

**INTRODUCTION**

The Network of Concerned Historians (NCH) forwards to its participants news about the domain where history and human rights intersect, as reported by the American Association for the Advancement of Science [AAAS, Washington]; Amnesty International [AI, London]; Article 19 [A19, London]; Human Rights Watch [HRW, Washington/New York]; IOC [IOC, London]; the Network of Education and Academic Rights [NEAR, London]; International PEN Writers in Prison Committee [PEN, London]; Scholars at Risk [SAR, New York]; and other sources. It reports about the censorship of history, the persecution of historians around the globe, and related topics. The fact that NCH presents this news does not imply that it shares the views and beliefs of the historians and others mentioned in it.

This *Annual Report* and previous *Annual Reports* were compiled by Antoon De Baets and revised by Ingrid Sennema.

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## **AFGHANISTAN**

Last Annual Report entry: see NCH #45 (2006).

In March 2006, Assadullah Sarwari, head of the intelligence agency during the communist period (1978–88), was sentenced to death after an unfair trial for war crimes committed between 1978 and 1992.

During 2006, the government took a few steps to implement the Transitional Justice Action Plan, a five-year plan to gather information about Afghanistan's legacy of warfare and violence and to consider methods of achieving accountability. A mechanism for vetting political appointments was established, and in December 2006, President Hamid Karzai officially launched the action plan.

[Sources: AI, *Report 2007* (2007) 48; HRW, *World Report 2007* (2007) 240–41.]

## **ALBANIA**

Last Annual Report entry: see NCH #5 (1996).

See Greece, Macedonia.

## **ALGERIA**

Last Annual Report entry: see NCH #45 (2006).

In 2006, no steps were taken to clarify the fate of thousands of victims of enforced disappearance between 1993 and 2002. Dozens of court cases brought by their families had not led to full judicial investigations or prosecution of the alleged perpetrators. The February 2006 laws on “national reconciliation” barred courts from investigating complaints against those responsible (see below). In March 2006, the United Nations Human Rights Committee found that the state had failed to protect the rights and life of Salah Saker and Riad Boucherf who had “disappeared” in 1994 and 1995 respectively, and that the treatment by the authorities of their relatives, who remained without news of their fate or whereabouts, amounted to ill-treatment.

The laws on “national reconciliation” (see below) included provisions to compensate families of victims of enforced disappearance, but no payments had been made by the end of 2006. In the absence of any investigations or judicial proceedings, many families rejected the compensation offer, fearing that the payments were intended to silence their calls for truth and justice. Several dozens of families

of victims of enforced disappearance who had appealed to the authorities for help in previous years were summoned by security forces and given written notification of the death of their loved ones, a prerequisite for any compensation claims. The documents, however, refuted the families' claims that their "disappeared" relatives had been arrested by security forces, stating instead that they had been killed by unidentified men or while participating in an armed group. Families of victims of enforced disappearance were intimidated and some were prosecuted in connection with documentation they had produced and their campaigning activities on behalf of the victims or because of their peaceful protests against the government's national reconciliation policies.

[Source: AI, *Report 2007* (2007) 52.]

On 27 February 2006, a presidential "Decree Implementing the Charter for Peace and National Reconciliation" containing blanket amnesty provisions for perpetrators of human rights abuses during the internal conflict (1992–2000)—estimated to have claimed as many as 200,000 lives—also criminalized public discussion about it. Its article 46 stated: "Anyone who, by speech, writing, or any other act, uses or exploits the wounds of the National Tragedy to harm the institutions of the Democratic and Popular Republic of Algeria, to weaken the state, or to undermine the good reputation of its agents who honorably served it, or to tarnish the image of Algeria internationally, shall be punished by three to five years in prison and a fine of 250,000 to 500,000 dinars." Human rights groups and associations of victims staged public demonstrations to protest against the new legislation, describing it as unconstitutional.

[Sources: AI, "Algeria: New Amnesty Law Will Ensure Atrocities Go Unpunished" (London 2006); AI, *Report 2007* (2007) 39, 50–52.]

See also Morocco/Western Sahara.

## **ANGOLA**

Last Annual Report entry: see NCH #32 (2003).

See Namibia.

## **ARGENTINA**

Last Annual Report entry: see NCH #45 (2006).

In June 2005, the Supreme Court declared the 1986 “Full Stop” law (which halted the prosecution of human rights abuses under the military dictatorship [1976–83]), and the 1987 “Due Obedience” law (which granted immunity in such cases to the military except those in positions of command) unconstitutional. In 2006, several former members of the security forces accused of committing human rights abuses at the time went on trial. Judges, prosecution witnesses, non-governmental organizations and relatives of former victims involved in the trials were attacked and threatened in the last four months of 2006. Since 2005 several federal judges have also struck down presidential pardons decreed by President Menem in 1989 and 1990, but the Supreme Court has not yet ruled on the constitutionality of these pardons.

[Sources: AI, *Report 2007* (2007) 55; HRW, *World Report 2007* (2007) 180–81.]

On 22 March 2006, Minister of Defence Nilda Garré requested the armed forces to make their secret archives about the military dictatorship (1976–83) accessible for research.

[Source: *Keesings Historisch Archief* (2006) 544.]

See also Uruguay.

## **ARMENIA**

Last Annual Report entry: see NCH #45 (2006).

See also France, Turkey.

## **AUSTRALIA**

Last Annual Report entry: see NCH #32 (2003).

In February 2007, a coroner’s court in New South Wales opened an investigation into the murder of cameraman Brian Peters, one of five journalists working for Australian television stations who filmed the Indonesian army’s attack on the East Timorese village Balibo on 16 October 1975 in the lead-up to the invasion of East Timor (now Timor-Leste). There is evidence that the “Balibo Five” were killed

by Indonesian forces. In 2000, the Historical Crime Unit formed by the United Nations (UN) Transitional Administration in East Timor (UNTAET) had begun an investigation into their deaths, which resulted in the UN issuing international arrest warrants for three Indonesians, including former cabinet minister Yunus Yosfiah, on 3 February 2001. The warrants were never executed. (See also NCH #23).

[Sources: *Ifex Communiqué*, 6 & 14 February 2007; IOC (2007 no.2) 194.]

See also Timor-Leste.

## **AUSTRIA**

Last Annual Report entry: see NCH #45 (2006).

On 20 December 2006, a Vienna Court ruled that British author David Irving, convicted of Holocaust denial, should serve the rest of his sentence (three years' imprisonment reduced to two) on probation, among other reasons because he had meanwhile admitted that the Holocaust had taken place. Having served thirteen months, Irving returned to the United Kingdom. (See NCH #45).

[Sources: PEN, *Half-Yearly Caselist* (London 2006b) 43; IOC (2007 no.1) 110.]

See also France.

## **AZERBAIJAN**

Last Annual Report entry: see NCH #10 (1998).

## **BAHRAIN**

Last Annual Report entry: see NCH #37 (2004).

## **BANGLADESH**

Last Annual Report entry: see NCH #45 (2006).

## **BELARUS**

Last Annual Report entry: see NCH #45 (2006).

On 27 April 2006, five leading members of the Belarusian opposition were tried and convicted for “organizing an unsanctioned meeting”. The charges related to a peaceful march to commemorate the twentieth anniversary of the Chernobyl nuclear disaster on 26 April 1986. The marchers had received permission to march to Bangalore Square in Minsk where speeches were to take place. However, **Alyksandr Milinkevich** reportedly addressed the crowd before the march began. He and four others were sentenced to fifteen days’ imprisonment.

[Source: AI, *Report 2007* (2007) 63.]

In September 2006, the Information Ministry suspended the monthly historical magazine *Arche* (established 1997) for three months on the grounds that the September issue violated the terms of its licence by including political articles. The September issue cover photo showed police dispersing an anti-government demonstration in March 2006, and one of its articles was a detailed account of a 1995 crackdown on opposition parliamentarians objecting to a referendum imposed by President Aleksandr Lukashenka that would have made Russian one of Belarus’s official languages. The October and November issues were available on *Arche*’s website. The editor, **Valer Bulhakau**, had repeatedly requested authorization to cover politics but without success. On 8 November 2006, the Supreme Court for Economic Affairs rejected the appeal by the *Arche* editor.

[Sources: IOC (2006 no.4) 185; Reporters without Borders, “Court Upholds Three-month Suspension for Cultural Magazine” (16 November 2006); Idem, “Information Ministry Suspends Opposition Monthly” (22 November 2006).]

## **BELGIUM**

Last Annual Report entry: see NCH #45 (2006).

## **BOLIVIA**

Last Annual Report entry: see NCH #45 (2006) under United States.

In December 2006, the Attorney General's Office charged former President Gonzalo Sánchez de Lozada and two former ministers with the killing of at least sixty people during demonstrations in October 2003. The authorities were seeking Sánchez's extradition from the United States to try him for the killings.

[Source: AI, *Report 2007* (2007) 66.]

## **BOSNIA AND HERZEGOVINA**

Last Annual Report entry: see NCH #45 (2006).

During 2006, the specialized war crimes chamber within the Bosnian State Court began to hear eighteen cases referred from the International Criminal Tribunal for the former Yugoslavia (ICTY), some involving multiple suspects, including 11 Bosnian Serbs charged with genocide relating to Srebrenica. The district courts in Republika Srpska (RS) continued to try war crimes cases, albeit at a slow pace. In the Federation of Bosnia and Herzegovina (FbiH), war crimes trials continued at a faster pace, with half of its ten cantonal courts hearing cases during 2006. The non-availability of suspects remained the biggest impediment to accountability. Many war crimes suspects were Bosnian Serbs and Croats now resident as citizens in Serbia and Croatia and the constitutions of these countries prohibited extradition of their citizens. Bosnia refused to sign up to a September 2006 agreement between Croatia and Serbia that would facilitate prosecutions in the country of residence, insisting that defendants be tried in the country where the crimes took place. During 2006, the Bosnian authorities had not apprehended any persons indicted by the ICTY. Five indictees remain at large, including Radovan Karadzic and Ratko Mladic.

[Sources: AI, *Report 2007* (2007) 67–68; HRW, *World Report 2007* (2007) 365–66.]

In 2006, the ICTY continued to try alleged perpetrators of serious violations of international humanitarian law. On 11 March 2006, former Serbian President Slobodan Milosevic died at the ICTY

Detention Unit following a heart attack. He had been on trial before ICTY for war crimes and crimes against humanity in Bosnia-Herzegovina, Croatia and Kosovo, and for genocide in Bosnia-Herzegovina. [Source: AI, *Report 2007* (2007) 67–68.]

According to estimates of the International Commission on Missing Persons (ICMP), approximately 13,000 people who went missing during the war (1992–95) were still unaccounted for. Many of them were victims of enforced disappearances, whose perpetrators enjoyed impunity. Progress was slow in transferring competencies from the missing persons commissions of the FBiH and RS to the national Missing Persons Institute. The Institute's directors were appointed in March 2006, and Steering and Supervisory Board members in December 2006. Approximately 2,500 sets of human remains were exhumed from various locations in Bosnia-Herzegovina. In August 2006, the exhumation of a mass grave in Kamenica, near Zvornik, uncovered 1,009 incomplete and 144 complete skeletons. The site is believed to contain the remains of victims killed by Bosnian Serb forces in Srebrenica in 1995, and was reportedly the biggest mass grave excavated since the end of the war in 1995.

[Source: AI, *Report 2007* (2007) 68.]

On 27 September 2006, ICTY sentenced **Momčilo Krajišnik**, a former member of the Bosnian Serb leadership, to 27 years' imprisonment for crimes against humanity (persecution, extermination, murder, deportation and forced transfer of non-Serb civilians during the conflict in Bosnia and Herzegovina in 1992–95). These crimes included his government's deliberate policy of destroying or heavily damaging, without overriding military necessity more than 200 cultural or religious sites (museums, archives, libraries, mosques, Catholic churches) of importance to the Muslim and Croat populations in 26 municipalities, including Banja Luka, Bosanski Novi, Prijedor, and Zvornik, in order to wipe out traces of Croat and Muslim culture and religion. In Banja Luka, all traces of mosques and minarets on photos from the 1920s and 1930s were airbrushed out for an exhibition at the local regional archives and the regional museum, celebrating 65 years of Banja Luka as regional capital. ICTY found that the destruction of cultural monuments and sacred sites could be considered a form of persecution and thus a crime against humanity. It was the first sentence in history in which destruction of cultural property formed major evidence for the intent to persecute particular groups. Krajišnik was acquitted of genocide and complicity in genocide charges. [Complete text of judgment at [http://www.concernedhistorians.org/content\\_files/file/le/kr.pdf](http://www.concernedhistorians.org/content_files/file/le/kr.pdf).]

