse against Auschwitz Museum,”](#) *The Guardian* (7 May 2018);
[“Poland Holocaust law: Government U-turn on Jail Threat,”](#) *BBC News* (27 June 2018).

QATAR

Previous *Annual Report* entries: 2010.

ROMANIA

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

RUSSIA

Previous *Annual Report* entries: 1996–1998, 2001, 2004–2006, 2008–2017.

In [February] 2017, Mikhail Piotrovsky, director of the Hermitage Museum in St. Petersburg, spoke out against handing St. Isaac's Cathedral back to the Russian Orthodox Church. As a result, the security services – nominally working under the direction of the ministry of culture – began focusing their attention on the museum. Officers ransacked the museum's archives – devoting particular attention to Stalin's sale of art to the West in the 1920s and 1930s – and took catalogs and other archival materials. The security services reportedly accused the Hermitage of “illegally publishing documents” containing secret information “over the course of many years” about “the sale by the museum of art in the 1920s and 1930s.” They also banned the sale of books that were sold by the Hermitage's shop.¹³⁵

On 25 July 2017, the Memorial Human Rights Center demanded the release of historian Yuri Dmitriev [Dmitriyev] [see also *NCH Annual Report 2017*] and an end to what it called a political trial. On 26 December 2017, a group of experts ruled that the photos of Dmitriev's adopted daughter found at his home were not pornography. Prosecutors requested a third assessment of the photos. On 27 December 2017, the court in Petrozavodsk granted the request but at the same time ordered to release Dmitriev from pretrial custody by 28 January 2018. Dmitriev would be barred from leaving the city without permission while the investigation continued. In the week of 8 January 2018, Dmitriev was due to begin enforced psychiatric testing to determine whether he had “sexual deviations” amid fears he will be falsely declared insane and although a previous psychiatric evaluation had declared him to be of sound mind. On 20 March 2018, the prosecutor requested a nine-year prison sentence for Dmitriev. On 5 April 2018, Dmitriev was acquitted of the child pornography charge, but not of the charge of illegal possessing a weapon. He was sentenced to three months of probation and community service. On 13 April 2018, the Petrozavodsk city prosecutor appealed against Dmitriev's acquittal. On 14 June 2018, the acquittal was overturned by the Supreme Court of Karelia and Dmitriev was re-arrested on 27 June 2018.¹³⁶

¹³⁵ Paul Goble, “[Putin Regime now Seizing and Destroying Archives to Whitewash the Soviet Past](#),” *Euromaidan Press* (17 April 2017).

¹³⁶ Petition for Yuri Dmitriev: <https://www.change.org/p/chairman-of-petrozavodsk-city-court-a-a-sudakov->

In [July] 2017, Roskomnadsor (Federal Service for Supervision of Communications, Information Technology, and Mass Media) blacklisted *A Teachers' Guide to Studying, Understanding and Examining the Stalinist Repressions* (2015), a history textbook by Andrei Suslov, a history professor at Perm State University, and a colleague, because it was “dangerous to the health of children.” Perm’s education ministry had initially published the guide on its own website but removed it after the ban. The state prosecutor demanded the textbook’s nonprofit publisher Center for Political Education and Human Rights to mark the book with an age restriction of 18+ on its website. In response, Suslov and his publisher sued Roskomnadsor. A hearing was set for 3 October 2017 and a verdict was expected by the end of 2017. The textbook’s blacklisting reportedly came after activists from the Stalinist movement *sut vremeni* (Essence of Time) had protested against the textbook with a letter campaign to state authorities in [2015], followed by a report written in 2016 by Roskomnadsor-accredited experts, that determined that the textbook was “hostile to state and social views.” Pavel Guryanov of the Perm chapter of *sut vremeni* said that the work brainwashed the children of Perm in the interests of the publisher’s foreign sponsors. Suslov’s suit countered that the Roskomnadsor-accredited experts’ report damaged his reputation and demanded its removal from the Roskomnadsor website. He also applied for a second opinion on it, carried out by the “Laboratory for Applied Linguistics,” which concluded that it was “based on its own version of historical fact.”¹³⁷

From July 2017, an avant-première row concerning the film *Matilda* by director Alexei (Aleksei) Uchitel took place. The film explored the love of the last Tsar Nicholas II (1868–1918) for ballerina Matilda Kshesinskaya (1872–1971) before he came to the throne and married in November 1894; it included some erotic scenes. Russian Orthodox Christians saw Nicholas II, who was executed by the Bolsheviks in 1918, as a martyr; he was canonized in 2000 by the Orthodox Church. Campaigners interpreted the exposé of his love affair as an insult. They included Duma member Natalia Poklonskaya and groups called “Christian State, Holy Russia” and “The Tsar’s Cross.” The latter group said that the

[public-appeal-in-defense-of-yuri-dmitriev](#); Yelizaveta Mayetnaya, “[Supporters Rally Around Accused Russian Historian Of Stalin's Crimes](#),” *Radio Free Europe/Radio Liberty* (27 April 2017); “[Ukrainians Ask for International Protection for Russian Historian Who Is Persecuted by FSB](#),” *Human Rights Information Centre* (28 December 2016); [Petition: Освободить историка Юрия Дмитриева](#) (in Russian); “[Stalin’s Shadow: How a Gulag Historian Fell Victim to Russia’s Dark Past](#),” *Moscow Times* (9 June 2017); Andrew Osborn, “[Hunter of Stalin’s Mass Graves on Trial: Friends Say He’s Been Framed](#),” *Reuters* (13 July 2017); Halya Coynash, “[Russia Honours Founders of the Soviet Terror, Jails Historian who Uncovered their Victims](#),” *Human Rights in Ukraine* (3 October 2017); “[Russian Historian Charged With Child Pornography To Be Released](#),” *Radio Free Europe/Radio Liberty* (27 December 2017); Andrew Osborn, “[Russian Historian who Exposed Stalin’s Crimes Faces Enforced Psychiatric Testing](#),” *Reuters* (9 January 2018); Ivan Nechepurenko, “[Gulag Historian Ordered to Undergo Psychiatric Testing in Russia](#),” *New York Times* (11 January 2018); AFP, “[Russian Gulag Historian Faces 9 Years in Prison: Lawyer](#),” *Business Standard* (20 March 2018); Oleg Boldyrev, “[Stalin Crimes Expert Cleared over ‘Child Porn’](#),” *BBC News* (6 April 2018); Andrew Kramer, “[Russian Historian Who Exposed Soviet Crimes Is Cleared in Pornography Case](#),” *New York Times* (5 April 2018); “[Yury A. Dmitriev](#),” *Wikipedia* (2 July 2018).

¹³⁷ Elina Ibragimowa, “[Why Stalin Is Causing a Classroom Storm in Russia](#),” *Deutsche Welle* (29 July 2017).

“blasphemous” film “desecrated the memory of the Holy Regal Martyrs.” On 31 August 2017, petrol bombs were thrown at a St Petersburg building housing Uchitel’s studio, but the interior was not damaged. On 4 September a man was arrested in Yekaterinburg (the city where the tsar and his family were executed in July 1918) after crashing his jeep into a cinema. On 11 September, two cars were torched outside the Moscow office of a lawyer acting for Uchitel. The Kremlin condemned letters that warned cinemas that they would “burn” if they dared screen *Matilda*. Russia’s biggest cinema chain, the Cinema Park and Formula Kino group, canceled screenings of the film. The film was due to go on general release in Russia on 26 October 2017.¹³⁸

In October 2017, the United Nations High Commissioner for Human Rights reported that groups manifesting their attachment to Ukrainian national symbols, dates, or historic figures in the Crimea were sanctioned by courts for violating public order or conducting unauthorized rallies. The public activities of the unregistered Simferopol-based Ukrainian Cultural Center – such as paying tribute to Ukrainian literary, political, or historic figures – were often disrupted or prohibited. On 18 February 2015, the Bakhchysarai authorities prohibited the local Mejlis from carrying out a rally in commemoration of the anniversary of the death of Noman Çelebicihan (1885–1918), the first President of the short-lived independent Crimean People’s Republic (1917–1918). On 11 March 2015, a court in Simferopol ordered 40 hours of corrective labor for three pro-Ukrainian activists and 20 hours for a fourth after they unfurled a Ukrainian flag bearing the inscription “Crimea is Ukraine” during a rally to commemorate the anniversary of the national poet of Ukraine, Taras Shevchenko (1814–1861), two days earlier. Institutions promoting Ukrainian culture and traditions were shut down. The Museum of Ukrainian Vyshyvanka – a traditional Ukrainian embroidery – was closed in February 2015.

The Simferopol city authorities refused to grant permission for an assembly planned by the Crimean Tatar NGO Kardashlyk for 23 August 2014 near the memorial complex for the victims of the 1944 Crimean Tatar deportation. Crimean Tatars taking part in unauthorized motorcades to commemorate the 1944 Crimean Tatar deportation were regularly arrested, interrogated for hours, and fined. In June 2015, the city of Simferopol rejected an application by the Mejlis to hold celebrations of the Crimean Tatar Flag Day.¹³⁹

On 24 November 2017, Polish historian Henryk Glebocki was reportedly detained in Moscow and ordered to leave Russia within 24 hours after he gave lectures in St. Petersburg about the Soviet-era

¹³⁸ “[Rage at Tsar Film Suspected in Russia Car Blaze](#),” *BBC News* (11 September 2017); “[Russian Cinemas Shun Tsar Film Matilda after Threats](#),” *BBC News* (12 September 2017); Amie Ferris-Rotman, “Costume Drama,” *Index on Censorship*, 46, no. 3 (September 2017), 72–74.