[Sources: AI, *Report 2007* (2007) 67; HRW, *World Report 2007* (2007) 365–66; ICTY, *Prosecutor v. Momčilo Krajišnik; Case no. IT-00-39-T: Judgement* (<http://www.un.org/icty>; 2006), paragraphs 780–83; 836–40; Idem, *The Prosecutor of the Tribunal against Momčilo Krajišnik and Biljana Plavsic (Case no. IT-00-39 & 40-PT): Amended Consolidated Indictment* (The Hague, 7 March 2002), Schedule D; “Law Report: War, Cultural Cleansing and the Courts” [Interview with archivist Andras Riedlmayer on ABC Radio National] (October 2006).]

## **BRAZIL**

Last Annual Report entry: see NCH #45 (2006).

On 30 September 2006, Reporters Without Borders requested Brazil's presidential candidates to amend the law regulating access to government archives. Article 23, section 2 of Law No. 8.159 of 8 January 1991 (which was complemented by Law No. 11.111 of 5 May 2005), stated that "access to secret documents relating to the security of society and the state shall be restricted for a maximum period of 30 years from the date of their creation, a period that may be extended once for an equal period." Article 23 section 3 stated that "access to secret documents relating to the honor and image of persons shall be restricted for a maximum period of 100 years from the date of their creation." Reporters Without Borders declared that these periods were much too long and concealed information of general interest from the public. The provisions could also be a source of abuse in the absence of precise criteria about the "honor" and "image" of persons. They wanted the next Congress to approve provisions to speed up the declassification of government documents.

[Source: Reporters Without Borders, *Ifex Alert* (3 October 2006).]

See also Paraguay.

## **BULGARIA**

Last Annual Report entry: see NCH #45 (2006).

## **BURKINA FASO**

Last Annual Report entry: see NCH #38 (2005).

## **BURUNDI**

Last Annual Report entry: see NCH #45 (2006).

In March 2005, the United Nations (UN) Security Council had recommended the establishment of a Truth and Reconciliation Commission (TRC) and a special chamber in the Burundian judicial system to try human rights abuses, both to be staffed by Burundian and international personnel. An ad hoc

commission, established under the terms of the Arusha peace accords of 2000, identified over 4,000 persons as “political prisoners” and in early 2006 ordered the release of most of them. Most were convicted of crimes related to the violence following the assassination of President Melchior Ndadaye in 1993 or had been held for years without trial. Although the government declared that the releases were provisional and that the persons involved would face the TRC, some citizens brought a case before the Constitutional Court, arguing that the release violated the constitution. The court ruled in favor of the government. In early February 2006, the government issued a memorandum in order to commence talks with the UN on the TRC and the special chamber. However, the memorandum contained proposals which could hinder efforts to overcome impunity. For example, it proposed a “procedure of reconciliation” which could prevent or limit the investigation and prosecution of crimes under international law. In June 2006 in Dar es-Salaam, Tanzania, the government and the Forces nationales de libération (FNL) signed an agreement to achieve lasting peace, security and stability in Burundi. It stated that the TRC (not yet established) would be renamed the “Truth, Pardon and Reconciliation Commission”. Its mandate would be to establish the facts surrounding “the dark period of Burundi history” and various protagonists’ responsibilities, with a view to achieving forgiveness and national reconciliation.

[Sources: AI, *Report 2007* (2007) 76; HRW, *World Report 2007* (2007) 94.]

## **CAMBODIA**

Last Annual Report entry: see NCH #45 (2006).

In July 2006, the thirty international and Cambodian judges and prosecutors for the tribunal to prosecute the leaders of the Khmer Rouge regime (1975–79), established as the Extraordinary Chambers in the Courts of Cambodia (ECCC), were sworn in. Many of the ECCC officials have poor track records in terms of judicial independence and competence. The ECCC was expected to commence its trial phase in mid-2007. In July 2006, Khmer Rouge leader Chhit Chhoeun (Ta Mok) died. He had been detained without trial since 1999, along with Kaing Khek Lev (Duch), chief of the Khmer Rouge’s S-21 (Tuol Sleng) prison. Other senior Khmer Rouge leaders, including Ieng Sary, Khieu Samphan, and Nuon Chea, continued to live freely in Cambodia. The United States continued to withhold direct funding for the ECCC, largely because of concerns about the incompetence and bias of the Cambodian judges. Some were on the ruling party’s central committee while others lacked basic legal training.

[Sources: AI, *Report 2007* (2007) 78; HRW, *World Report 2007* (2007) 255–56.]

University lecturer **Teang Narithwas** was charged with “criminal disinformation” and arrested on 4 September 2006 for distributing a controversial book he had written on the political history of Cambodia.

[Source: World Press Freedom Committee, *It’s a Crime: How Insult Laws Stifle Press Freedom: A 2006 Status Report* (Reston, VA 2006).]

## **CANADA**

Last Annual Report entry: see NCH #45 (2006).

## **CENTRAL AFRICAN REPUBLIC**

Last Annual Report entry: see NCH #45 (2006).

In 2006, the government made no progress in bringing to justice those responsible for serious human rights abuses, including hundreds of rapes, during the conflict of late 2002 and early 2003. The International Criminal Court (ICC) continued to conduct a preliminary analysis of crimes committed during the period, following a referral by the government in 2005. At the end of 2006, the ICC had

not announced whether it would launch a full investigation.

[Source: AI, *Report 2007* (2007) 81.]

## **CHAD**

Last Annual Report entry: see NCH #45 (2006).

In 2006, the Senegalese Council of Ministers announced that it would prosecute former Chadian President Hissène Habré, under house arrest in Senegal since 2000, on charges of torture and crimes against humanity during his rule (1982–90). However, the Senegalese Supreme Court later ruled that Habré could not stand trial in Senegal for crimes allegedly committed elsewhere, leading the Senegalese government to ask the African Union (AU) to decide where he should be tried. In July 2006, citing Senegal's obligation under the 1984 United Nations Convention against Torture to either prosecute or extradite alleged torturers who enter its territory, the AU Assembly of Heads of State and Government asked Senegal to prosecute Habré. In 2005, a Belgian judge had issued an international arrest warrant against Habré. In December 2006, the government set up a working group responsible for organizing the trial.

[Sources: AI, *Report 2007* (2007) 19, 225, 321; HRW, *World Report 2007* (2007) 101.]

## **CHILE**

Last Annual Report entry: see NCH #45 (2006).

As of October 2006, courts had convicted 109 individuals for human rights abuses under General Pinochet's military rule (1973–90). Thirty-five former generals were convicted or were facing trial. These advances were achieved in spite of a 1978 amnesty law exempting military personnel from punishment for crimes committed between 1973 and 1978. In cases of enforced disappearance, the Supreme Court generally held this amnesty law to be inapplicable, considering them to be kidnappings that were ongoing until the victim's death could be proven. Several judges, however, did consider the amnesty applicable to killings that took place in 1973–78. In contrast, other judges ruled that international human rights law invalidated the amnesty in all cases of grave human rights abuses. The Supreme Court had yet to issue a ruling on this problem. In October 2006, however, in response to a September 2006 ruling of the Inter-American Court of Human Rights that the amnesty law was incompatible with the American Convention on Human Rights and therefore without legal effect, President Michelle Bachelet announced that she would present a bill to prevent the amnesty law from

being applied in cases of grave human rights abuses. In December 2006, former dictator Augusto Pinochet died. Just weeks before his death he had faced new charges in connection with 35 kidnappings (including the Prats case, Villa Grimaldi, Operation Colombo and the Caravan of Death), one homicide and 24 cases of torture. He never attended judicial hearings in any Chilean court.

[Sources: AI, *Report 2007* (2007) 25, 84–85; HRW, *World Report 2007* (2007) 190–91.]

See also Peru.

## CHINA

Last Annual Report entry: see NCH #45 (2006).

In February 2005, **Gendun**, a Tibetan monk who studied Buddhist doctrine and philosophy and a teacher of traditional monastic dance (Cham) from the Tibetan area of Amdo, was arrested and in January 2006 sentenced to four years' imprisonment after he had lectured on Tibetan history and culture at a teacher training college in Tsolho (Chinese: Hainan) Tibetan Autonomous Prefecture, Qinghai province. His current whereabouts are unknown (he may be held in a “reform through labor” facility [laogai]) and there are concerns for his safety. More than twenty monks, students and teachers were also detained in connection with his case but released soon afterwards.

[Sources: HRW, *World Report 2007* (2007), 265–66; International Campaign for Tibet, “Tibetan Monk Imprisoned after Talking about Tibetan Culture” (7 April 2006).]

In March 2006, in spite of an open letter from 48 intellectuals and former officials, the government banned any commemorations of the Cultural Revolution (1966–76) and ignored calls for a memorial hall. The Chinese Communist Party Central Propaganda Department issued a directive banning media commentary, retrospectives or exhibitions on the topic. National security police also prevented several top scholars from attending the conference “Historical Truth and Collective Memory”, organized by Song Yongyi (see NCH #16) at New York City University in May 2006 to mark the anniversary. A search on popular websites available in China using the keywords “Cultural Revolution 40th anniversary” reportedly yielded no results.

[Source: Radio Free Asia, “Forty Years On, China’s Cultural Revolution Still a Forbidden Zone” (15 May 2006).]

In May 2006, after film director **Lou Ye** ([1967]–) submitted *Summer Palace*, a story of love between two Chinese students against the background of the 1989 Tiananmen Square massacre, for its première to the Cannes Film Festival, France, without permission of the Chinese state administration

for radio, film and television, he and producer **Nai An** were banned from film-making for five years, probably both for political reasons and because of the nudity scenes in the film. Twenty prints of the film had already been sold abroad. In Serbia, after strong criticism, Serb Film Festival officials reinstated *Summer Palace*, after it had been taken off the program at the request of the Chinese embassy.

[Sources: *Guardian* (9 September 2006); IOC (2006 no.4) 186; IOC (2007 no.1) 126.]

*Zhao Ziyang: Captive Conversations*, a book of interviews with purged Prime Minister (from 1987 CCP Secretary-General) Zhao Ziyang (1919–2005) compiled by former state council member **Zong Fengming**, was published in Hong Kong despite attempts by the central authorities to ban it. The book was banned on the mainland.

On 31 August 2006, the Hong Kong-based **Ching Cheong** (1950–), a journalist for the *Straits Times* in Singapore (1996–) who was under house arrest in Guangzhou since 22 April 2005, was tried *in camera* and sentenced to five years' imprisonment on charges of espionage. He had allegedly passed on information on Chinese economic, political, and military affairs to two Taiwanese spies. Ching's wife declared, however, that Ching had apparently fallen into a trap set by an intermediary as he tried to obtain manuscripts of secret interviews of Zhao Ziyang with his confidant Zong Fengming (see above) during the former's banishment since 1989. The authorities were reportedly worried that Zhao's inside knowledge of the decision to order troops to open fire during the 1989 Tiananmen Square demonstrations might become public. On 24 November 2006, Ching's appeal was rejected. His sentence was confirmed and, in addition, he was deprived of his political rights for a year and his personal property was confiscated. Transferred in January 2007 from Beijing, where he had been "educated", to Guangzhou, near Hong Kong, he was temporarily refused family visits.

[Sources: *Ifex Alert* (27 November 2006); IOC (2007 no.2) 190–91; Reporters without Borders, "Hong Kong Journalist Ching Cheong Accused of Spying" ([September] 2006); *The Standard: China's Business Newspaper*, 31 May 2005; *Times*, 31 May 2005.]

On 10 September 2006, a new draft law stipulated that news and information released in China by foreign news agencies should not contain anything that served to, *inter alia*, "undermine...the fine cultural traditions of the Chinese nation."

[Sources: IOC (2006 no.4) 178; IOC (2007 no.2) 192.]

On 12 January 2007, the Central Propaganda Department of the State Administration of Radio, Film and Television imposed new "pre-censorship" rules forcing the media to seek permission to cover "significant historical events" or politically sensitive anniversaries. Among the areas in which media attention would be limited and censored were: the Anti-Rightist Campaign (June 1957 until 1958); the 90th anniversary of the Bolshevik Revolution of October 1917; the 1989–91 collapse of the Soviet

Union and its Eastern European allies; the Cultural Revolution of 1966–76.