¹³⁹ Office of the United Nations High Commissioner for Human Rights, *Situation of Human Rights in the Temporarily Occupied Autonomous Republic of Crimea and the City of Sevastopol (Ukraine)* (Geneva 2017), 3, 21, 23, 26, 32.

purges of 1937–1938. Glebocki had also been denied access to archives in Russia that he previously had used to research Polish-Russian relations during the 19th and 20th centuries. In October 2017, Polish authorities had expelled Russian historian Dmitry Karnaukhov – accusing him of having ties with Russian intelligence and “participating in a hybrid war against Poland.”¹⁴⁰

In January 2018, Memorial’s employees were threatened in the republics of Chechnya and Ingushetia. On 9 January 2018, the director of the Chechen office, Oyub Titiev (Titiyev), was arrested on a falsified charge of illegal drug possession (a common tactic used against activists and journalists in the region) that could bring ten years’ imprisonment. His family members received threats from the local police. The Kremlin’s human rights council did not exclude the possibility that drugs had been planted on Titiev by Chechen police. On 17 January 2018, security cameras captured two men in masks setting ablaze Memorial’s office in Nazran, capital of Ingushetia. This reportedly occurred three days after the arrival of a group of journalists and lawyers who were investigating Titiev’s arrest. On 19 January 2018, Chechen police arrived to raid the Memorial office in Grozny. Earlier, speaking at a meeting with police officers, Chechnya’s authoritarian leader Ramzan Kadyrov attacked Memorial, referring to its activists as “enemies of people” who told the world about Russian issues to discredit the state. Memorial’s chairman Alexander Cherkasov said that Kadyrov issued an ultimatum, banning Memorial’s activity in Chechnya. On 22 January 2018, a car belonging to the Memorial office in Dagestan was torched. As of 18 June 2018, Titiev was still in prison.

In December 2017, Chechnya’s leader Ramzan Kadyrov was sanctioned by the United States Treasury over alleged human rights violations, including involvement in extrajudicial killings. One of the sanctions was the deactivation by Facebook of his Instagram account, which had three million followers. The actions against Memorial were believed to be a revenge for the closure of the account and to have involved Chechen security forces: Memorial was held responsible for reporting about the human rights violations that gave rise to the sanctions.¹⁴¹

On 23 January 2018, following a screening before senior figures on 22 January, the distribution certificate of the British comedy film *The Death of Stalin* (2017), by director Armando Iannucci, was withdrawn, effectively canceling its release on 25 January. Among those who criticized it for its

¹⁴⁰ [“Russia Expels Polish Historian without Explanation,”](#) *Radio Free Europe/Radio Liberty* (27 November 2017).

¹⁴¹ [“‘Memorial’ Human Rights Activists in Russia Face Arrest, Arson, Murder,”](#) *Daily Beast* (20 January 2018); [“Critical Voices Targeted with Arson, Arrest and Legislation,”](#) *Ifex* (1 February 2018); European Parliament, [“Russian Government Urged To Release Oyub Titiev”](#) (press release; 8 February 2018); Marc Bennets, [“Chechen leader’s Instagram Closure ‘Led to Revenge Attacks’ on NGO,”](#) *Guardian* (21 January 2018); PEN International, [“Oral Statement on Freedom of Association and Peaceful Assembly in Russia for the United Nations Human Rights Council 38th Special Session, Item 3: Interactive Dialogue with the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association”](#) (18 June 2018).

“ideological warfare” or “extremism,” citing its unfavorable portrayal of historical figures like Marshal Georgy Zhukov (1896–1974), were Yelena Drapeko, deputy head of the lower house of parliament’s culture committee, Yury Polyakov, a member of the culture ministry’s advisory council, Zhukov’s daughter, and Nadezjda Umanova of the Russian Society for Military History. The film was a satire of the power struggle in the Kremlin following Stalin’s death in 1953. An open letter to Culture Minister Vladimir Medinsky signed by 21 senior figures criticized the film for parodying Russia’s history and denigrating the memory of Russian citizens who fought the Nazis. Pavel Pozhigaylo, a member of the Culture Ministry’s advisory board, said that the film’s release in advance of the 75th anniversary of the end in 1943 of the Battle of Stalingrad, to be celebrated nationwide on 2 February 2018, would be an affront to Russia’s World War II veterans. On 25 January 2018, Moscow’s Pioneer Cinema, the only Russian cinema to go ahead with the film, stopped the first screening after a police visit hours before. Tickets had been sold for showings until 3 February 2018. The culture ministry said that the cinema would be prosecuted for showing the comedy without a license. In 2015, the ministry had withdrawn the distribution license of “Child 44,” a Cold War thriller about a series of child murders in the USSR in 1953, saying it “distorted historical facts.”¹⁴²

On 12 May 2018, Pavel Chikov and Damir Gaynutdinov, head and legal researcher respectively of the international human rights group Agora, published a report, *Russia against History: Punishment for revision* (available in Russian at https://guides.files.bbc.co.uk/bbc-russian/Russia_vs_History.pdf), about the dangers that Russian historians face. The report observed that the most dangerous subject for historical research in Russia was World War II and the role of the USSR in it. Over the last decade, criminal charges were brought against 17 historians for their discussion of the war. One of these cases was dismissed because of the statute of limitations, but the other 16 were found guilty. The government also engaged in 41 acts of censorship on historical issues, seven efforts to revise the work of scholars, numerous acts of obstruction of access to archives, and routine prohibition of the use of materials found by scholars in government archives. According to the report, the Russian authorities had stepped up their efforts in recent years to impose a single conception of Russian history; their main instrument in that regard was the use of the provisions of anti-extremist legislation.¹⁴³

In June 2018, activists accused the government of erasing Gulag victims from memory after it was revealed that agencies were destroying Soviet prisoner records under a secret decree. The director of the Gulag museum in Moscow complained to the Russian Human Rights Council, that the interior

¹⁴² “[Russia Bars ‘Extremist’ British Comedy ‘The Death of Stalin’](#),” *BBC News* (23 January 2018); “[Death of Stalin: Russian Cinema Drops Film under Pressure](#),” *BBC News* (26 January 2018); Matthew Luxmoore, “[In Russia, ‘The Death of Stalin’ Is No Laughing Matter](#),” *New York Times* (24 January 2018).

¹⁴³ “[Being a Historian an Increasingly Dangerous Profession in Russia, Agora Study Says](#),” *Euromaidan Press* (13 May 2018).

ministry has been trashing irreplaceable cards containing the names of those repressed. The card system came into existence as follows: if prisoners survived their lengthy sentences in Gulag labor camps and were released, their case files were destroyed but archive cards were created instead recording their names, date and place of birth, what camps they had been in and when they were liberated. After a researcher requested information about a prisoner's Gulag sentence in vain, it had emerged that a secret 2014 decree signed by 11 government agencies allowed officials to dispose of a prisoner's card after his or her 80th birthday.¹⁴⁴

See also Afghanistan, China, India, Iran, Netherlands, Ukraine.

RWANDA

Previous *Annual Report* entries: 1998, 2000–2017.

¹⁴⁴ Alec Luhn, "[Russia Deleting Records of Gulag Victims under Secret 2014 Order](#)," *Telegraph* (8 June 2018).

SAINT VINCENT

Previous *Annual Report* entries: 2014.

SÃO TOMÉ

Previous *Annual Report* entries: —.

SAUDI ARABIA

Previous *Annual Report* entries: 1996, 2001, 2006, 2010–2011, 2013, 2017.

On 5 April 2017, United Nations experts on cultural rights, housing, and extreme poverty called on the government to halt the planned forced evictions and demolition of the 400-year-old walled Al-Masora (al-Masoura; Musawara) quarter in the village of Awamia. Al-Masora was considered a historical model of a walled village, including mosques, farms and farmers' markets, places of worship for Shia "Hussainiyat" and businesses; it was home to about 2,000 to 3,000 people. Part of a "development project," the demolition started in May 2017 and triggered deadly clashes between security forces and Shia militants. In late July 2017, security forces surrounded and sealed off Awamia as they confronted an armed group hiding in a historic neighborhood slated for demolition. The violence killed more than 20 civilians, five militants, and 12 security personnel. The interior ministry blamed the unrest on "terrorist groups who have been in the area for years."¹⁴⁵

See also Yemen.

¹⁴⁵ ["UN Experts Urge Saudi Arabia to Halt Forced Evictions and Demolitions of the Al-Masora Neighborhood in Awamia"](#) (press release; 5 April 2017); ["Awamiya: Inside Saudi Shia Town Devastated by Demolitions and Fighting,"](#) *BBC News* (16 August 2017); Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 465; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 318.

SENEGAL

Previous *Annual Report* entries: 2002–2004, 2006, 2009, 2013, 2017.

In April 2017, the Extraordinary African Chambers in Senegal upheld the conviction and sentence of life imprisonment of former Chadian President Hissène Habré for war crimes, crimes against humanity, and torture committed in Chad between 1982 and 1990.¹⁴⁶

See also Guinea.

SERBIA / KOSOVO

Previous *Annual Report* entries: 2008–2017.

Prosecutions for crimes committed during the war (1991–1995) were hampered due to lack of political support, insufficient staff, and other resources at the Office of the War Crimes Prosecutor, and weak witness support mechanisms. The Serbian parliament finally appointed a new war crimes prosecutor in May 2017, Snežana Stanojković, after an 18-month-long vacancy. Few high ranking officials implicated in serious wartime abuses had been held to account in Serbian courts. Between January and August 2017, 17 war crimes trials were pending before them. The war crimes prosecutor issued two new indictments during the same period. Over the same eight months, first instance courts delivered no judgments. The appeals court overturned convictions of three people. Over the same eight months, 11 cases were still at investigation stage. Since the establishment of the War Crimes Prosecution Office in 2003, 124 judgments had been issued, 82 people convicted and 42 acquitted.

The first trials in Serbia for war crimes in Srebrenica started in February 2017. Eight Bosnian Serb former police officers were charged with the killing in a warehouse of more than 1,300 Bosniak civilians from Srebrenica in July 1995. In July 2017, the Belgrade Appeals Court dismissed the charges, stating that the prosecutor who filed the charges was not authorized to do so. On appeal, the indictment was reinstated; proceedings started afresh in November 2017.

Relatives of the disappeared were denied recognition as civilian victims of war, if their missing family member had died outside Serbia. In May 2017, relatives of missing Kosovo Serbs called on the government to make progress in recovering their bodies.

Chief Prosecutor Serge Brammertz at the International Criminal Tribunal for the Former Yugoslavia

¹⁴⁶ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 23, 322.

(ICTY) urged Serbia in June 2017 to officially acknowledge the crimes committed in Srebrenica in 1995 as genocide.¹⁴⁷

Kosovo

Following the January 2017 arrest in France of former Kosovo Prime Minister and Kosovo Liberation Army fighter Ramush Haradinaj based on a Serbian arrest warrant, a French court in April rejected Serbia's extradition request. Haradinaj was wanted in Serbia on war crimes charges. He had been twice acquitted by the ICTY of war crimes during the 1998–1999 Kosovo conflict.

In July 2017, after months of delay, Kosovo's Constitutional Court approved the revised rules of procedure and evidence for the Specialist Chambers and Specialist Prosecutor's Office, the Hague-based court tasked with trying serious war crimes committed during the 1998–1999 Kosovo war. This allowed the court to issue first indictments. The court was set to adjudicate cases investigated by the Special Investigative Task Force, prompted by a 2011 Council of Europe report accusing some Kosovo Liberation Army (KLA) members of abductions, beatings, summary executions, and the forced removal of human organs in Kosovo and Albania during and after the Kosovo war. Senior KLA fighters were expected to be indicted and stand trial. The court will operate under Kosovo laws, with 19 international judges, appointed by the European Union in February 2017. In June 2017, the European Union approved a one-year budget for the court.

Under 2014 legislation, the competencies of the European Union-led Police and Justice Mission (EULEX) for the prosecution of crimes under international law were limited, although some prosecutions continued. The absence of any agreement on mutual legal assistance between Kosovo and Serbia hampered the prosecution of Serbs suspected of crimes under international law during the 1998–1999 armed conflict, including conflict-related sexual violence (CRSV). Hundreds of unresolved case files were due to be transferred by June 2018 to Kosovo's Special Prosecution Office. Prosecutors, NGOs and CRSV survivors were concerned that testimonies, known to have been gathered after the armed conflict by the United Nations Mission in Kosovo (UNMIK), had not been promptly or adequately investigated. In June 2017, former President Atifete Jahjaga was denied entry to Serbia, where she was due to present a book of testimonies from CRSV survivors. Progress was made in implementing legislation introduced in 2014, which provided some reparation for CRSV survivors. A commission was appointed to consider applications from survivors, who were due to be able to apply for monthly compensation payments from January 2018. Other reparation measures did not meet international standards, failing to provide survivors with free health care or adequate rehabilitation. Stigma associated with wartime rape continued to overshadow survivors. Little progress was made in

¹⁴⁷ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 470–471; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 323.

locating people still missing from the armed conflict and its aftermath. Some 1,658 people were still missing. The Kosovo Specialist Chambers opened in The Hague on 28 June 2017. They had been established to investigate the alleged abduction, torture, and murder of Kosovo Serbs and some Kosovo Albanians, transferred to Albania by members of the Kosovo Liberation Army (KLA) during and after the 1998–1999 war. In December 2017, members of parliament failed to revoke the law governing the Specialist Chambers, which they considered discriminated against the KLA.

The Human Rights Review Panel, an independent body set up in 2009 to review allegations of human rights violations by EULEX staff, ruled in eight cases between January and October 2017, four of which were follow-up decisions in earlier cases where violations had been found by the panel. Thirty cases were pending before the panel at the end of 2017.¹⁴⁸

The United Nations failed to follow recommendations made in 2016 by the Human Rights Advisory Panel (HRAP), an independent body set up in 2006 to examine complaints of abuses by the United Nations (UN) Interim Administration Mission in Kosovo (UNMIK), that the UN apologize and pay individual compensation to lead poison victims forced to live in UNMIK-run camps in northern Kosovo after the 1998–1999 war. Victims were displaced members of the Roma, Ashkali, and Balkan Egyptian communities. In May 2017, UN Secretary-General António Guterres proposed a watered-down plan to create a voluntary trust fund for community assistance projects not specifically targeting those affected by lead poisoning. At the end of 2017, no states had contributed to the trust fund.¹⁴⁹

SERBIA / MONTENEGRO

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

SIERRA LEONE

Previous *Annual Report* entries: 2000–2012, 2016.

¹⁴⁸ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 474–475; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 324–325.

¹⁴⁹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 475.

SINGAPORE

Previous *Annual Report* entries: 1998, 2009–2011, 2015–2016.

On 4 August 2017, the National University of Singapore (NUS) suspended Chinese-born American professor Huang Jing, director of the Centre on Asia and Globalisation at the NUS Lee Kuan Yew School of Public Policy. The Ministry of Home Affairs had identified Huang as a spy, saying that he had used his senior position to “deliberately and covertly advance the agenda of a foreign country at Singapore’s expense. He did this in collaboration with foreign intelligence agents.” It did not name the foreign country involved. It added that Huang’s permanent residency status would be revoked and he would be banned from re-entering the country. Huang was planning an appeal against his expulsion. Huang received his master degree from Fudan University, Shanghai, where he read history. Later, he obtained a doctorate in political science from Harvard University. He was an expert on Chinese politics and United States-China relations. Many said that he held pro-Chinese views.¹⁵⁰

In September 2017, Amos Yee Pang Sang was granted political asylum in the United States on the grounds that Singapore had persecuted him for exercising his right to peaceful expression [See also *NCH Annual Reports 2015–2016*].¹⁵¹

In November 2017, activist Jolovan Wham was charged with violating the Public Order Act, among other things because he had been involved in a silent protest to commemorate the 1987 arrests of activists under the Internal Security Act (ISA).¹⁵²

On 29 March 2018, Thum Ping Tjin, a Singaporean research fellow at Oxford University, coordinator of the university’s Project Southeast Asia and historian of Singapore’s independence struggle of the 1950s and 1960s, appeared before the Parliamentary Select Committee on Deliberate Online Falsehoods at a public hearing on “fake news.” In his written submission to the committee, he had claimed that fake news had not had a big impact in Singapore with the exception of Operation Coldstore (the 1963 imprisonment without trial of over 100 people deemed to be part of a Communist conspiracy to overthrow the government), when politicians of the People’s Action Party Government had told Singaporeans that “people were being detained without trial on national security grounds due to involvement with radical Communist conspiracies to subvert the state,” adding that “declassified

¹⁵⁰ Yojana Sharma, “[University Suspends Professor after Foreign Spy Charge](#),” *University World News* (7 August 2017).

¹⁵¹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 480.

¹⁵² Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 479.

documents have proven this to be a lie.” He was interrogated about this research for six hours by Minister for Law and Home Affairs K[asiviswanatha] Shanmugam, a committee member, who challenged Thum with evidence to the contrary. Shanmugam repeatedly expressed disdain for Thum’s research, rephrasing its findings in general terms that misrepresented it, and attempting to get Thum to agree to the rephrasing by forcing him to provide only yes/no answers. Following Thum’s appearance, an open letter in support of him and academic freedom in Singapore, signed by nearly 300 academics from various countries, was submitted to the committee. In a reaction, committee chairman and deputy speaker of parliament Charles Chong suggested on 30 April 2018 that “there has been a coordinated attempt, with foreign actors involved, to try to influence and subvert our parliamentary processes.” Oxford University senior lecturer Philip Kreager, chair of the Project South East Asia, refuted Chong’s conspiracy allegations. On 2 May 2018, three Oxford University academics who supervised Thum’s 2011 doctoral thesis (*Chinese Language Political Mobilization in Singapore, 1953–1963*) defended the latter’s academic credentials in a letter to Chong. In a follow-up submission in early May 2018 to the parliamentary committee, Thum provided detailed responses to the questions raised by the committee specifically regarding his historical research.

After he had published and lectured about Operation Coldstore in late 2013 and early 2014, Thum had been told by a senior NUS colleague that he would no longer be able to work in Singapore.¹⁵³

SLOVAKIA

Previous *Annual Report* entries: 1997, 2002, 2007, 2009, 2011, 2013–2015, 2017.