[Sources: AI, *People's Republic of China: The Olympics Countdown—Repression of Activists Overshadows Death Penalty and Media Reforms* (London 2007); IOC (2007 no.1) 113; IOC (2007 no.2) 190–92.]

In March 2007, the World Association of Newspapers rejected a request by the China Newspaper Association to withdraw a press freedom prize awarded to Shi Tao (see NCH #38). Also in March 2007, Hong Kong's privacy commission cleared Internet company Yahoo! Hong Kong Ltd of any liability for sharing Shi's account user information with the Chinese authorities apparently because there was "insufficient evidence" to hold the company liable under Hong Kong privacy laws. Meanwhile, Shi's mother is suing Yahoo! for helping officials imprison her son.

[Sources: AI, *People's Republic of China: The Olympics Countdown—Repression of Activists Overshadows Death Penalty and Media Reforms* (London 2007) 11; *Ifex Communiqué 16–24* (12 June 2007); IOC (2006 no.4) 186; World Association of Newspapers, *Ifex Update* (9 March 2007).

In June 2007, the newspaper *Chengdu Wanbao* in Chengdu, southwest China, dismissed three editors and four employees from the advertising department for letting through a one-line ad on 4 June paying tribute to mothers of protesters killed in the 1989 Tiananmen Square massacre. The ad, on the lower right corner of page 14 of the paper, read: "Paying tribute to the strong(-willed) mothers of 4 June victims."

[Source: *Ifex Communiqué 16–24* (12 June 2007).]

See also Netherlands.

## **COLOMBIA**

Last Annual Report entry: see NCH #45 (2006).

In 2006, prosecutors announced that they had obtained new evidence in a case involving the "disappearances" of ten people in the 1985 retaking by security forces of Colombia's Palace of Justice (which housed the Supreme Court), after its invasion by the M-19 guerrilla group. In addition, the Inter-American Court of Human Rights issued rulings on cases such as the Pueblo Bello massacre of 1990 in which 43 civilians were killed or forcibly disappeared, and the La Granja and El Aro massacres of 1996 and 1997, in which 19 people were killed. In both cases, the Court held the Colombian state partly responsible and ordered it to make reparations to the victims and their families.

[Sources: AI, *Report 2007* (2007) 89; HRW, *World Report 2007* (2007), 198.]

In 2006, more than 80 mass graves were found containing the remains of some 200 people killed by paramilitary groups over the course of the internal armed conflict that started in 1948. The Justice and Peace Unit of the Office of the Attorney General claimed that the remains of some 3,000 victims of enforced disappearance were still to be located, although this was thought to be a substantial underestimate. Concerns were raised that some exhumations and the storage of remains in official custody jeopardized forensic evidence. Paramilitaries had reportedly removed remains from some mass graves.

[Source: AI, *Report 2007* (2007) 89.]

On 11 September 2006, army colonel Julio Cesar Becerra Avellaneda demanded alterations to *Why Did the General Cry?*, a documentary about the 1997 massacre at Mapiripán in which 49 civilians died, a few hours before its screening. Upon refusal, the documentary was banned.

[Source: IOC (2006 no.4) 187.]

### **CONGO (Democratic Republic)**

Last Annual Report entry: see NCH #45 (2006).

In March 2006, Thomas Lubanga Dyilo, leader of an Ituri armed group, the Union of Congolese Patriots (Union des Patriotes Congolais, UPC), was arrested and charged with war crimes—specifically with enlisting and recruiting child soldiers. He was subsequently transferred to the International Criminal Court (ICC) in The Hague, the Netherlands. He became the first person to be arrested and surrendered to the ICC.

[Source: AI, *Report 2007* (2007) 19, 124, 321.]

### **CONGO (Republic)**

Last Annual Report entry: see NCH #45 (2006).

### **COUNCIL OF EUROPE**

In its resolution 1481 of 25 January 2006, the Parliamentary Assembly of the Council of Europe

condemned the massive human rights violations committed by totalitarian communist regimes and expressed sympathy to the victims of these crimes. It called on all communist or postcommunist parties in its member states which had not yet done so to reassess the history of communism and their own past, to clearly distance themselves from the crimes committed by totalitarian communist regimes and condemn them without any ambiguity.

[Sources: Parliamentary Assembly of the Council of Europe (<http://assembly.coe.int>), “Need for International Condemnation of Crimes of Totalitarian Communist Regimes: Resolution 1481” (25 January 2006); Idem, “Need for International Condemnation of Crimes of Totalitarian Communist Regimes: Report” (16 December 2005; Doc. 10765); Idem, “Measures To Dismantle the Heritage of Former Communist Totalitarian Systems: Resolution 1096”; (27 June 1996); Idem, “Measures To Dismantle the Heritage of Former Communist Totalitarian Systems: Report”; (3 June 1996; Doc. 7568).]

In its resolution 1736 of 17 March 2006, the Parliamentary Assembly of the Council of Europe condemned the extensive human rights abuses committed by the Franco regime in Spain (1939–75) and called on the Committee of Ministers, inter alia, to adopt an official declaration for the international condemnation of the Franco regime and to mark 18 July 2006 as the official day of condemnation of the Franco regime; to continue to make available to all historians and researchers all civilian and military archives which may contain documents that can contribute to establishing the truth regarding repression.

[Sources: (1) Parliamentary Assembly of the Council of Europe (<http://assembly.coe.int>), “Need for International Condemnation of the Franco Regime: Recommendation 1736” (17 March 2006); (2) Idem, “Need for International Condemnation of the Franco Regime: Report” (November 2005; Doc. 10737).]

## **CROATIA**

Last Annual Report entry: see NCH #45 (2006).

In 2006, impunity for war crimes allegedly committed by Croatian army and police officers in the war (1991–95) remained widespread and the Croatian judicial system failed to adequately address wartime human rights violations, regardless of the ethnicity of the victims or of the perpetrators. Minorities suffered discrimination. Of at least 300,000 Croatian Serbs displaced by the conflict, approximately 125,000 were officially registered as having returned home, a figure widely considered to be an overestimate.

[Source: AI, *Report 2007* (2007) 95.]

In September 2006, the Croatian government sought the status of *amicus curiae* (adviser to the court on points of law) in the adjoined cases of Generals Ante Gotovina, Ivan Cermak and Mladen Markac (three former Croatian army commanders charged with crimes against humanity and war crimes against Croatian Serbs, including persecutions, deportation and forcible transfers, and murder) at the International Criminal Tribunal for the former Yugoslavia (ICTY) in order to “correct historical and political inaccuracies” in the indictment against them for crimes committed against Serbs during the 1995 Croatian Army action “Operation Storm.” This was opposed by the ICTY chief prosecutor, who said that Croatia was seeking to influence the outcome of the proceedings. In October 2006, ICTY rejected the application as not being in the interests of justice.

[Sources: AI, *Report 2007* (2007) 95; HRW, *World Report 2007* (2007) 373.]

See also Bosnia and Herzegovina.

## **CUBA**

Last Annual Report entry: see NCH #45 (2006).

See United Kingdom.

## **CYPRUS**

Last Annual Report entry: see NCH #38 (2005).

See Greece.

## **CZECH REPUBLIC**

Last Annual Report entry: see NCH #17 (2000).

**DENMARK**

Last Annual Report entry: see NCH #45 (2006).

In December 2006, three investigative journalists were acquitted of all charges in connection with the publication of classified information about Iraq and the extent of the government's knowledge, in the run-up to the Iraq war, about the existence of weapons of mass destruction in Iraq. The prosecuting authorities stated that they did not intend to appeal against the acquittals.

[Source: AI, *Report 2007* (2007) 103–4.]

See also Iran.

## **EAST TIMOR**

See Timor-Leste.

## **ECUADOR**

Last Annual Report entry: see NCH #45 (2006).

In May 2007, the government of President Rafael Correa set up a four-member Truth Commission to investigate alleged human rights abuses committed over the last 27 years, particularly during the right-wing administration of former President Leon Febres Cordero (1984–88). Interior Minister Gustavo Larrea said that there had been 327 cases of political assassinations, torture and “disappearances” that remained unresolved and unpunished.

[Source: Gonzalo Solano, “Ecuador to investigate rights abuses”, Associated Press (May 2007).]

## **EGYPT**

Last Annual Report entry: see NCH #45 (2006).

In September 2006, Information Minister Anas el-Feki banned the French newspaper *Le Figaro* and the German newspaper *Frankfurter Allgemeine Zeitung* for articles that contained commentaries on the Prophet Muhammad and violent aspects of Islamic history which were deemed insulting to Islam.

[Source: IOC (2007 no.1) 114–15.]

In October 2006, Tal’at Sadat, nephew of the assassinated former President Anwar Sadat, was sentenced to one year’s imprisonment with labour and a fine for defaming the armed forces and spreading false rumours. He had given a series of media interviews in which he alleged that senior army officers had been implicated in the killing of the former president by Islamist soldiers in 1981. He also suggested that President Hosni Mubarak—then Vice-President—had been involved. Although a civilian, he was tried and convicted by a military court, after being stripped of his parliamentary immunity.

[Source: AI, *Report 2007* (2007) 108.]

In January 2007, the feudal Aziz Al-Fiki family demanded the confiscation of the book *From the Papers of Shahenda Mekled* and filed a defamation claim against its authors, academic **Sherin Abu**

**El Naga** and political activist **Shahenda Mekled**, and its publisher, **Mohamed Hashem** from Dar Merit Publishing House. The book documented feudal practices in Kamshich village, Menoufia Governorate, before and after the revolution of July 1952—including the murder of Shahenda Mekled's husband and political activist Salah Hussein in 1966. It discussed abuses of the Aziz Al-Fiki family against poor peasants at that time and resistance against this.

[Source: Arabic Network for Human Rights Information, *Ifex Alert* (10 January 2007).]

## **EL SALVADOR**

Last Annual Report entry: see NCH #45 (2006).

In 2006, impunity for past human rights violations, including enforced disappearances, persisted. There was increasing concern among civil society organizations at the possible re-emergence of death squads which had been active during the 1980–1991 armed conflict.

[Source: AI, *Report 2007* (2007) 109, 110.]

## **ESTONIA**

On 15 February 2007, President Toomas Hendrik Ilves refused to sign a controversial law (approved in parliament with 46 to 44 votes) that prohibited the display of monuments glorifying Soviet occupation (1940–41, 1944–91), during which tens of thousands of Estonians were killed. The law would have enabled the removal of the bronze statue of a Soviet soldier erected in 1947 from the center of the capital Tallinn to a less controversial location (a military cemetery on its outskirts). The statue, under which the coffins of twelve Red Army soldiers were buried, was regarded by the ethnic Russians (more than a quarter of the Estonian population of 1,3 million) as an anti-Nazi symbol but by many others as a symbol of Soviet occupation. On 27 April 2007, the statue and remains were indeed relocated. One person died, more than 153 people were injured, and 300 arrested during clashes at the site as police used tear gas to disperse mainly ethnic Russian demonstrators. Visiting Russian members of parliament called the relocation a provocation. Protests against the relocation took place before the Estonian embassies in Russia and the Ukraine. Russia temporarily suspended oil supplies by rail through Estonia.

[Sources: *BBC News Online*, 12 January, 15 February, 27 & 30 April, 3 May 2007; IOC (2007 no.1) 115.]

## **ETHIOPIA**

Last Annual Report entry: see NCH #45 (2006).

In December 2006, the trial of members of the military government known as the Dergue (1974–91) ended after 12 years. Of the 72 people originally charged, 33 had been in custody since 1991, 14 others had died in custody, and 25 were tried in their absence, including former President Mengistu Hailemariam, who had asylum in Zimbabwe. Zimbabwean President Robert Mugabe had refused to extradite him for trial. All were found guilty of capital offences including genocide and mass killings, with sentencing due in 2007. The long series of other trials of officials of the former government for killings during the “Red Terror” campaign against “anti-revolutionaries” in 1977–79 was nearly completed. Many defendants were imprisoned for long periods (which most had already served, leading to their release) and several death sentences were imposed.

[Source: AI, *Report 2007* (2007) 19, 114–15, 116.]

## **EUROPEAN UNION**

Last Annual Report entry: see NCH #38 (2005).

## **FIJI**

Last Annual Report entry: see NCH #45 (2006).

## **FRANCE**

Last Annual Report entry: see NCH #45 (2006).

On 4 January 1994, the newspaper *Le quotidien de Paris* published an article by the Austrian historian and journalist **Paul Giniewski** (1926–), entitled “The obscurity of error” concerning the papal encyclical *Veritatis Splendor* (1993; The Splendour of Truth). In it, Giniewski wrote that “... Many Christians have recognized that scriptural anti-Judaism and the doctrine of ‘fulfilment’ of the Old Covenant in the New lead to anti-Semitism and prepared the ground in which the idea and implementation of Auschwitz took seed”. On 18 March 1994, the Alliance générale contre le racisme et pour le respect de l’identité française et chrétienne (AGRIF; General Alliance against Racism and for Respect for the French and Christian Identity) brought proceedings against the newspaper, its director, and Giniewski on charges of racially defamatory statements against the Christian community. Giniewski was convicted before domestic courts. On 31 January 2006, however, the European Court of Human Rights (ECHR) said that it did not accept the argument of the domestic courts that Giniewski’s words amounted to accusing Catholics and Christians in general of being responsible for the Nazi massacres, and that Christians were therefore victims of defamation on account of their religious beliefs. The ECHR considered that Giniewski had sought to develop an argument about a specific doctrine and its possible links with the origins of the Holocaust. In so doing, he had made a serious contribution to a wide-ranging and ongoing debate. The article in question did not contain attacks on religious beliefs as such, but a view which Giniewski expressed as a journalist and historian. As in the *Chauvy* case (2004), the Court declared that “it is an integral part of freedom of expression to seek historical truth”, and that “it is not its role to arbitrate” the underlying historical issues. Giniewski’s article did not incite to disrespect or hatred nor did it cast doubt in any way on clearly established historical facts. The Court ruled unanimously that Giniewski’s freedom of expression had been violated.

[Source: ECHR, *Case of Giniewski v. France: Judgement* (Strasbourg 31 January 2006).]

On 12 October 2006, the National Assembly approved on first reading a draft law that would make it a crime to deny the 1915 Armenian genocide. The proposed law, awaiting approval by the Senate and the President, made it an offence to deny the existence of the 1915 Armenian genocide, punishable by up to one year of imprisonment and/or a fine of up to 45,000 euro. The proposal complements

France's recognition of the Armenian genocide in a law passed in 2001. Reporters without Borders rejected the measure on the grounds that it attempts to create "an official historical truth—a practice typical of totalitarian regimes." The organisation adds that the law could have "incalculable consequences for all historians as well as for press freedom." Article 19 declared that "[t]his sort of law, whereby the State effectively elevates history to dogma, has no place in a democracy. Laws prohibiting incitement to hatred—so-called hate speech laws—are a more appropriate means of addressing problems of racism." It considered "all laws prohibiting the denial of genocide—including Holocaust denial laws—to breach international guarantees of freedom of expression. It [wa]s inherently illegitimate for the State to impose a blanket ban on discussion of historical matters." Six hundred historians signed a petition against the proposed law.

[Sources: AI, *Report 2007* (2007) 5–6, 119; A19, "French Should Scrap Armenian Genocide Law" (London 13 October 2006); *Ifex Communiqué* (17 October 2006); IOC (2007 no.1) 115.]

See also China, Egypt, Rwanda, United States.

## **GEORGIA**

Last Annual Report entry: see NCH #32 (2003).

## **GERMANY**

Last Annual Report entry: see NCH #45 (2006).

In November 2006, a criminal complaint was filed against United States (US) former Secretary of Defense Donald Rumsfeld and other high-ranking US officials for alleged crimes under international law committed in Iraq and at Guantánamo Bay. The complaint was based on the Code of Crimes against International Law. This law allows German courts to exercise universal jurisdiction in cases of alleged crimes against humanity, war crimes or genocide, irrespective of where they were committed or the nationality of the accused and the victims.

[Source: AI, *Report 2007* (2007) 123.]

See also Egypt, Poland, United Kingdom.

## **GHANA**

Last Annual Report entry: see NCH #45 (2006).

In October 2006, the government began paying reparations to some 2,000 Ghanaians who had suffered human rights abuses under former governments. The reparation payments were recommended by the National Reconciliation Commission, which addressed human rights violations committed under various governments since independence (1957–93).

[Source: AI, *Report 2007* (2007) 124.]

## **GREECE**

Last Annual Report entry: see NCH #45 (2006).

In April 2006, a controversy started over the new history textbook *Modern and Contemporary Times* (2006) and its accompanying educational material used in the sixth class of the primary school

(twelve-year olds). The book, written by **Maria Repoussi** (1954–), working at the Aristotelian University of Thessaloniki School of Education, **Chara Andreadou**, **Aris Poutachidis** and **Armodios Tsivas**, was published by the Official organization for the publication of textbooks OESB. It came under attack from the Archbishop of the Orthodox Church and from nationalists across the political scene from the extreme right to the extreme left. As the book was also available in Greek Cypriot schools, Greek Cypriot groups carrying the slogan “I do not forget” demanded an official protest. After a debate in the Cypriot parliament, the Minister of Foreign Affairs and later the Minister of Education urged the Greek government to have the textbook authors revise the account of the “Cypriot Question”. Meanwhile in Greece, the opposition against the textbook converted into a group (with a website, a petition, parliamentary questions, and demonstrations) and demanded the Greek Minister of Education and Religious Affairs, Marieta Giannakou, to withdraw it. The minister ruled out withdrawing it, invited the Academy of Athens to investigate the book, and declared that the textbook authors would be able to expand it during a forthcoming review. The academy made recommendations for a revised version. Meanwhile, the first edition of 175.000 copies was out of print and a second edition was in preparation. According to Repoussi, the accusations against the textbook included downplaying the role of the Orthodox Church in the awakening of national consciousness and the struggle for national independence; painting a rosy picture of the coexistence of Greek-speaking and Turkish-speaking populations during the almost 400 years of Ottoman domination of Greece (1456–1821); overrating the role of women; underrating the role of national heroes (such as the fighters of the 1821 independence); overemphasizing the dark side of history such as civil wars and internecine conflicts; serving foreign interests; and seeking to impose de-Hellenization. In addition, the Communist Party denounced the book as a tool of globalization. complained that the history of the working class was not adequately covered in it, and asked for its withdrawal. On a press conference on 5 March 2007, several history and social science journals defended the textbook. On 24 March 2007, about thirty Greek neo-Nazis, members of the *Chryssi Avgghi* (Golden Dawn) group, burned copies of the textbook and threw it onto the road at the end of a traditional parade for the anniversary of independence day (25 March 1821) in Athens. Riot police dispersed militants who yelled anti-Turkish slogans and who distributed anti-Turkish pamphlets. The controversy continued.

[Sources: “Greek Neo-Nazis Burn Controversial History Textbook” (*Middle East Times*, 24 March 2007); *International Herald Tribune/Kathimerini*, 5 April 2007: 1; Repoussi, M., “Debates on Greek History Textbooks” (Paper presented to the International Conference of the International Society for History Didactics, Tallinn, September 2006), 3–5; Idem, personal communication, December 2006 & July 2007); “Where History Isn’t Bunk”, *The Economist*, 15 March 2007.]

In June 2006, preparations for a conference on the Greek Civil War (1946–49) in Kastoria, scheduled for July 2006, were interrupted when local authorities withdrew their financial support and the venue

was canceled. Shortly before, Nina Gatzoulis, vice-president of the Panmacedonian Association of the United States, had given a lecture in Thessaloniki in which she had attacked various scholars—including **Riki Van Boeschoten**, a Dutch social anthropologist working at the University of Thessaly, Vólos, who co-organized the conference—involved in research on ethnic minorities. The lecture was reprinted in the Kastoria press. A new venue was found.

[Source: Boeschoten, R. van, personal communication, June 2006.]

See also Macedonia, Netherlands.

## **GRENADA**

In June 2006, the Truth and Reconciliation Commission (TRC) presented its report about the ‘Grenada 17’ in Parliament. In 1986, the “Grenada 17” were convicted following unfair trials of the murder of Prime Minister Maurice Bishop and others in 1983. The TRC also called for efforts to be made to find the bodies of those who died during the coup and United States invasion and to pay compensation to their families. The government had failed to take any steps to implement the TRC’s recommendations by the end of 2006. In December 2006, the United Kingdom Judicial Committee of the Privy Council, Grenada’s highest court of appeal, heard a constitutional motion presented by the 13 members of the “Grenada 17” who remained in prison challenging the constitutionality and fairness of their detention. A decision was expected in early 2007. In December 2006, three of the “Grenada 17” were released for good behavior after completing twenty years in prison. Another was released in 2000 for health reasons.

[Source: AI, *Report 2007* (2007) 126.]

## **GUATEMALA**

Last Annual Report entry: see NCH #45 (2006).

Of the 626 massacres documented by the Truth Commission sponsored by the United Nations (UN) in 1999, only two cases had been successfully prosecuted in the Guatemalan courts. During the last decade, there had been an alarming number of attacks and threats against Guatemalans seeking justice for past abuses. Targets included human rights advocates, justice officials, forensic experts, and plaintiffs and witnesses involved in human rights cases, and furthermore journalists, labor activists, and others who denounced the abuses. Guatemalan human rights organizations reported that 161 such acts of violence or intimidation took place between January and August 2006. Members of the

Fundación de Antropología Forense de Guatemala (FAFG; Guatemalan Foundation for Forensic Anthropology) continued to receive death threats in 2006 and 2007, in connection with their work exhuming bodies buried in clandestine cemeteries throughout Guatemala. There was widespread consensus among local and international observers that those responsible for the threats were affiliated with private, secretive, and illegally armed networks (commonly referred to in Guatemala as “clandestine groups”) with links to both government officials and organized crime. (See also NCH #31[v].)

[Sources: HRW, *World Report 2007* (2007) 206–8.]

In June 2006, a Spanish judge and prosecutor, investigating a case of alleged genocide, visited Guatemala to interview witnesses and suspects. They were prevented from pursuing the case, but in July the judge issued international arrest warrants for the five accused, including former President General Efraín Ríos Montt. However, Ríos Montt remained free after the Guatemalan authorities considered only part of the case presented by the Spanish National Court.

[Source: AI, *Report 2007* (2007) 25, 127.]

In October 2006, a Mexican court authorized the extradition of former President Alfonso Portillo, who left the presidency in January 2004, to face charges of corruption. An appeal was lodged. In December 2006, the government signed an agreement with the UN to establish the International Commission Against Impunity in Guatemala. The Commission would support the Public Prosecutor's Office in prosecuting the activities of illegal security forces and clandestine security organizations. The agreement had not been submitted to Congress for ratification by the end of 2006.

[Source: AI, *Report 2007* (2007) 126.]

On 19 March 2007, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen, reported that in December 2005 the Department of Prehispanic and Colonial Monuments of the Ministry of Culture and Sports had given permission to a construction firm to build houses on the archeological site of Tulan Tzu, which was considered by the Maya as a sacred place. The project would destroy all the relics and graves of the site.

[Source: Stavenhagen, R., *Report of the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People: Addendum—Summary of Cases Transmitted to Governments and Replies Received* (A/HRC/4/32/Add.1; New York 2007) 42.]

## **GUINEA**

On 4 October 2006, **Ibrahima Sory Dieng**, managing director of the state-owned newspaper *Horoya*, and chief editor **Alhassane Souare**, were suspended indefinitely for not publishing a photograph of President Lansana Conté alongside his speech commemorating the 48th anniversary of independence in 1958.

[Source: IOC (2007 no.1) 116.]

## **GUINEA-BISSAU**

Last Annual Report entry: see NCH #14 (1999).

## **GUYANA**

Last Annual Report entry: see NCH #6 (1997).

## **HAITI**

Last Annual Report entry: see NCH #45 (2006).

## **HONDURAS**

Last Annual Report entry: see NCH #27 (2002).

## **HUNGARY**

Last Annual Report entry: see NCH #37 (2004).

In September 2006, police and protesters clashed after it came out that Prime Minister Ferenc Gyurcsány had admitted in May that he had lied during the election campaign. There was further violence on 23 October 2006 at the commemoration of the start of the 1956 uprising.

[Source: AI, *Report 2007* (2007) 132.]

In the night of 1 to 2 May 2007, vandals desecrated the grave of János Kádár, the last Communist ruler (1956–89), and took his skull and several bones. Graffiti reading “a murderer and traitor may not rest in holy ground” was found nearby.

[Source: *BBC News Online* (London), 3 May 2007.]

See also United States.

## **INDIA**

Last Annual Report entry: see NCH #45 (2006).

In February 2005, the Commission headed by Justice G.T. Nanavati to probe the 1984 anti-Sikh riots submitted its report to the government. The riots in Delhi had followed the assassination of Prime Minister Indira Gandhi by two of her Sikh bodyguards and led to a massacre of nearly 3,000 Sikhs. Although two senior Congress leaders blamed for their part in organizing the riots resigned their posts in the government, those responsible for planning and instigating the riots were yet to be prosecuted.