SLOVENIA

Previous *Annual Report* entries: 2007–2009, 2011–2013, 2015–2017.

Long-standing human rights violations continued to persist against the “erased,” an estimated 25,000 former permanent residents of Slovenia mostly originating from other former Yugoslav republics. They were removed from the official registry following Slovenia’s independence in 1991. The authorities

¹⁵³ Low Youjin, “[Oxford Professors Defend Historian Thum’s Thesis and Academic Credentials](#),” *Today* (2 May 2018); Yojana Sharma, “[Academic Freedom Faces ‘Grave Threat’ from Parliament](#),” *University World News* (15 May 2018); Project SEA, “[In Defence of Dr PJ Thum and Academic Freedom in Singapore](#)” (Oxford 17 April 2018); The hearings on YouTube: “[Delving into Singapore’s history](#)” (Part 1 of 4) [1.28:48]; “[Delving into Singapore’s history](#)” (Part 2 of 4) [2.06:00]; “[Delving into Singapore’s history](#)” (Part 3 of 4) [1.33:20]; “[Delving into Singapore’s history](#)” (Part 4 of 4) [20:52].

failed to offer new options to the remaining “erased” in terms of restoring their legal status and related rights since the expiry of the Legal Status Act in 2013. In September and November 2017, the European Court of Human Rights ruled as inadmissible complaints by some of those whose applications for restoring legal status had been rejected under the Legal Status Act provisions.¹⁵⁴

SOMALIA

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

SOUTH AFRICA

Previous *Annual Report* entries: 1996–2004, 2006–2010, 2012–2017.

In February 2017, the North Gauteng High Court ruled that the government’s attempt to withdraw from the International Criminal Court (ICC) was unconstitutional and invalid, as it had issued its withdrawal notice without consulting parliament. The court ordered President Jacob Zuma and the Ministries of Justice and Foreign Affairs to revoke the notice of withdrawal. The ICC debacle further dented South Africa’s international image as a champion of human rights and international justice. The government proposed legislation to parliament on withdrawal, but removed it from consideration in March. In December 2017, the government indicated at the ICC’s Assembly of States Parties in New York that it would indeed pursue its intent to withdraw.¹⁵⁵

In July 2017, the ICC Pre-Trial Chamber ruled that South Africa violated its legal obligations to the court in failing to arrest Sudanese President Omar al-Bashir in June 2015, when he attended the African Union Summit in the country. Al-Bashir was the subject of two ICC arrest warrants on charges of genocide, crimes against humanity, and war crimes committed in Darfur. South African courts had previously confirmed that the government had a duty to arrest al-Bashir. The chairperson of the African National Congress (ANC) International Relations subcommittee, Edna Molema, in an op-ed published a week later, said that the domestic court rulings on al-Bashir’s arrest had vindicated the ANC’s initial decision to withdraw from the ICC.¹⁵⁶

¹⁵⁴ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 330.

¹⁵⁵ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 493; Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 24, 334.

¹⁵⁶ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 493–494.

SOUTH SUDAN

Previous *Annual Report* entries: 2013, 2015–2017.

Three transitional justice bodies, provided for in the 2015 Agreement on the Resolution of the Conflict in the Republic of South Sudan, had not been established by the end of 2017. In July 2017, the African Union (AU) Commission and the government agreed on the content of a statute and a memorandum of understanding for the establishment of one of the bodies, the Hybrid Court for South Sudan, although they were not formally approved or adopted. A technical committee for the Commission for Truth, Reconciliation, and Healing began consultations on the commission’s design and legislative framework. South Sudan’s legislative framework failed to define or criminalize torture, enforced disappearance, or crimes against humanity.¹⁵⁷

SPAIN

Previous *Annual Report* entries: 1997, 1999, 2002–2017.

Spanish authorities continued to close investigations into crimes under international law committed during the Civil War (1936–1939) and the Franco regime (1939–1975). They argued that it is not possible to investigate the crimes reported, such as enforced disappearances and torture, in view of, among other things, the 1977 Amnesty Act and the statute of limitations. The authorities continued to fail to take measures to locate and identify the remains of victims of enforced disappearances and extrajudicial executions during the Civil War, leaving families and organizations to undertake exhumation projects without state support.¹⁵⁸

In February 2017, Mexico’s Attorney General’s Office started an investigation into the so-called “stolen babies” case, making Mexico the second country to investigate crimes under international law committed in Spain during the Civil War and the Franco regime. The investigation concerned the case of a woman born in Spain in 1968 and handed over to a Mexican family, reportedly after having been abducted from her family. In September 2017, the United Nations Working Group on Enforced or Involuntary Disappearances stated that this case constituted a new opportunity for Spain to fully cooperate in the investigations carried out by other states into enforced disappearances which occurred in

¹⁵⁷ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 23, 338.

¹⁵⁸ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 341.

Spain.¹⁵⁹

See also El Salvador, Trinidad and Tobago, Turkey.

SRI LANKA

Previous *Annual Report* entries: 1998–2004, 2008–2017.

In October 2015, the United Nations Human Rights Council adopted consensus resolution 30/1 in which Sri Lanka pledged to undertake several human rights reforms, including transitional justice demands arising from the civil war (1983–2009), and to establish four transitional justice mechanisms, including a judicial mechanism with “participation of international judges, prosecutors, lawyers and investigators.” Civil society leaders handed a comprehensive report to the government in January 2017. It contained strong recommendations, including for a hybrid justice mechanism. Neither the president nor the prime minister received the report publicly. Senior cabinet ministers explicitly rejected the recommendation that foreign nationals participate in the special court. Both the president and the prime minister publicly reiterated the point, and further emphasized that the government would not allow “war heroes” to be prosecuted.

One of the four pillars of the 2015 resolution was to create an Office of Missing Persons (OMP). Although the government had enacted a law to that effect in August 2016, efforts operationalizing it remained stalled until September 2017. Commissioners to the OMP had not been appointed and the OMP had yet to be formally set up at the end of 2017. In June 2017, President Maithripala Sirisena had promised families of the disappeared that he would order the release of lists of those who surrendered to, or were detained by, the armed forces during and after the armed conflict (1983–2009). The lists had not been made public by the end of 2017. Families of the disappeared said that the OMP was decided without proper consultation with affected groups. The 2016 act, therefore, did not address the need for psychosocial support, victim and witness protection measures, a minority rights commission, and symbolic gestures to allow public grieving, such as commemorating the dead.¹⁶⁰

Attempts by families to arrange stones as memorials for lost relatives were stopped by security forces. Catholic priest Elil Rajendram was detained and other residents of Mullaitivu were subjected to police

¹⁵⁹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 341.

¹⁶⁰ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 507–509; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 40, 342, 343.

harassment following their efforts to hold memorials for family members who died during the armed conflict (1983–2009).¹⁶¹

See also India.

SUDAN

Previous *Annual Report* entries: 2002–2003, 2006–2017.

The Security Council did not press Sudan to cooperate with the International Criminal Court (ICC) in its investigation into crimes committed in Darfur, despite having referred the situation to the ICC in 2005. The ICC first announced charges in 2007. It had outstanding arrest warrants against five individuals, including President Omar al-Bashir, for war crimes, crimes against humanity, and genocide committed in Darfur between 2003 and 2008.¹⁶²

See also Jordan, South Africa.

SURINAME

Previous *Annual Report* entries: 2001–2004, 2009–2010, 2012–2013, 2015–2016.

SWAZILAND

Previous *Annual Report* entries: 2011, 2013, 2016–2017.

In September 2017, King Mswati III told the United Nations General Assembly in New York that Swaziland was committed to peace and a decent life for all. He said that his government granted all citizens an opportunity to voice their views in order to constructively contribute to the social, economic, cultural, and political development of the country. He failed to mention, however, the recent amendments to the Public Order Act, which allowed critics of the king or the Swazi government to be prosecuted, and upon conviction be fined E 10,0000 (US\$ 770) or imprisoned for two years or both, for

¹⁶¹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 343.

¹⁶² Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 519.

inciting “hatred or contempt” against the cultural and traditional heritage.¹⁶³

SWEDEN

Previous *Annual Report* entries: 1998, 2017.

In September 2017, a Syrian man who had served in the Syrian army was convicted of war crimes by the Södertörn District Court and sentenced to eight months’ imprisonment for violating the dignity of five dead or severely injured persons by posing for a photograph with his foot on one victim’s chest.¹⁶⁴

SWITZERLAND

Previous *Annual Report* entries: 1997, 1999–2000, 2004, 2007–2009, 2014, 2016–2017.

In February 2018, it became known that the Federal Defense Department could not find 27 unpublished folders and dossiers from an investigation into a covert paramilitary group called “Projekt 26” or P-26 three decades ago. P-26 was established during the Cold War in the 1950s when, like in other countries, the Swiss military began assembling a guerrilla-style force to resist a Communist invasion. P-26 was disbanded in 1990 after revelations of its existence prompted a public scandal. Critics feared that the documents were destroyed or intentionally misplaced to hide embarrassing details about neutral Switzerland’s secret advances toward NATO or clandestine ties to foreign spy agencies such as MI6.¹⁶⁵

See also Algeria, Gambia, Liberia.

SYRIA

Previous *Annual Report* entries: 2001–2002, 2004–2017.