[Sources: AI, *Report 2007* (2007) 134; HRW, *World Report 2007* (2007) 274.]

In Punjab, a majority of police officers responsible for serious human rights violations during civil unrest between 1984 and 1994 continued to evade justice. In response to 2,097 reported cases of human rights violations during this period, the National Human Rights Commission (NHRC) ordered Punjab state to provide compensation in 1,051 cases concerning people who died in police custody and appointed a commissioner to decide on compensation for 814 additional cases. Findings of the Central Bureau of Investigation on these deaths in custody were not made public and the NHRC did not actively pursue the outstanding cases of impunity.

[Source: AI, *Report 2007* (2007) 134.]

In 2006, a new report indicated that some 10,000 people in Jammu and Kashmir had been victims of enforced disappearance since 1989. The Association of the Parents of Disappeared People reported that the authorities failed to provide information to the families of the victims about their whereabouts.

[Source: AI, *Report 2007* (2007) 134.]

In 2006, there was still no accountability for the deaths of at least 1,100 Muslims in the western state of Gujarat during communal violence that erupted after a train carrying Hindu pilgrims in 2002 caught fire, killing 59 passengers. The Gujarat High Court did not follow up a Union government order to appoint another commission to investigate the cause of the train fire. In October 2006, the National Commission of Minorities declared that 5,703 riot-affected Muslim families were yet to be properly compensated and rehabilitated. There continued to be few successful prosecutions relating to the violence. However, 1,594 cases closed by the state police were reopened on the orders of the Supreme Court and 41 police officials were prosecuted for their alleged role. New evidence on the riots emerged, in the form of details of mobile phone calls made between those leading the attacks and politicians belonging to the then ruling Bharatiya Janata Party, a Hindu nationalist party ruling between 1998 and 2004.

[Sources: AI, *Report 2007* (2007) 134–35; HRW, *World Report 2007* (2007) 274.]

Twenty-two years after the Union Carbide Corporation (UCC) pesticide plant in Bhopal leaked toxic gases that devastated countless lives and the environment, survivors continued to struggle for adequate compensation, medical aid and rehabilitation. After a sustained campaign, including a survivors' march from Bhopal to Delhi in April 2006, the government agreed to clean up toxic waste, provide safe drinking water and set up a commission for rehabilitation of the victims. However, there was little progress by the end of 2006. UCC and Dow Chemicals (which took over UCC in 2001) continued to reiterate that they had no responsibility for the gas leak or its consequences.

[Source: AI, *Report 2007* (2007) 135.]

In January 2007, cinemas in Gujarat refused to screen *Parzania*, a film co-written and directed by **Rahul Dholakia** ([1967]–) about the communal violence in 2002. Although the censor board approved the film in August 2005 and it was shown in several Indian cities, Gujarat cinema theater owners feared that it could inflame tensions among Hindus and Muslims by resurrecting recent history.

[Sources: IOC (2007 no.2) 194; Sengupta, S., “In India, Showing Sectarian Pain To Eyes That Are Closed”, *New York Times*, 20 February 2007.]

See also Thailand.

## **INDONESIA**

Last Annual Report entry: see NCH #45 (2006).

Indonesia made little progress in addressing the human rights crimes of the Soeharto era (1965/67–98). No charges were brought against the former president for human rights violations committed under his regime, or for the violence instigated by pro-Soeharto forces in a failed attempt to stave off his fall from power in 1998.

[Sources: HRW, *World Report 2007* (2007) 277.]

Trials of senior Indonesian officers at an ad hoc human rights court in Jakarta failed to give a credible judicial accounting for atrocities committed in East Timor (now Timor-Leste) in 1999. In July 2006, the United Nations Secretary-General, while reporting on justice and reconciliation for Timor Leste, called the ad hoc court “manifestly deficient”. In 2006, the Commission of Truth and Friendship established jointly by Indonesia and Timor-Leste to document crimes committed in Timor-Leste in

1999 and to promote reconciliation began its work. Its mandated ability to recommend amnesty for perpetrators of gross human rights violations had been widely criticized. In December 2006, the Constitutional Court annulled Law 27/2004 which mandated an Indonesian Commission of Truth and Reconciliation. The annulment of the law left victims of past human rights violations without a compensation mechanism.

[Source: AI, *Report 2007* (2007) 136, 257.]

On 11 July 2006, Indonesia's National Parliament passed the Aceh Governance Bill, which implemented the peace agreement of August 2005 between the government and rebels of the Free Aceh Movement (Gerakan Aceh Merdeka, or GAM). Although the law established a human rights court for the province, the court could not address any of the past human rights crimes that accompanied three decades of armed conflict in the province (1976–2005). The law also established a truth and reconciliation commission to examine events of the past. In September 2006, local organizations submitted information to Komnas HAM (the National Human Rights Commission) about mass graves excavated in Aceh since the signing of the 2005 peace agreement. The organizations urged Komnas HAM to conduct thorough investigations and to prevent further excavations from taking place without the presence of the necessary medical and legal experts.

[Sources: AI, *Report 2007* (2007) 137; HRW, *World Report 2007* (2007) 278.]

On 5 March 2007, the Attorney General's Office banned thirteen history textbooks (published by ten different publishers) that were based on the 2004 junior and senior high school curricula because they allegedly played down the role of the Communist Party of Indonesia (PKI) in the 1948 uprising in Madiun, East Java, and in the September 1965 coup attempt and murdering of six army generals in Jakarta. In some of the textbooks, the official acronym of the 1965 coup attempt was shortened from "G30S/PKI" to "G30S" (the September 30th movement). Attorney General Abdul Rahman Saleh declared that since a military court had proven that the PKI was involved in the 1965 events, the omission of these facts in the textbooks was unacceptable and could create public disorder. One banned history textbook for the final year of high school gave five possible explanations for the 1965 events. Others did not treat contemporary history (including a textbook for seventh graders by **Tugiyono** about pre-modern history of kingdoms in the archipelago). Still others did indicate the 1965 events as "G30S/PKI", thus coinciding with the official view. A group of 127 historians signed a petition to protest the ban. The Indonesian Legal Aid and Human Rights Association planned to take legal action against the ban.

[Sources: "The Attorney General Office's banning of some history books" (*Indonesia Matters*, 2007); Febrina, A., "Academics, Activists Join Forces to Defy Ban: The Fight Surrounds Textbooks that Do Not Mention a 1965 Coup d'Etat," *Jakarta Post*, 20 March 2007.]

Authorities on the island of Bali banned screenings of *The Long Road to Heaven* for fear of creating tension. The film, about the 2002 nightclub bombings in which 202 people were killed, examined the motivation of the Indonesian and Malaysian Islamic militants for carrying out the attacks. It had been shown in cinemas everywhere else in Indonesia.

[Source: IOC (2007 no.2) 194.]

See also Australia, Malaysia, Netherlands, Timor-Leste.

## **INTERNATIONAL CRIMINAL COURT**

Last Annual Report entry: see NCH #45 (2006).

See Central African Republic, Congo (Democratic Republic), Ivory Coast, Rwanda, Sudan, Uganda.

## **IRAN**

Last Annual Report entry: see NCH #45 (2006).

In December 2006, President Mahmoud Ahmadinejad called for a debate to promote the denial of the Holocaust. A conference denying the Holocaust was staged, apparently as in retaliation for the Danish cartoons.

[Sources: AI, *Report 2007* (2007) 5; IOC (2007 no.2) 85.]

In 2007, editor and investigative journalist **Roozbeh Mir Ebrahimi** ([1980–]) received a Human Rights Watch Hellman-Hammett grant. In September 2004, he had been detained and held in solitary confinement for two months. He wrote two books on contemporary Iranian political history for which he did not receive government permission for publication.

[Source: HRW, *45 Writers from 22 Countries Receive Hellman/Hammett Grants* (2007).]

On 3 February 2007, the Press Monitoring Commission closed the conservative daily newspaper *Siassat Rouz* for publishing an article deemed offensive to Sunni Muslims on 1 February. The article reportedly criticized the second Caliph Omar Ibn al-Khattab (634–44 CE). The newspaper said that a typographical error had occurred. It apologized the next day.

[Source: IOC (2007 no.2) 195.]

On 4 February 2007, historian **Hashem Aghajari** (1957–) was prevented from attending a conference

on political reform in Iran at the Massachusetts Institute of Technology, Boston, United States. Officials from the Information Ministry confiscated his passport and told him that the Revolutionary Court had imposed a travel ban on him. (See also NCH #28.)

[Sources: Ifex, *Communiqué* (13 February 2007); IOC (2007 no.2) 195.]

## IRAQ

Last Annual Report entry: see NCH #45 (2006).

Among the more than 250 professors who were killed in Iraq since 30 April 2003 were the following historians: **Khalid M. al-Janabi**, PhD. in Islamic history, faculty member at the College of Art, Babylon University (date of assassination unknown); **Essam Sharif Mohammed** (?–2003) (also spelled Hissam Sharif), Ph.D in History, assistant professor at the College of Art, Baghdad University, assassinated on 25 October 2003; **Mahfoudh al-Qazzaz** (?–2004), PhD. in Islamic history, faculty member at the College of Art, Mosul University, killed by a death squad in front of his family at his home in Mosul on 20 December 2004; **Jamhour Karim Kammas Al Zargani** (?–2005), PhD. in history, head of department at the College of Education at Al-Basrah University, abducted for two days, tortured, and killed; his family found the dead body with broken arms and legs in a nearby street in Basra on 19 August 2005; **Kemal Nassir** (?–2006), professor of history, lecturer in Mustansiriya and Kufa, assassinated on 1 October 2006. In addition, on 22 May 2005, **Abd-Asalam Ali Hussein**, PhD. in Islamic History, was arrested. (See also NCH #47.)

[Source: Russell Tribunal, *List of killed, threatened or kidnapped Iraqi Academics* (2006).]

On 22 February 2006, a bomb attack by extremists demolished the dome of the al-Askariya shrine in Samarra, north of Baghdad, one of the four key Shi'ite holy sites that contains the tombs of the tenth and eleventh of twelve revered Shia imams (reputed to be direct descendants of the Prophet Muhammad), Ali al-Hadi (–868 CE) and al-Hassan al-Askari (–874 CE). It sparked retaliatory sectarian violence across Iraq, in which thousands died and dozens of Sunni mosques were attacked. On 13 June 2007, the shrine's two minarets were also destroyed.

[Source: *Keesing's Record of World Events*, February 2006; *BBC News Online*, 13 June 2007.]

In March 2006, Kurds in northern Iraq destroyed the Halabja Monument, which commemorated some 5,000 Kurds killed in a 1988 chemical warfare attack, because they felt that the Patriotic Union, which governed the eastern section of Iraq's Kurdish region, had used the monument to gather money for its own purposes.

[Source: Barsalou, J., & V. Baxter, "The Urge To Remember: The Role of Memorials in Social

Reconstruction and Transitional Justice,” *United States Institute of Peace Stabilization and Reconstruction Series*, no. 5 (January 2007) 9.]

In July 2006, the first trial before the Supreme Iraqi Criminal Tribunal (SICT), which began in October 2005, came to an end. Eight defendants, including former president Saddam Hussein, were tried on charges of crimes against humanity in connection with the arbitrary detention and forced displacement of 800 persons from the town of al-Dujail in 1982, 148 of whom were executed or died in detention. On 5 November 2006, Saddam Hussein and six other defendants were convicted; Saddam Hussein and two others were sentenced to death by hanging. On 30 December 2006, Saddam Hussein was executed. There was a widespread sense within the region and beyond that the trial represented no more than “victor’s justice” and an act of vengeance. In August 2006, a second trial opened, with Saddam Hussein and six other defendants facing charges in connection with the 1988 Anfal campaign against the Kurdish population in northern Iraq, involving the systematic and deliberate murder of at least 50,000 and possibly as many as 100,000 Kurds. In September 2006, the presiding judge was forced to step down following accusations of bias by the Iraqi government. After his replacement, the trial continued but had not been concluded by the end of 2006. After the execution of Saddam Hussein, the trial against the other defendants was expected to continue.

[Sources: AI, *Report 2007* (2007) 37–38, 42, 142, 144; HRW, *World Report 2007* (2007) 472, 474.]

In August 2006, **Donny George**, director-general of the Iraqi museums and president of the State Board of Antiquities and Heritage, went into hiding in Damascus, Syria, and later into exile in the United States, where he became a professor at New York State University. He had received death threats because he cooperated with the American forces. As a Christian, he was also forced into early retirement as his post had been assigned to a Shia Muslim. George said that this interference of supporters of the radical Shia cleric Moqtada al-Sadr in the Ministry for Antiquities and the State Board had made his position intolerable. He accused them of only being interested in Islamic sites and not in Iraq’s earlier heritage. Excavation and conservation projects had stalled and all foreign archeologists had left Iraq.

[Source: *Guardian*, 26 August 2006.]

See also Denmark, Germany, United States.

## **IRELAND**

Last Annual Report entry: see NCH #37 (2004).

See United Kingdom.

## **ISRAEL**

Last Annual Report entry: see NCH #32 (2003).

See also South Africa, United Kingdom, United States.

## **ITALY**

Last Annual Report entry: see NCH #32 (2003).

## **IVORY COAST (Côte d'Ivoire)**

Last Annual Report entry: see NCH #45 (2006).

Throughout 2006 neither the government nor the rebel leadership took significant steps to discipline, investigate, or hold accountable those responsible for past atrocities during the 2002–2003 civil war. Despite repeated threats to impose sanctions, the United Nations (UN) Security Council only imposed travel and economic sanctions against three mid-level individuals from the Young Patriots and New Forces. The Security Council has yet to make public or discuss the findings of the 2004 Commission of Inquiry report into human rights abuses since September 2002. The report contained a secret annex listing people accused of human rights abuses who could eventually face trial. Although in September 2003 the Ivorian government had lodged a declaration with the International Criminal Court (ICC) accepting ICC's jurisdiction over serious crimes committed since September 2002, the ICC prosecutor had not yet determined whether to open an investigation.

[Source: HRW, *World Report 2007* (2007) 107.]

## **JAPAN**

Last Annual Report entry: see NCH #45 (2006).

In 2006, survivors of Japan's system of sexual slavery before and during World War II continued to be denied full reparations. Japanese courts have repeatedly rejected lawsuits seeking compensation, and the government continued to argue that compensation claims were settled by post-war treaty arrangements. On 1 March 2007, Prime Minister Abe Shinzo denied the role of the military in the system, thus contradicting the official Kono declaration of 1993. Abe declared that there was no evidence of coercion. The United States Congress considered passing a resolution demanding that the 1993 declaration be observed.

[Sources: AI, *Report 2007* (2007) 153; IOC (2007 no.2) 195, 198.]

On 29 January 2007, Tokyo's High Court confirmed that the public television network NHK had effectively bowed to political pressure and censored a 40-minute documentary about "comfort women" from 2001 (see NCH #38). It could not prove, however, that NHK had been under specific instructions. It ordered NHK and two television production firms to pay 2 million yen (approximately 16,400 US dollar) for breach-of-contract damages to Violence Against Women in War Network - Japan.

[Source: International Federation of Journalists, *Ifex Alert* (15 February 2007).]

See also Korea, North.

## **JORDAN**

Last Annual Report entry: see NCH #37 (2004).

## **KAZAKHSTAN**

Last Annual Report entry: see NCH #23 (2001).

On 31 July 2006, **Zhasaral Kuanyshalin** was sentenced in Almaty for insulting President Nursultan Nazarbayev in an October 2005 statement and in a report filed to the Office of the General Prosecutor seeking treason charges against the president. In the report, he had claimed that Nazarbayev had betrayed Kazakhstan by saying that “Kazakhs were historically a borderless nation, lacking statehood” in his annual address to the nation. Kuanyshalin was sentenced to two years’ imprisonment but was released on amnesty.

[Source: World Press Freedom Committee, *It’s a Crime: How Insult Laws Stifle Press Freedom: A 2006 Status Report* (Reston, VA 2006) 86.]

In 2007, three private citizens, Almaz Dzhambulov, Zhenis Zhambylov and Katshibek Abdykalykova, sued the opposition newspaper *Svoboda slova* and one of its journalists, **Yerbol Kurmabayev** for defamation and sought huge damages. Calling themselves descendants of national poet and folk singer Dzhambul Dzhabayev (1846–1945) and national hero Karasai Batyr, they claimed that Kurmabayev had distorted Kazak history and defamed both historical figures in an article of 25 January 2007 in which the latter had reported that the historical role of both was exaggerated and mythologised.

[Source: Adil Soz, *Ifex Alert* (15 June 2007).]

Last Annual Report entry: see NCH #23 (2001).

## **KENYA**

Last Annual Report entry: see NCH #38 (2005).

In October 2006, a group of former Mau Mau insurgents launched a suit against the government of the United Kingdom, seeking compensation for human rights abuses including rape, beatings and other torture committed during the so-called Mau Mau rebellion (an uprising in 1952–56 of members of the Gikuyu, Kenya’s largest ethnic group, against British colonial rule in order to obtain land and freedom). According to the Kenya Human Rights Commission, tens of thousands of people were tortured by the British authorities at the time.

[Source: AI, *Report 2007* (2007) 158.]

## **KOREA, NORTH**

Last Annual Report entry: see NCH #45 (2006).

According to the Korea Institute for National Unification (based in South Korea), a total of 3,790 South Koreans were kidnapped and taken to North Korea between 1953 and 1995, 485 of whom remained in detention. Some of the abductees were used in propaganda broadcasts to South Korea, while others were used to train North Korean spies. In spite of its admissions regarding 13 Japanese abductees (five of whom were allowed to return home in 2002, while the others were said to have died), North Korea rejected repeated requests from families of the South Korean abductees to confirm their existence, to return them, or, in the case of the deceased, to return their remains.

[Source: HRW, *World Report 2007* (2007) 298.]

## **KOREA, SOUTH**

Last Annual Report entry: see NCH #45 (2006).

See also Korea, North.

## **KUWAIT**

Last Annual Report entry: see NCH #38 (2005).

## **LATVIA**

Last Annual Report entry: see NCH #45 (2006).

## **LEBANON**

Last Annual Report entry: see NCH #45 (2006).

In September 2006, the United Nations (UN) International Independent Investigation Commission submitted its fifth interim report on its investigation into the killing of former Prime Minister Rafiq al-Hariri and 22 others in February 2005. On 13 November 2006, the Cabinet approved a UN draft for an international tribunal to try those suspected of involvement in the killings, but it was unclear whether the absence of the six ministers who resigned invalidated the vote. The decision also required ratification by Parliament and the President. Syria denied high-level Syrian involvement in the assassination.

[Sources: AI, *Report 2007* (2007) 167, 168; HRW, *World Report 2007* (2007) 250, 489.]

Despite campaigning by families and nongovernmental organizations, the fate of approximately 17,000 Lebanese and other nationals who became victims of enforced disappearance in the civil war (1975–90) remained unknown.

[Sources: AI, *Report 2007* (2007) 10–11, 168; HRW, *World Report 2007* (2007) 489.]

See also Syria.

## **LIBERIA**

Last Annual Report entry: see NCH #45 (2006).

In February 2006, seven commissioners were inaugurated to the Truth and Reconciliation Commission (TRC). The TRC was mandated to investigate gross human rights violations and economic crimes that occurred in 1979–2003, could recommend amnesty in less serious cases and prosecution for the most serious cases. After a three-month preparatory period, the TRC started work in June 2006 and in September its work plan was made public. Nearly 200 people were recruited by the end of September to take witness statements, a process which began on 10 October. However, public hearings due to take place at the end of 2006 were delayed. Civil society demanded a

mechanism to call to account perpetrators of war crimes and crimes against humanity in Liberia's wars. Points of debate were whether the trials of alleged perpetrators should take place before or after the TCR had completed its task, whether TCR officials would use their power to recommend individuals for prosecution, and whether the Liberian judicial system should and could handle the trials. Concerns were raised about the safety of witnesses, the role of civil society in the TRC process, and how the TRC should respond to public concerns. By the end of 2006, the TRC had received approximately US\$2.2 million of the estimated US\$14 million required.

[Sources: AI, *Report 2007* (2007) 169, 170; HRW, *World Report 2007* (2007) 133.]

On 17 March 2006, President Johnson-Sirleaf made an official request to the Nigerian government for former Liberian President Charles Taylor to be handed over to Liberia. On 25 March, the Nigerian President Olusegun Obasanjo officially agreed to the request. Taylor temporarily escaped from his place of refuge in Nigeria but was later arrested. He arrived in Liberia on 29 March, where he was arrested by the United Nations Mission in Liberia (UNMIL), mandated by United Nations Security Council Resolution 1622, and immediately transferred to the Special Court for Sierra Leone (SCSL) to face trial on charges of war crimes and crimes against humanity committed during the civil war in Sierra Leone (1991–2002). Taylor supported the rebel Revolutionary United Front (RUF) during that war. Due to security concerns, Taylor's trial was relocated to The Hague in June 2006. His trial was expected to begin in 2007. In October 2006, Taylor's supporters appealed to the Supreme Court to stop the TRC from hearing testimony against him, arguing that it would prejudice his trial at the SCSL.

[Source: AI, *Report 2007* (2007) 12, 19, 169, 170, 199, 229, 321.]

In December 2006, reporter **Rufus Paul** of the *Daily Observer* was assaulted, allegedly on the orders of the director of the National Archives. The journalist was investigating alleged misappropriation of funds by the said director.

[Source: AI, *Report 2007* (2007) 171.]

## **LIBYA**

Last Annual Report entry: see NCH #45 (2006).

28 June 2006 marked the tenth anniversary of the large-scale killings in Tripoli's Abu Salim prison, run by the Internal Security Agency. Security forces reportedly killed "around 1,200 people". The government failed to announce the exact number of people killed or the names of the dead.

[Source: HRW, *World Report 2007* (2007) 497–98.]

On 19 March 2007, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen, reported that on 30 January 2006 he had received information that the Libyan education system and schoolbooks did not take into account the Berber component in Libya's geography, history and culture.

[Source: Stavenhagen, R., *Report of the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People: Addendum—Summary of Cases Transmitted to Governments and Replies Received* (A/HRC/4/32/Add.1; New York 2007) 63.]

## **LITHUANIA**

Last Annual Report entry: see NCH #38 (2005).

## MACEDONIA

Last Annual Report entry: see NCH #45 (2006).

A controversy erupted after *Understanding Current History*, a program of workshops to promote ethnic reconciliation, was started in 2002. This program, in which twenty-five Macedonian Slav and Albanian history teachers of primary and high schools participated, was directed by psychologist **Violeta Petroska-Beska** and legal expert **Mirjana Najcevska** of the Center for Human Rights and Conflict Resolution, Sts. Cyril and Methodius University, Skopje. The project's history lecture included three versions of the armed conflict of 2001, in which ethnic Albanian guerrillas confronted the Macedonian police and army: the opposing Macedonian and Albanian nationalist versions of events and a third version aiming to provide a synthesis. Several leading professional historians, including Blaze Ristevski, head of the Macedonian Academy of Science and Arts History Department, Todor Cepreganov, director of the National History Institute, and Ljupco Jordanovski, speaker of the Macedonian parliament, were skeptical about the attempt which they considered premature.

[Sources: Blazeovski, I., "Macedonia: Reworked History Lessons Cause Storm", *Balkan Insight* (9 February 2006); Petroska-Beska, V., & M. Najcevska, "Macedonia: Understanding History, Preventing Future Conflict", *United Nations Institute of Peace Special Report 115* (February 2004).]

## MALAYSIA

Last Annual Report entry: see NCH #27 (2002).

In December 2006, *March 8*, a Tamil-language book by **K. Arumugam** that chronicled the 15 days of racial clashes that killed six people and injured more than forty in Kampung Medan (a slum area near the capital Kuala Lumpur) in 2001, was banned. The majority of the casualties were Indian. The Centre for Independent Journalism said that the government engaged in whitewashing history by prohibiting the publication of research on the Kampung Medan incident. Other publications banned by the Internal Security Ministry in December 2006 included *Sepintas Sejarah Islam* (Islam: A Short History) by **Ira Puspito Rini** and the Indonesian translation of Charles Darwin's *Origin of Species*.

[Source: Southeast Asian Press Alliance, *Ifex Alert* (1 March 2007).]