The International Impartial and Independent Mechanism to assist in the investigation and prosecution of the most serious crimes under international law committed in Syria since March 2011 took shape

¹⁶³ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 520.

¹⁶⁴ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 348.

¹⁶⁵ John Miller, “[In Switzerland, Dismay as Papers on Secret Cold War Army Vanish](#),” *Reuters* (7 February 2018).

during 2017 after its formal establishment in December 2016 by the United Nations General Assembly.¹⁶⁶

On 1 August 2017, Syrian officials informed Noura Ghazi, the wife of computer engineer Bassel Khartabil Safadi (1981–2017), that he had been extrajudicially executed in October 2015. During that same month, his colleagues had produced a new 3D model of Palmyra using data collected by him before his detention [see also *NCH Annual Reports 2015–2016*].¹⁶⁷

On 20–22 and possibly 26 January 2018, Turkish air strikes damaged a neo-Hittite temple at the Ain Dara site near the Kurdish-held city of Afrin, Aleppo Governate, destroying about 60% of the temple including some colossal carved basalt lions. The temple was an important example of Syro-Hittite religious architecture, built by the Arameans in the first millennium BCE. The Turkish military operation inside Syria had the purpose to extend a “buffer zone” that would sever the access of YPG (Syrian-Kurdish “People’s Protection Units”) to the Turkish border. On 19 March 2018, Turkish-backed Syrian rebels seized Afrin, meanwhile looting properties. Rebels tore down a statue of the Kurdish hero Kawa Haddad (a blacksmith who as a symbol of resistance against repression is a central figure in a Kurdish legend about the new year celebration of *Nowruz*). Many YPG fighters withdrew along with the estimated 220,000 civilians who fled the city in the days before the seizure.¹⁶⁸

See also Sweden, Turkey.

¹⁶⁶ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 63.

¹⁶⁷ Louis Imbert, “Un cybermilitant syrien meurt en prison,” *Le Monde* (6–7 August 2017), 4; PEN International, “[Joint Statement – Syria: Rights Groups Condemn Extrajudicial Execution of Human Rights Defender and Software Engineer Bassel Khartabil](#)” (2 August 2017); Global Voices Advox, “[They Can Kill Bassel, but not His Memory](#),” *Ifex News* (1 August 2017); Bassel Safadi (Khartabil), Letter [9 April] 2014, *Index on Censorship*, 46, no. 3 (Autumn 2017), 63.

¹⁶⁸ “[Syria War: Turkish Air Strikes ‘Damage Ancient Afrin Temple’](#),” *BBC News* (29 January 2018); Michael Danti, Darren Ashby, Marina Gabriel & Susan Penacho, “[Update: Ain Dara](#),” *Asor: Cultural Heritage Initiatives* (s.d. [January 2018]); Diana Darke, “[How Historical Afrin Became a Prize Worth a War](#),” *BBC News* (24 January 2018); “[Syria War: Afrin Looted by Turkish-Backed Rebels](#),” *BBC News* (19 March 2018).

TAIWAN

Previous *Annual Report* entries: 1998, 2001, 2008–2010, 2012, 2016–2017.

From mid-February to early June 2017 when they were dispersed, Indigenous people and supporters staged a 100-day sit-in near the Presidential Office protesting against government guidelines, proposed by the cabinet-level Council of Indigenous Peoples, on changing the designation of traditional Indigenous territory.¹⁶⁹

TAJKISTAN

Previous *Annual Report* entries: 2017.

In October 2016, the government sentenced human rights lawyer Buzurgmehr Yorov to 21 years' imprisonment in a political trial. In two additional trials held in 2017, the authorities extended Yorov's prison sentence by two years for insulting a government official and for citing a stanza of the 11th- and 12th-century Persian poet Omar Khayyam (1048–1131), during his own trial. At the end of 2017, prosecutors were seeking Yorov's imprisonment for up to five more years in relation to additional charges of fraud and "insulting the president," increasing Yorov's total possible jail term from 25 to 30 years.¹⁷⁰

In July 2017, security service officers in seven cities across Tajikistan arbitrarily detained and interrogated the relatives of at least ten peaceful activists who, earlier that month, had attended a conference in Dortmund, Germany, commemorating the signing of the peace accords that formally ended Tajikistan's civil war (1992–1997). Authorities retaliated against the activists' relatives, publicly shaming them for their family members' activism.¹⁷¹

In August 2017, President Emomali Rahmon signed into law amendments to the Law on Traditions regulating the practice of cultural traditions and celebrations. The amendments compelled citizens to wear traditional dress at cultural celebrations or ceremonies, such as weddings and funerals. Women in particular were prohibited from wearing black at funerals. In the same month, police and local officials

¹⁶⁹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 353–354.

¹⁷⁰ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 537.

¹⁷¹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 536.

approached over 8,000 women who were wearing the Islamic headscarf (hijab) in public places, ordered them to remove it because it was against the law, and asked them instead to wear a headscarf tied behind the head in the “traditional Tajik way.” Dozens of women were briefly detained, many had their hijabs forcibly removed. Women wearing western-style dress were not targeted. Government officials claimed that the hijab was a form of “alien culture and tradition” and a sign of “extremism.” Shops selling Islamic clothing were raided by security forces and many were forced to close.¹⁷²

TANZANIA

Previous *Annual Report* entries: 2010, 2016–2017.

THAILAND

Previous *Annual Report* entries: 1995, 1999, 2001–2002, 2005, 2007–2017.

In spite of evidence showing that soldiers were responsible for most casualties during the 2010 political confrontations with the United Front for Democracy Against Dictatorship (UDD), or “Red Shirts,” that left at least 90 dead and more than 2,000 injured, no military personnel or officials from the government of former Prime Minister Abhisit Vejjajiva have been charged for killing and wounding civilians at the time. On the other hand, numerous UDD leaders and supporters faced serious criminal charges for their street protests in 2010.

In August 2017, the Supreme Court’s Criminal Division for Political Office Holders acquitted former Prime Minister Somchai Wongsawat and other senior government officials for their roles in the violent crackdown on the People’s Alliance for Democracy (PAD) protesters in October 2008, which left two people dead and more than 400 injured.¹⁷³

In 2017, six people were arrested for sharing Facebook posts concerning the removal of a plaque commemorating events in 1932 that brought an end to absolute monarchy. At the end of 2017 they remained imprisoned, facing charges on multiple counts of violation of Article 112 of the Penal Code (the *lèse majesté* provision).¹⁷⁴

¹⁷² Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 356.

¹⁷³ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 549.

¹⁷⁴ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 360.

On 9 October 2017, Sulak Sivaraksa was summoned for an interrogation before military prosecutors in his 2014 trial for *lèse majesté*. After Sivaraksa, a proclaimed monarchist, petitioned King Vajiralongkorn for help, the court dropped the charges for lack of evidence on 17 January 2018 [see also *NCH Annual Reports 1995, 2008, 2015, 2017*].¹⁷⁵

On 31 January 2018, historian Charnvit Kasetsiri ([1942–]), former President of Thammasat University, reported to the police’s Technology Crime Suppression Division (TCSD) to hear a cybercrime charge against him. The police accused him of violating Article 14 of the Computer Crime Act. If found guilty, he would face up to five years in prison, a fine of up to 100,00 baht, or both. The charge emerged after he had shared on his Facebook account a false news report that during a visit to Washington in October 2017, Naraporn Chan-ocha, wife of Prime Minister and junta leader Prayut Chan-o-cha, had a two-million-baht Hermes purse, while it was, in fact, a product of Thailand’s Royal Folk Arts and Crafts Center and cost no more than 10,000 baht. Subsequently, the TCSD accused Charnvit of disseminating forged computer data likely to cause damage to a third party, a violation of the Computer Crimes Act. Upon arriving at the TCSD, Charnvit read a statement, denying the charges, and emphasizing that he merely exercised his freedom of expression. He observed that his case was one of many SLAPP cases (Strategic Lawsuits against Public Participation), meant to shut down criticism.¹⁷⁶

TIMOR-LESTE

Previous *Annual Report* entries: 2003–2013, 2015–2017.

A new government body – the Chega! National Center: From Memory to Hope (CNC) – was established through Decree Law No. 48/2016. The CNC’s purpose was to facilitate the implementation of recommendations made by the truth commission (CAVR) in 2005 and the bilateral Timor-Leste and Indonesia Commission of Truth and Friendship in 2008. The main planned activities of the CNC included memorialization, education, solidarity with victims of past human rights violations, and outreach. However, the CNC did not have a mandate to address the CAVR’s recommendations on justice and reparations for victims of serious human rights violations.¹⁷⁷

¹⁷⁵ Pravit Rojanaphruk, “[112 Case Moves Forward against Historian For Doubting 16th Century ‘Elephant Duel’](#)” (6 October 2017); PEN International, “[Thailand: Octogenarian Writer and Activist Faces 15-year Prison Sentence](#),” (27 October 2017); AP, “[Thailand Drops Royal Insult Charges against Elderly Historian](#),” *CBS News* (17 January 2018); Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 359–360; Global Coalition to Protect Education from Attack, *Education under Attack 2018* (New York: GCPEA, 2018), 243.

¹⁷⁶ “[Former TU Rector Charnvit Reports to Police over Cybercrime Charge](#),” *Prachatai* (31 January 2018).

¹⁷⁷ Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 361–

Victims of serious human rights violations committed during the Indonesian occupation (1975–1999) continued to demand justice and reparations.¹⁷⁸

TOGO

Previous *Annual Report* entries: 2002, 2008–2013, 2017.

The authorities continued to fail to take steps to identify those suspected of responsibility for human rights violations, including the deaths of nearly 500 people, during the violence surrounding the presidential election in 2005. Of the 72 complaints filed by the 364 victims' families with the Atakpamé, Amlamé and Lomé courts, none are known to have been fully investigated.¹⁷⁹

TRINIDAD and TOBAGO

Previous *Annual Report* entries: —.

In October 2017, a statue of Christopher Columbus in the capital Port of Spain was defaced with red paint by locals demanding its removal. The newly launched Jamaica-based Center for Reparations Research (CRR) resolved that Caribbean governments “be asked to remove from places of public celebration monuments statues and other effigies to persons who either committed or facilitated [...] crimes against humanity in the Caribbean.” “Therefore,” the CRC chair added, “monuments to such persons as Christopher Columbus, Horatio Nelson, and Francis Drake – and all other military and civil supporters of slavery and the colonial project – should be removed.”¹⁸⁰

362.

¹⁷⁸ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 43, 361.

¹⁷⁹ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 363–364.

¹⁸⁰ Earl Bousquet, “[Tri-Continental Nations Support Caribbean Quest for Reparations](#),” *Telesur* (1 December 2017).

TUNISIA

Previous *Annual Report* entries: 2001, 2011–2017.

On 24 December 2013, the National Constituent Assembly (NCA) adopted the Law on Establishing and Organizing Transitional Justice. The law established a Truth and Dignity Commission (IVD) tasked with uncovering the truth about abuses committed between July 1955, shortly before Tunisia's independence from France, and the law's adoption in December 2013. The IVD (the only ongoing national transitional justice mechanism in North Africa) declared, in June 2016, that it had received 62,065 complaints from people alleging human rights abuses and had begun processing them. On 17–18 November 2016, the IVD held the first public hearings of victims of human rights violations, which were aired live on national television and radio stations. Since then, the IVD had held eleven more hearings covering various human rights violations during the Ben Ali and Bourguiba presidencies (1987–2011 and 1956–1987 respectively), such as torture, abuses against union rights, sexual assault against women imprisoned for political reasons, and violations of economic rights.

The transitional justice process suffered a major setback with the adoption, on 13 September 2017, of a law on “reconciliation in the administrative field” by a vote of 117 votes to nine, with one abstention. The law offered blanket impunity for those civil servants implicated in corruption and embezzlement of public funds but who did not benefit personally. For this category of persons, the law terminated any ongoing prosecutions and trials and preempted future trials. The law would thus impair the IVD work, which had a mandate to investigate economic crimes and situate them within the larger picture of systematic corruption under Ben Ali.

The transitional justice process also suffered from lack of criminal accountability for serious human rights violations. Authorities have failed in the seven years since Ben Ali's overthrow to investigate or hold anyone accountable for the vast majority of torture cases, including notorious cases of death in custody as a result of torture. By late 2017, the specialized chambers had not been set up.

There was no progress on the adoption of a memorandum of understanding between the IVD and the Ministry of Justice to allow for the referral of cases to specialized judicial chambers. Government institutions including the Ministries of the Interior, Defense, and Justice continued to fail to provide the IVD with the information it requested for its investigations. The Military Justice system refused to hand over to the IVD the case files of the trials of those accused of killing protesters during the 2011 uprising and of victims of police repression during the Siliana protests in 2012.¹⁸¹

¹⁸¹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 556–557; Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 63, 366.

On 30 January 2018, eleven NGO's, coordinated by Hassine Bouchiba, organized a sit-in in front of the IVD premises and asked what would be the fate of the files of those who were wounded and who died during the 2011 revolution. They recommended that the files be kept in the National Archives and not transferred abroad. None of the survivors had had access to their files [See also *NCH Annual Reports 2015–2017*].¹⁸²

TURKEY

Previous *Annual Report* entries: 1995–1998, 2000–2017.

On 30 March 2017, police reportedly detained 37 students from İstanbul University who participated in a peaceful demonstration commemorating the 1972 Kızıldereli Massacre – a military raid in which 10 activists in Turkey were killed after taking British intelligence officers hostage, allegedly to stop the execution of their imprisoned colleagues. Shortly after the demonstration began, plainclothes police arrived on the scene and detained 37 of the students.¹⁸³

On 21 July 2017, a new bill, passed by the Constitutional Committee, banned any mention of the 1915 Armenian genocide by parliamentarians. Those who broached the subject in parliament could have deductions made from their salaries and could be barred from attending parliamentary sessions. Armenians and governments of more than 29 countries labeled the deaths of Armenians during this period as genocide. The Turkish state called it *tehcir*, or forced displacement.¹⁸⁴

On 19 August 2017, German-Turkish writer Dogan Akhanli ([1956–]), a known critic of President Recep Tayyip Erdogan, was arrested in Granada, Spain, after an Interpol “red notice.” Akhanli wrote extensively on human rights in Turkey, including about the 2007 murder of Hrant Dink [See also *NCH Annual Reports 2006–2015*] and the 1915 Armenian genocide. He was granted release the next same day on condition that he would stay in Madrid. Akhanli had been a political prisoner between 1985 and 1987. He fled to Germany in 1991 as a refugee, achieving citizenship in 2001. He was arrested again in 2010 when he visited Istanbul, accused of a 1989 armed robbery. He was acquitted and released after a number of months - only to have proceedings reinstated at a later date.¹⁸⁵

¹⁸² “[Sit-in devant le siège de l’IVD pour réclamer le sort réservé aux dossiers des victimes](#)” *Shems FM* (30 January 2018); “[L’institution des Archives Nationales inquiète du sort des archives de l’IVD](#),” *Leaders* (27 February 2018).

¹⁸³ Scholars at Risk, [Free to Think 2017](#) (New York: SAR, 2017), 24–25; Global Coalition to Protect Education from Attack, *Education under Attack 2018* (New York: GCPEA, 2018), 248.

¹⁸⁴ Kaya Genç, “Unleashing the Past,” *Index on Censorship*, 47 no. 1 (Spring 2018), 23–24.

¹⁸⁵ “[Dogan Akhanli: Spain Grants Erdogan Critic Conditional Release](#),” *BBC News* (20 August 2017).

On 22 March 2018, police detained Kübra Sağır, a Turkish literature and history student at Boğaziçi University and head of the Kurdish literature commission at the university's student literature club, during a raid on her student dorm. They questioned Sağır about the preparations for the peaceful student protest on 19 March against the Turkish military operation in the northwest Syrian district of Afrin and for two of the slogans used then, neither of which promoted violence. On 3 April, the 6th Istanbul Peace Court accepted the prosecutor's request to arrest her, pending trial on charges of terrorism propaganda. She was held in the Bakırköy Women's Prison.¹⁸⁶

In early June 2018, Büşra Ersanlı – emeritus professor of political science at Marmara University specialized in historical subjects – who was on trial for having signed the January 2016 petition “We will not be party to this crime” (calling on the government to stop violence against civilian Kurds) was sentenced to 15 months in prison under Article 7.2 of the Anti-Terror Law (“propaganda for a terrorist organization.”) The measure was applied with immediate effect because Ersanlı did “not express any remorse.” Ersanlı had the right to object to the verdict within a week. The hearings against academics who had signed the petition started on 5 December 2017. As of June 2018, 242 academics had had their first hearings, 15 of which were sentenced to 15 months in prison. All the sentences were suspended, except those of Zübeyde Füsün Üstel and of Ersanlı [see also *NCH Annual Reports 2012–2013*].¹⁸⁷

See also Greece, Netherlands, Syria.

¹⁸⁶ Human Rights Watch, [Turkey: Government Targeting Academics: Dismissals, Prosecutions Create Campus Climate of Fear](#) (New York: Human Rights Watch, 14 May 2018), 6.

¹⁸⁷ Beyza Kural (Bianet), [“Prof. Dr. Büşra Ersanlı Sentenced to 1 Year, 3 Months in Prison Without Deferment,”](#) *Barış İçin Akademisyenler / Academics for Peace* (5 June 2018); Committee of Concerned Scientists, “Turkish Academic Sentenced to 15 Months for Signing Peace Petition” (8 June 2018); [“Turkish Academic Receives Jail Sentence for Signing Peace Petition,”](#) *Ahval News* (5 June 2018).

TURKMENISTAN

Previous *Annual Report* entries: 2001–2004, 2009, 2011–2012, 2015–2017.

Dozens of people arrested in the late 1990s and early 2000s remain forcibly disappeared in Turkmen prisons. They included at least 80 prisoners subjected to enforced disappearance after an alleged assassination attempt on then President Saparmurat Niyazov in November 2002. Following their arrest, the government denied their families access to them and information on their whereabouts. In 2017, the fate and whereabouts of these men remained unknown, except in the cases of three who died and whose bodies authorities returned to families, confirmed by Prove They Are Alive, an international campaign against enforced disappearances in Turkmenistan.¹⁸⁸

¹⁸⁸ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 373; Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 572.

UGANDA

Previous *Annual Report* entries: 2005–2009, 2011–2013, 2015–2017.

UKRAINE

Previous *Annual Report* entries: 1996, 2009–2011, 2014–2017.