On 12 February 2007, the Malaysian Film Censorship Unit banned *Apa Khabar Orang Kampung* (Village People Radio Show), an independent documentary by film director **Amir Muhammad** about the lives of former Malay Muslim members of the now defunct Communist Party of Malaya. After

World War II, the communists wanted to liberate the Malay peninsula from British rule. The censors objected to the film's alleged theme of "a noble communist struggle" and to its apparent portrayal of the Malaysian government as being unfair for not appreciating the communists' struggle and for not offering them a decent rehabilitation arrangement as was done in Thailand. The film was also accused of distorting history in equating the communist struggle with that of the Malay warriors who fought British rule in the nineteenth century. The film was the sequel to *Lelaki Komunis Terakhir* (The Last Communist), which was banned in 2006. In an appeal against the ban, Amir Muhammad argued for a "limited viewing" rating for his film, since it had been ruled "inappropriate for general viewing".

[Source: Southeast Asian Press Alliance, *Ifex Alert* (26 February & 1 March 2007).]

## **MALDIVES**

Last Annual Report entry: see NCH #45 (2006).

## **MAURITANIA**

Last Annual Report entry: see NCH #27 (2002).

## **MEXICO**

Last Annual Report entry: see NCH #45 (2006).

In April 2004, **Jaime Lagunez Otero**, a biologist working at the National Autonomous University of Mexico's (UNAM) Chemistry Institute, was dismissed after twelve years. He was denied access to his personal possessions, archives, and computational infrastructure. Lagunez sued UNAM but in October 2006 his case was still pending. He and others suspect that he was dismissed in retaliation for his role in human rights activism outside of UNAM. Lagunez has been a long-time supporter of efforts to protect Mexican cultural heritage. He openly criticized the official support for the construction of warehouses on important cultural sites. The construction reportedly endangered UNESCO World Heritage sites, such as the 1,200 year-old ruins of Teotihuacan. Besides being involved in local protests, Lagunez's environmental and cultural group had internationalized opposition by joining a coalition of other non-governmental organizations to petition the U.S.-based TIAA-CREF pension fund to withdraw its investments from companies that disregarded cultural heritage sites, abuse human rights or promote unsafe products. Lagunez was unable to find other work

in his field in Mexico. He believed that authorities blocked university positions he could otherwise obtain.

[Source: American Association for the Advancement of Science Human Rights Action Network, *Case me0706\_ote* (13 October 2006).]

In February 2006, a draft report compiled by the historical truth unit of the FEMOSPP (The Special Federal Prosecutor's Office, established in 2001 to secure justice for grave human rights violations committed during Mexico's "dirty war" [1960s–1980s]), was leaked to an Internet website. It identified more than 700 cases of enforced disappearance, more than 100 extrajudicial executions and more than 2,000 cases of torture committed by the armed forces and security agencies. In the final days of the administration of President Vicente Fox, a weakened version of the report was officially circulated on the Internet, but the government failed to endorse it, publicize its findings or ensure that victims and their relatives would have access to truth, justice or reparations. The government stated that the work of the FEMOSPP was complete and ordered its closure in November 2006. In the same month, a federal court determined on appeal that the statute of limitations had not expired on the genocide charges faced by former President Luis Echeverría (ruled 1970–76), in connection with the 1968 Tlatelolco Square massacre (at the time, Echeverría had been Minister of Internal Affairs). A federal court ordered his rearrest.

[Sources: AI, *Report 2007* (2007) 25, 183–84; HRW, *World Report 2007* (2007) 215, 218.]

On 1 September 2006, **Ricardo Delfín Quezada Domínguez**, a historian and anthropologist at the Faculty of Anthropology of the Autonomous University of Yucatán, was arrested in Mérida on the charge that he had participated in a grenade attack on the newspaper *Por Esto!* with which he collaborated. On 3 September 2006, he was released because of lack of evidence. His arrest was possibly linked with his articles in which he had criticized the government's environmental policy, especially in petroleum-rich areas.

[Sources: Academia Solidaria de Historia a Debate (Santiago de Compostela 2006); Giordano, A., "Atacan al periódico 'Por Esto!'" (September 2006).]

See also Guatemala.

## **MOLDOVA**

Last Annual Report entry: see NCH #32 (2003).

## **MONGOLIA**

Last Annual Report entry: see NCH #27 (2002) under China.

From January 2006, the Police Enquiry Department undertook an investigation of **G. Dashrentsen**, political commentator for the national newspaper *Udriin Sonin* (Daily News) after Buddhist Lama Purevbat had brought defamation charges against him in November 2005. In October 2005, Dashrentsen had called Purevbat a “yaschin” (a bone dealer) in an article, “N. Enkhbayar’s Black Spot Moves Ahead in Mongolia”, published in the weekly *Deedsiin Hureelen*. Dashrentsen claimed that the criticism in the article was not aimed at Purevbat but at the Mongolian President Nambaryn Enkhbayar, who had given an award to Purevbat. In May 2003, at Hambiin Ovoo, near the capital Ulaanbaatar, the bones of more than 600 lamas were uncovered and, in a project initiated by Purevbat, a memorial stupa was to be built, destroying these bones. The bones were considered evidence of mass killings committed during the repression period of the 1930s.

[Source: World Press Freedom Committee, *It’s a Crime: How Insult Laws Stifle Press Freedom: A 2006 Status Report* (Reston, VA 2006) 95.]

## **MOROCCO/WESTERN SAHARA**

Last Annual Report entry: see NCH #45 (2006).

On 30 November 2005, Morocco’s Equity and Reconciliation Commission (ERC), launched in 2004 by King Mohamed VI, issued its report on grave human rights violations committed in 1956–99, particularly cases of enforced disappearance and arbitrary detention. It provided an official acknowledgement of past repression and elucidated many individual cases. In January 2006, King Mohamed VI gave a speech to mark the publication of the ERC report. He expressed his sympathy for the victims of the violations, but stopped short of offering an apology. He instructed the national human rights institution, the Human Rights Advisory Board (HRAB), to follow up ERC work. In June 2006, Prime Minister Driss Jettou set up joint working committees comprising government officials and former ERC members to examine ERC recommendations, particularly on reparations and institutional and legal reforms. The HRAB began informing victims and their families of the results of research into 742 cases of enforced disappearance that it said it had been resolved. It continued ERC investigations into 66 unresolved cases. The HRAB said that a detailed list of the enforced disappearance cases examined by the ERC would be published in mid-2006, but this had not happened by the end of 2006. No progress was made on providing victims with effective access to justice and holding accountable individual perpetrators, issues not addressed by the ERC.

[Sources: AI, *Report 2007* (2007) 39, 188; HRW, *World Report 2007* (2007) 505–6.]

In May 2006, a mission of the Office of the United Nations High Commissioner for Human Rights visited the refugee camps in Tindouf in south-western Algeria. Its leaked confidential report recommended closer monitoring of the human rights situation in the camps. Those responsible for human rights abuses in the camps in previous years continued to enjoy impunity. The Polisario Front took no steps to address this legacy.

[Source: AI, *Report 2007* (2007) 190.]

See also Netherlands.

## **MYANMAR (BURMA)**

Last Annual Report entry: see NCH #45 (2006).

## **NAMIBIA**

Last Annual Report entry: see NCH #45 (2006).

A cabinet committee appointed to deal with mass graves from the 1966–89 liberation war had not taken a decision on the matter by end of 2006. An opposition call to debate the imprisonment and torture of hundreds of members of SWAPO (South West African Peoples' Organisation) in SWAPO camps in Angola before independence was rejected by the ruling party in October 2006. SWAPO used its parliamentary majority to dismiss the Congress of Democrats' motion before it could be debated, claiming that such a discussion could undermine the policy of national reconciliation.

[Source: AI, *Report 2007* (2007) 193.]

## **NEPAL**

Last Annual Report entry: see NCH #14 (1999) under United States.

In May 2006, the SPA (Seven Party Alliance) government appointed a Commission of Inquiry chaired by a former Supreme Court judge to investigate human rights violations committed in the suppression of the People's Movement (the popular protests in April 2006 which led to a political transition). In November 2006, the Commission delivered its report to the SPA government but its findings were not made public. The Commission reportedly recommended action against more than 200 people, including King Gyanendra, senior ministers and security officials. The SPA government formed a committee to study the report. In early June 2006, the Home Ministry established a one-person Disappearances Committee without the capacity to investigate the hundreds of unresolved cases of enforced disappearance. The Peace Agreement signed on 21 November 2006 contained significant human rights commitments, including an end to impunity for human rights abuses. It provided for a Truth and Reconciliation Commission to investigate "serious violations of human rights and crimes against humanity" committed during the armed conflict (1996–2006) and a National Peace and Rehabilitation Commission to provide assistance to conflict victims. The Peace Agreement also included pledges to publicize the whereabouts of victims of enforced disappearances within sixty days and to create an environment conducive to the return of internally displaced people. Marginalized groups were under-represented in the peace process. Measures to address past violations and abuses were inadequate. Neither the security forces nor the CPN (Communist Party of Nepal–Maoist) took concrete steps to strengthen accountability within their ranks.

[Source: AI, *Report 2007* (2007) 195.]

**NETHERLANDS**

Last Annual Report entry: see NCH #38 (2005).

In January or February 2003, after historian **Pieter Drooglever** (1941–), working at the Instituut voor Nederlandse Geschiedenis (ING; Institute for Netherlands History), The Hague, and at Radboud University, Nijmegen, had started research for his book *Een daad van vrije keuze: De Papoea's van westelijk Nieuw-Guinea en de grenzen van het zelfbeschikkingsrecht* (The Hague/Amsterdam 2005; An Act of Free Choice: The Papuas of Western New Guinea and the Limits of Self-Determination), commissioned in December 1999 by the Dutch Ministry of Foreign Affairs at the request of the parliament, he was forbidden entry into Indonesia by the new government of President Megawati Sukarnoputri to interview witnesses and to do archival research. In his book, Drooglever described that, despite vague concessions from the Dutch regarding self-determination to the Papuas during the period 1963–69, the Netherlands and the United Nations did not protest when Indonesia in 1969 manipulated a referendum held among the Papua population in the former Dutch New Guinea (Western New Guinea; West Irian Jaya from 1973, Papua Barat from 2000) about self-determination (“the act of free choice”) for, and managed to transform the referendum results into unanimous support for Indonesian hegemony over, and incorporation of, the region. The book was seen as fomenting separatism and lending support to Papuan independence claims. When it was published in November 2005, the Dutch Minister of Foreign Affairs Ben Bot refused to receive the book publicly in order not to harm Dutch-Indonesian relations. In the summer of 2006, Drooglever was again refused entry in Indonesia.

[Sources: Drooglever, P.J., personal communication (August 2007); Drooglever, P.J., “Een paar bedenkingen”, *Bijdragen en Mededelingen betreffende de Geschiedenis der Nederlanden*, 2007: 91–104; Meijer, H., ““Geschiedenis is nu eenmaal altijd politiek”: De studie-Drooglever als symptoom van de moeizame omgang van Nederland met het koloniaal verleden en de complexe relatie met Indonesië”, *Bijdragen en Mededelingen betreffende de Geschiedenis der Nederlanden*, 2007: 72–90; *NRC Handelsblad*, 15 November 2005: 1, 7; 16 November 2005: 7; *NWO Hypothese*, December 2006, 15.]

In May 2006, there was a controversy about the extent to which the Nederlandsche Handel-Maatschappij (NHM; Dutch Trading Company, predecessor of the ABN-AMRO bank) had participated in the slave trade after the American organization History Associates Incorporated had published a commissioned history of the LaSalle Bank Corporation in Chicago in which ties of the NHM to the slave era were uncovered.

[Source: History Associates Incorporated, *Predecessors of ABN AMRO Bank N.V. and Connections to African Slavery in the United States and the Americas* (Rockville, MD, April 2006).]

In early June 2006, officials of the Chinese embassy visited the Wereldmuseum in Rotterdam and asked to change some texts for the exhibition *Tibet and the Fourteen Dalai Lamas*. “China occupied Tibet” had to be changed into “Tibet is a province of China” and “The Dalai Lama went into exile” into “The Dalai Lama left China voluntarily.” The museum refused to comply with the demand.

[Source: *Telegraaf*, 5 June 2006.]

Between October and December 2006, problems arose concerning four essays about Ottoman history written by Dutch turkologists, including **Jan Schmidt** and **René Bakker** from the University of Leiden, for the catalog of the exhibition *Istanbul, The City and the Sultan*, organized by the Nieuwe Kerk in Amsterdam. The complete essays were censored without consulting the authors after pressure from the Turkish Ministry of Culture and Tourism. The ministry objected to passages on, inter alia, the foundation of Byzantium (later Istanbul) by Greeks, the presence of Kurds in Istanbul, homosexuality in Ottoman bathhouses, and the ethnic cleansing of the Armenian minority in and after 1915. In 2004, there had been a similar affair. The catalog of the exhibition *Morocco: 5000 Years of Culture* in the Nieuwe Kerk had been adapted: the country map of Morocco was adapted so it incorporated the Western Sahara, which conformed to the official (and incorrect) representation.