Justice for conflict-related abuses and crimes committed during the 2014 Maidan protests, which led to the ouster of the Ukrainian government and mass disturbances in Odessa, remained elusive. In September 2017, an Odessa court acquitted all 19 defendants who were on trial for offenses related to the 2 May 2014 mass disturbances, which pitted pro-Maidan and anti-Maidan groups against each other, and in which 48 people died and more than 200 were injured. All 19 were anti-Maidan activists, five of them were in pre-trial custody since 2014. The court stated that the prosecution “did not even try to prove their guilt.” The Security Service of Ukraine (SBU) immediately accused two of them of separatism, and a court remanded them to custody. A crowd of Ukrainian nationalists attempted to storm the courtroom as judges announced the verdict, using tear gas and stones, and injuring about 20 police officers. Police investigated, but at the end of 2017 no one was held accountable. One pro-Maidan suspect remains at liberty, pending trial.¹⁸⁹

On [17] January 2018, the State Committee for State TV and Radio Broadcasting banned *Stalingrad* (1998), an award-winning book by British historian Anthony Beevor ([1946]–) about the battle of Stalingrad (August 1942–February 1943). It was called anti-Ukrainian and prohibited on the grounds that it might incite “inter-ethnic, racial and religious hostility,” because it had mentioned the massacre of 90 Jewish orphans by Ukrainian nationalist militiamen on Nazi orders in Bila Tserkva on 21 August 1942. Officials banned the import of 30,000 Russian-language copies of the book. The authorities accused Beevor of wrongly ascribing the massacre to the militiamen. A head of the committee, Serhiy Oliyinyk, said that “several paragraphs did not allow us to give permission for [the import of] this book” and accused Beevor of falling for a “provocation” that was never confirmed by war crimes prosecutors after the conflict. Beevor responded that his source, Lieutenant-Colonel Helmuth Groscurth, an anti-Nazi German officer who tried to stop the executions, was clearly mentioned in the book; he denied that he used a Soviet source as the committee alleged. He demanded an apology. Together with this book, 24 other books were banned, including one by Russian historian Boris Sokolov. The ban was

¹⁸⁹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 581–582.

eventually overturned.¹⁹⁰

See also Russia.

UNITED ARAB EMIRATES

Previous *Annual Report* entries: 2013, 2016.

UNITED KINGDOM

Previous *Annual Report* entries: 1996, 1998–2001, 2003–2004, 2006–2017.

The Iraq Historic Allegations Team, a body set up to investigate alleged abuses of civilians in Iraq by United Kingdom (UK) armed forces between 2003 and July 2009, was shut down by the government in June 2017. A preliminary examination by the Office of the Prosecutor of the International Criminal Court into alleged war crimes committed by UK personnel in Iraq remained open.¹⁹¹

In January 2017, the Historic Institutional Abuse Inquiry published findings from the investigation into 22 residential children’s institutions in Northern Ireland, covering the period from 1922 to 1995. It found widespread and systemic failings by the United Kingdom and institutions in their duties toward the children in their care. The government had not implemented any of the recommendations at the end of 2017. It continued to refuse funding to implement plans by the Lord Chief Justice of Northern Ireland to address the backlog of “legacy” coroners’ inquests.¹⁹²

In December 2017, *The Guardian* newspaper reported that thousands of files had “vanished” from the National Archives in Surrey after being requested by government departments (including the Ministry of Defence, Home Office, and Foreign Office). It reported that files included those related to the conflict in Northern Ireland, the Falklands War, and defense agreements with Malaya. Government files held at the National Archives had previously been key to exposing details of human rights violations carried

¹⁹⁰ Tom Parfitt, “Sir Antony Beevor Goes into Battle as Book on Stalingrad Is Banned,” *The Times* (20 January 2018); Coilin O’Connor & Andy Heil, “[Historian Beevor ‘Astonished’ at Ukraine Ban on Best-Selling ‘Stalingrad’](#),” *RFE/RL News* (17 January 2018); Stephen Komarnyckyj, “The Whole Truth,” *Index on Censorship*, 47 no. 1 (Spring 2018), 42–43.

¹⁹¹ Human Rights Watch, *World Report 2018: Events of 2017* (New York: Human Rights Watch, 2018), 231.

¹⁹² Amnesty International, *Report 2017/18: The State of the World’s Human Rights* (London: AI, 2018), 383.

out by United Kingdom security forces in Northern Ireland¹⁹³

See also China, India, Iran, Russia, Singapore, Switzerland, Trinidad and Tobago, Turkey, Ukraine, United States.

UNITED STATES

Previous *Annual Report* entries: 1995–2017.

In June 2017, it became known that the Central Intelligence Agency (CIA) destroyed records on its involvement in the 1953 coup in Iran when it moved offices on the incorrect belief that there were copies of the records elsewhere. In late 2017, a partially-declassified CIA history of the coup, entitled *Zendebad, Shah!*, was released; it reflected two documents: a 200-page internal CIA history of the coup from 2000 (the so-called Wilber report), which was leaked to the *New York Times*, and part of a declassified 2011 internal document confirming its coup activities [see also *NCH Annual Report 2017*].¹⁹⁴

The National Archives and Records Administration (NARA) formally approved a CIA records retention schedule that allowed the CIA to destroy information that is more than 30 years old – in spite of warnings from public interest groups that this would likely result in the destruction of many important documents, potentially including classified information related to the CIA’s official actions abroad, investigative files from the offices of the Inspector General, Security, and Counterintelligence, files relating to CIA spies that the CIA itself did not deem “significant,” and files related to CIA investigations into alleged unauthorized releases of classified information.¹⁹⁵

When in July 2017 dozens of the white supremacist Ku Klux Klan (KKK) group in Virginia took part in an authorized march to protest at the planned removal of a statue of General Robert E. Lee (who oversaw the pro-slavery Confederate forces in the United States civil war, 1860–1865) from Charlottesville, Virginia, they were met by hundreds of rival demonstrators. Police declared the counter-protests “unlawful” and used tear gas to disperse the crowds. On 12 August 2017, violent clashes took

¹⁹³ Amnesty International, “[UK: ‘Lost’ Archives—Amnesty Concern at Possible Loss of Evidence of Human Rights Violations in Northern Ireland](#)” (press release; 26 December 2017).

¹⁹⁴ Lauren Harper, “[Is NARA Rubber-Stamping Potentially Damaging Records Retention Schedules?](#)” *Unredacted* (15 February 2018).

¹⁹⁵ Lauren Harper, “[Is NARA Rubber-Stamping Potentially Damaging Records Retention Schedules?](#)” *Unredacted* (15 February 2018).

place during another march in Charlottesville, where white supremacists and neo-Nazis again protested against the removal of the Lee monument. A 32-year-old woman was killed and nearly 20 people injured when a car was driven into a crowd of counter-protesters. Following the clashes, dozens of schools and local governments began removing statues dedicated to the Confederacy. Four Confederate-era statues were taken down in Baltimore, Maryland, while the governors of Virginia and North Carolina ordered the removal of similar monuments in their states.

A rally in February 2016 had ended with the arrests of 13 people after a violent clash between members of the KKK and rival demonstrators resulted in a number of stabbings in Anaheim, California. In May [2017], a torch-lit rally against the removal of Confederate monuments in Virginia had been condemned by a local mayor. More than 100 people attended a counter-protest the following night.¹⁹⁶

On 28 August 2017, the American Historical Association published a [Statement on Confederate Monuments](#). It specified, among others: “To remove such monuments is neither to ‘change’ history nor ‘erase’ it. What changes with such removals is what American communities decide is worthy of civic honor,” and “We also encourage communities to remember that all memorials remain artifacts of their time and place. They should be preserved, just like any other historical document, whether in a museum or some other appropriate venue. Prior to removal they should be photographed and measured in their original contexts.”¹⁹⁷

In September 2017, Harvard University decided to overturn Michelle Jones’s admission to its Ph.D. program in History. Faculty of Arts and Sciences administrators overturned the History Department’s decision to admit Jones to its doctoral program, apparently out of concern over a potential backlash for admitting a formerly incarcerated student to the university. Jones had been convicted on charges of murder. She was later accepted by New York University.¹⁹⁸

In early September 2017, an opinion piece signed by Ronn Torossian, Hank Sheinkopf, and George Birnbaum appeared in three politically conservative Jewish publications (the Jewish Press, the *Algemeiner* and the Israeli network Arutz Sheva). It attacked David Myers, a UCLA historian of Jewish civilization who was appointed President of the Center for Jewish History in New York City in June 2017, as an extremist who “must be fired for radical viewpoints.” It criticized Myers for serving on the board of the liberal New Israel Fund; for having helped raise money online for If Not Now, which

¹⁹⁶ “[KKK Rally in Virginia Leads to Rival Protests and Clashes](#),” *BBC News* (9 July 2017); “[University of Texas Removes Four Confederate Statues](#),” *BBC News* (21 August 2017); Robert Lockett & Otis Pickett, “[Charlottesville and the Mississippi Flag](#),” *Jackson Free Press* (21 August 2017).

¹⁹⁷ American Historical Association, [Statement on Confederate Monuments](#) (28 August 2017).

¹⁹⁸ Jason Beckfield, Joyce E. Chaplin, & Khalil Gibran Muhammad, “[We Are Educators, Not Prosecutors](#),” *Harvard Crimson* (20 September 2017).

opposed the occupation of the West Bank; and for advising J Street, a lobby that supports a two-state solution. The piece also linked to several essays and reviews written by Myers, including one from 2008 in which he wrote that “the deep wound of the Nakba must finally be exposed to the light of day, and in some way be healed.” In a 7 September 2017 letter to the Center, nearly 500 scholars in the field of Jewish Studies, united in a Jewish Studies Activist Network, protested against the attack and defended Myers.¹⁹⁹

In early September 2017, the peer-reviewed development studies journal *Third World Quarterly* published an essay by Bruce Gilley ([1966–]), associate professor of political science at Portland State University, entitled “The Case for Colonialism.” The article argued for a return to Western colonialism as a solution to the problems facing weak and fragile states. Two petitions calling for the essay’s retraction gathered 10,000 signatures. Within a few weeks, half of the *Third World Quarterly* editorial board (15 of 34 members) had resigned, including the editor, Shahid Qadir, who had received “credible threats of personal violence” from Indian nationalists and resigned for his own safety. Approximately one month after its publication date, Gilley consented to the article’s withdrawal by the journal’s publisher. Some of the professors who had organized the petition to retract Gilley’s article found themselves the subject of online harassment. Portland State University’s diversity office investigated a complaint of discrimination and harassment against Gilley, which the latter described as a gross abuse of process.

In the United Kingdom, a similar heated controversy took place when Nigel Biggar ([1955–]), regius professor of moral and pastoral theology at Oxford, defended similar theses in *The Times* of 30 November 2017. Biggar ran a five-year interdisciplinary project, Ethics and Empire, with invitation-only workshops. Oxford University supported Biggar’s right to consider the historical context of the British empire.²⁰⁰

In early February 2018, vandals at the University of Tennessee Chattanooga campus tried to cover up posters for black history month with ones referencing Adolf Hitler. On 17 February 2018, the white nationalist group Traditionalist Workers Party advertised an event at the University of Tennessee Knoxville campus, but the group was not welcome on campus.²⁰¹

¹⁹⁹ Mark Oppenheimer, “[The Israel Litmus-test and Scholarly Freedom](#),” *Los Angeles Times* (8 September 2017); Jewish Studies Activist Network, “[Letter to the Board of the Center for Jewish History](#)” (7 September 2017).

²⁰⁰ Rebecca Schendel, “[Our Mission Is To Speak Truth to Power under Threat](#),” *University World News* (19 January 2018); Nigel Biggar, “Don’t Feel Guilty about our Colonial History,” *The Times* (30 November 2017); “Letters to the Editor: Our Colonial History and Guilt over Empire,” *The Times* (2 December 2017); Vimal Patel, “[Scholar Who Defended Colonialism Now Defends Himself](#),” *University World News* (23 March 2018); Reuben Rose-Redwood, “[Genocide Hoax Tests Ethics of Academic Publishing](#),” *The Conversation* (2 July 2018).

²⁰¹ “[Black History Month Posters Covered Up at University of Tennessee with Ones Referencing Hitler](#),” *CBS News* (9 February 2018).

In April 2018, New York City removed a statue of James Marion Sims (1813–1883), unveiled in the 1890s, from Central Park. Known as the “father of gynecology,” Sims had performed medical experiments on enslaved black women using no anesthetic. The statue was removed following a review into “hate symbols.”²⁰²

In its majority opinion upholding President Donald Trump’s ban on travel into the United States of citizens of several predominantly Muslim countries on 26 June 2018, the Supreme Court also overturned a long-criticized 1944 decision that the United States government could force more than 120,000 people of Japanese descent into internment camps in 1942–1946. Justice Sonia Sotomayor had mentioned the 1944 case, *Korematsu v. United States*, in her dissent, arguing that the rationale behind the majority decision had “stark parallels” to *Korematsu*; in both cases, Sotomayor argued, the government “invoked an ill-defined national security threat to justify an exclusionary policy of sweeping proportion.” Writing for the majority, Chief Justice John Roberts argued that the case was not relevant to the travel ban, but also said that it was now overturned: “The dissent’s reference to *Korematsu* ... affords this Court the opportunity to make express what is already obvious: *Korematsu* was gravely wrong the day it was decided, has been overruled in the court of history, and – to be clear – ‘has no place in law under the Constitution.’” The *Korematsu* decision (6–3), although much criticized, including by Supreme Court justices, had never been formally revoked.²⁰³

On 3 July 2018, Facebook sent a notice to the Liberty County *Vindicator* in Texas saying that some words in a post that violated its “standards on hate speech” were removed. The *Vindicator* had posted bite-size sections of the United States Declaration of Independence in the run-up to the 4 July 1776 independence celebrations, including its paragraphs 27–31 containing the phrase “Indian Savages.” Facebook apologized and restored the text a day later.²⁰⁴

See also Central African Republic, El Salvador, India, Indonesia, Iran, Iraq, Liberia, Poland, Russia, Singapore.

²⁰² [“New York: James Marion Sims Statue Removed from Central Park,”](#) *BBC News* (17 April 2018).

²⁰³ Abby Vesoulis & Abigail Simon, [“The Supreme Court Overturned a Ruling That Enabled Internment of Japanese-Americans During World War II,”](#) *Time* (26 June 2018); ; Jennifer Medina, [“For Survivors of Japanese Internment Camps, Court’s Korematsu Ruling Is ‘Bittersweet’,”](#) *New York Times* (28 June 2018).

²⁰⁴ Jason Murdock, [“Declaration of Independence Flagged as Hate Speech by Facebook,”](#) *Newsweek* (5 July 2018).

URUGUAY

Previous *Annual Report* entries: 2001–2013, 2015–2017.

In February 2017, human rights defenders investigating human rights violations that occurred during the military regime (1973–1985) reported receiving death threats; the sources of these threats were not investigated. In May 2017, human rights defenders denounced these threats at a hearing before the Inter-American Commission on Human Rights, which the Uruguayan authorities did not attend. The national Working Group on Truth and Justice, implemented in 2015, had not achieved concrete results regarding reparations for victims of past crimes under international law. In October 2017, the Supreme Court ruled that crimes committed during the military regime did not amount to crimes against humanity and were, therefore, subject to statutes of limitations, hindering victims' access to justice, and preventing the prosecution of those suspected of criminal responsibility.²⁰⁵

UZBEKISTAN

Previous *Annual Report* entries: 2005–2014, 2016.

²⁰⁵ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 30–31, 389.

VATICAN

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

See Colombia, Netherlands.

VENEZUELA

Previous *Annual Report* entries: 2001, 2003–2004, 2006, 2009–2010, 2012, 2014, 2017.

Most victims of human rights violations continued to lack access to truth, justice, and reparation. Victims and their families were often subjected to intimidation. In April 2017, two officers of the Bolivarian National Guard were sentenced for killing Geraldine Moreno during demonstrations in Carabobo state in 2014. The majority of victims of murder, torture, and other violations by state actors were yet to receive justice or reparation. The Attorney General's Office announced investigations into killings in the context of protests between April and July 2017. The National Constituent Assembly, established on 30 July 2017, appointed a Truth Commission to investigate cases of human rights violations during the protests, but there were concerns about its independence and impartiality. There were reports of victims or their families being pressured by authorities to testify and agree on facts that could waive the responsibility of state agents for these violations, as well as obstacles to the work of defense lawyers working with human rights organizations.²⁰⁶

VIETNAM

Previous *Annual Report* entries: 1996–2006, 2009–2013, 2016–2017.

²⁰⁶ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 396.

WESTERN SAHARA

See Morocco / Western Sahara.

YEMEN

Previous *Annual Report* entries: 2001, 2003, 2010, 2013–2016.

Since the civil war began in 2011 and international armed conflict followed in March 2015, all parties committed serious violations of international humanitarian law and violations and abuses of human rights law with absolute impunity. Since its inception in September 2015, the National Commission to Investigate Alleged Violations of Human Rights, established by the Yemeni government, failed to conduct prompt, impartial, and effective investigations consistent with international standards into alleged human rights violations committed by all parties to the conflict in Yemen. Similarly, the Saudi Arabia-led coalition investigative mechanism continued to appear to lack the necessary impartiality and independence to carry out its work credibly. With the proliferation of armed groups and security forces without command and the lack of effective control of the central government over its security forces and territories, the space for impunity further widened. In its mid-term report, the United Nations (UN) Panel of Experts on Yemen expressed concern that member states of the coalition were expressly shielding themselves from accountability and individual responsibility by hiding behind the umbrella of the coalition. In a positive development, the UN Human Rights Council passed a resolution in September 2017 mandating a group of experts to investigate abuses by all parties in Yemen. This constituted a first step toward justice for victims of human rights abuses and grave violations of international law.²⁰⁷

²⁰⁷ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 63, 402.

ZAMBIA

Previous *Annual Report* entries: 2009, 2015.

ZIMBABWE

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

On 10 November 2017, the police disrupted a meeting in Marange Village, in the east, of 22 activists from Latin American and Southern African countries to commemorate the ninth anniversary of the killing of 200 people by the military. The 200 had been killed after they took control of the diamond fields in protest at government plans to hand over diamond mines to Chinese businesses. The 22 activists were arrested and charged with entering a protected area without a government permit. They were released on 11 November after pleading guilty and were each fined US\$ 100.²⁰⁸

²⁰⁸ Amnesty International, *Report 2017/18: The State of the World's Human Rights* (London: AI, 2018), 406.