[Sources: *Volkskrant*, 13 February 2007: 1; 15 February 2007: 12; 26 February 2007: 1, 10.]

On 1 November 2006, the Raad van State (Council of State; the highest administrative court, whose president is the Queen) decided that historian **Lambert Giebels** (1935–), former socialist Member of Parliament and biographer of President Sukarno, could not access the Royal House Archive for his biography about former Prime Minister Louis Beel entitled *De Greet Hofmans-affaire: hoe de Nederlandse monarchie bijna ten onder ging* (Amsterdam 2007; *The Greet Hofmans affair: or how the Dutch monarchy nearly collapsed*). It ruled that the archive had a private, not a public, character, that Queen Beatrix was allowed to decide herself whom she gave access, and that, therefore, Giebels’s 1993 request based on the Freedom of Information Act (*Wet Openbaarheid Bestuur*) to gain access to documents about the so-called Greet Hofmans affair in the archive was not appropriate. In 1948–56, the influence of mystic healer Hofmans on Queen Juliana almost led to a constitutional crisis and the latter’s divorce from Prince Bernhard. In 1956, Beel had presided an enquiry commission that produced a report about the affair that was kept in the Royal House Archive but sealed for one hundred years. Giebels wanted to consult the document. In August 2005, the Queen had granted privileged access to the archives, including the Beel report, to another historian, Cees Fasseur (1938–), official biographer of Queen Wilhelmina, for his book about the Hofmans affair scheduled to be published in 2009. In January 2005, the Parliament had adopted a motion that those records in the Royal House Archive which referred to the function of head of state or were otherwise of public interest should be transferred to the National Archives in The Hague. According to Giebels, the Beel

report was such a record; he suggested that, as a princess, Queen Beatrix might have made controversial statements before the Beel commission at the time.

[Sources: *NRC Handelsblad*, 13 December 2004: 1; 1 November 2006: 1; Raad van State (Council of State) (Afdeling Bestuursrechtspraak), “Uitspraak op het hoger beroep van dr. L.J. Giebels, wonend te Breda, zaaknummer 200602809/1” (1 November 2006).]

See also Greece, Turkey.

## **NEW ZEALAND**

Last Annual Report entry: see NCH #38 (2005).

In 2006, chief film censor Bill Hastings consulted families of the 13 victims of the 1990 Aramoana massacre to see whether a new documentary on the subject, *Out of the Blue* by **Robert Sarkies**, should be banned.

[Source: IOC (2006 no.4) 195.]

## **NICARAGUA**

Last Annual Report entry: see NCH #10 (1998).

## **NIGERIA**

Last Annual Report entry: see NCH #45 (2006).

See Liberia.

## **PAKISTAN**

Last Annual Report entry: see NCH #45 (2006).

## **PALESTINIAN AUTHORITY**

Last Annual Report entry: see NCH #27 (2002).

See Syria, United States.

## **PANAMA**

Last Annual Report entry: see NCH #32 (2003).

## **PARAGUAY**

Last Annual Report entry: see NCH #38 (2005).

In August 2006, former President Alfredo Stroessner died in exile in Brazil. Requests for his extradition were unsuccessful and he was never brought to trial for the many human rights violations committed during his rule (1954–89), including in the context of Operation Condor, a joint plan by Southern Cone military governments in the 1970s and 1980s to eliminate opponents.

[Source: AI, *Report 2007* (2007) 25, 207.]

## **PERU**

Last Annual Report entry: see NCH #45 (2006).

In 2003, the Truth and Reconciliation Commission had reported that left-wing insurgents and government forces had committed grave human rights abuses in 1980–2000. Peru made significant progress in prosecuting former members of insurgent groups for their past crimes. In 2003, after annulling the sentences of more than 700 prisoners convicted without due process for crimes under the antiterrorism law, the state conducted new trials that resulted in the conviction of more than 450

people for violent crimes. In October 2006, the National Criminal Court sentenced Abimael Guzmán, leader of the Shining Path, an armed group notorious for atrocities, to life imprisonment. Nine other Shining Path leaders received lesser prison sentences. Peru also made some progress in bringing to justice those responsible for abuses committed by state agents during the rule of Alberto Fujimori (1990–2000). More than 1,780 individuals implicated in abuses and corruption during this period were facing charges. Based on evidence collected by an ad hoc solicitor, numerous charges of corruption and human rights violations were brought against Fujimori himself, who was arrested in Chile in November 2005. In May 2006, a Chilean Supreme Court panel granted Fujimori pre-trial release on bail, but barred him from leaving Chile. The court was expected to make a final decision on the extradition request in 2007. Progress in the prosecution of former military and police personnel for human rights violations committed during the first decade of the conflict (1980–90) was more modest. Peru's new president, Alan García Pérez, who took office in July 2006, served an earlier term in 1985–90, at the height of Peru's political violence. During his first presidency, killings and "disappearances" were widespread and went almost completely unpunished. For the third time, the Special Attorney's Office on Forced Disappearance, Extrajudicial Execution and Exhumations of Mass Graves closed the investigation into the alleged responsibility of García, former members of his cabinet and top-ranking military officers in the killing of at least 118 inmates by navy officers during a riot in 1986 at the El Frontón prison in Lima. No legal aid was granted to victims of violations and their relatives, despite reports that nearly 70 per cent of victims had no access to legal representation. Congress passed the Regulation of the Comprehensive Reparation Plan to provide redress to victims of human rights violations during the 20-year armed conflict. In October 2006, the National Council of Reparations, responsible for creating an official registry of victims, was established. Human rights defenders, including victims of human rights violations and their relatives, witnesses, prosecutors and forensic experts, continued to be threatened and intimidated because of their activities. Threats were rarely investigated and none of the perpetrators were brought to justice (See also NCH #41).

[Sources: AI, *Report 2007* (2007) 25, 84, 208–9; HRW, *World Report 2007* (2007) 222, 224–25.]

## **POLAND**

Last Annual Report entry: see NCH #38 (2005).

In 2006, protesters called for the closure of a German art exhibition, organized by **Erika Steinbach**, on the displacement of Poles after World War II.

[Source: IOC (2006 no.4) 196.]

In April 2007, historian **Bronisław Geremek** (1932–) refused to observe a new "lustration" law (a

law obliging Poles in positions of responsibility in politics, the media or teaching to declare whether they had ever collaborated with the communist political police) from 15 March 2007 that required him to submit to the National Remembrance Institute (established in September 1998) a declaration that he had not cooperated with the former communist secret police. Geremek declared that he had already made such declarations in 1997 (as Minister of Foreign Affairs) and 2004 (as member of European Parliament), and that the new law was unconstitutional, inter alia because the National Remembrance Institute, not a judge, was entrusted with the screening. He was quoted as saying: "I believe that the law of lustration in its present form violates moral rules and threatens freedom of expression, media independence and the autonomy of universities. It spawns a kind of 'Ministry of Truth' and 'Memory Police'. It disarms the citizen confronted with campaigns of calumnies by weakening the legal protection of citizens' rights". He received a warning that his mandate could be revoked. On 11 May 2007, the Constitutional Court annulled the law.

[Sources: *BBC News Online*, 25 April 2007; *Le Monde*, 26 April 2007.]

## **ROMANIA**

Last Annual Report entry: see NCH #38 (2005).

In an open letter published in the review 22 in Bucharest, historian **Sorin Antohi** (1957–), head of the history department at the Central European University in Budapest, Hungary (1998–2006) and of the *Pasts, Inc.* Institute for Historical Studies, admitted to having collaborated as an informer of the Securitate from 1976 until the 1980s. On 20 October 2006, the Romanian press further reported that official records and university officials denied that he had earned a Ph.D. from the University of Iași in 1995. Instead, his status as a doctoral student had been terminated in 2000. Several of the books he listed as publications could reportedly not be located. On the same day, Antohi admitted that he did not have the academic credentials that he had formerly claimed to have and he resigned from all his academic positions and most of his functions, including his membership of the Presidential Committee for the Analysis of the Communist Dictatorship in Romania and his membership of the International Committee of Historical Sciences.

[Sources include: “Sorin Antohi’s Case: The Documents” (<http://cyberculture.ro>; October 2006); “Interview with Antohi” (<http://interviewwithantohi.blogspot.com>; 28 March 2007).]

## **RUSSIA**

Last Annual Report entry: see NCH #45 (2006).

See also Council of Europe.

## **RWANDA**

Last Annual Report entry: see NCH #45 (2006).

Trials of prominent genocide suspects continued before the International Criminal Tribunal for Rwanda (ICTR), which held 56 detainees at the end of 2006. Ten trials were ongoing. Eighteen suspects indicted by the ICTR were still at large. The ICTR was mandated by the United Nations Security Council to complete all trials by the end of 2008. Since its inception, the ICTR has tried only members and supporters of the government in place in April 1994. However, it failed to indict or prosecute leaders of the former Rwandese Patriotic Front (RPF), the dominant political force in

Rwanda, widely believed to have authorized, condoned, or carried out war crimes and crimes against humanity in 1994.

[Source: AI, *Report 2007* (2007) 19, 221.]

In April 2006, the Commission of Inquiry set up in April 2005 to investigate the alleged role of the French military in the genocide started work. Rwandan officials stated that, depending on the Commission findings, they might lodge a complaint against French military personnel before the International Criminal Court. In November 2006, a French judge investigating the shooting down of former President Habyarimana's plane in 1994 issued international arrest warrants for nine high-ranking Rwandan officials. He also requested that the ICTR issue an indictment for President Paul Kagame's arrest for his involvement. The investigation by a Spanish judge into the murder of Spanish nationals and other crimes committed between 1990 and 2002 in Rwanda was reportedly completed. The investigation focused on the direct involvement of 69 RPF members, some of whom were high-ranking figures in the military.

[Source: AI, *Report 2007* (2007) 221.]

In July 2006, gacaca jurisdictions (a community-based system of tribunals established in 2002 to try people suspected of crimes during the 1994 genocide), previously engaged in gathering information about the genocide, began trials nationwide. There were serious concerns about the impartiality and fairness of the gacaca system. Establishment of appeals courts lagged behind. Among the estimated 700,000 persons accused, more than 47,000 held local administrative posts and 45,000 were themselves gacaca judges. Officials aimed to have completed all trials by 2007, and some courts spend only a few hours hearing each case. Some 50,000 persons confessed their crimes in the hope of receiving reduced sentences. The system remained very controversial. Because gacaca courts did not hear accusations of crimes committed by soldiers of RPF, the system appeared to deliver one-sided justice.

[Sources: AI, *Report 2007* (2007) 19, 220–21; HRW, *World Report 2007* (2007) 142–43.]

In 2006, the authorities compiled a list of hundreds of persons suspected of “divisionism” and “genocidal ideology”. Banned by the constitution, “divisionism” was vaguely and broadly defined in a 2001 law. In September 2006, a priest was sentenced to twelve years' imprisonment for minimizing the genocide. In a sermon he had suggested that it was wrong to call persons who participated in genocide “dogs”. During the trial, the prosecutor allegedly said that those convicted of genocide were not human and should properly be called “dogs”.

[Source: HRW, *World Report 2007* (2007) 143.]

See also United Nations.

## **SAUDI ARABIA**

Last Annual Report entry: see NCH #45 (2006).

## **SENEGAL**

Last Annual Report entry: see NCH #45 (2006).

See Chad.

## **SERBIA**

Last Annual Report entry: see NCH #45 (2006).

Serbia's cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) came to a virtual standstill in 2006, after moderate progress during 2005. It led to the suspension of talks on a Stabilization and Association Agreement with the European Union (EU). The failure to locate, arrest, and extradite Ratko Mladic remained the most serious shortcoming. In March 2006, Slobodan Milosevic, former Serbian and Federal Republic of Yugoslavia president, on trial at the ICTY for genocide, crimes against humanity and war crimes, died at ICTY's detention unit in the Netherlands. In June 2006, Carla del Ponte, ICTY Chief Prosecutor, reported to the United Nations (UN) Security Council that Serbia's co-operation with the Tribunal remained "difficult and frustrating", although access to archives and documents was improved. She expressed serious concerns at the lack of co-operation by the UN Interim Administration Mission In Kosovo (UNMIK). The ICTY further restricted the conditions under which former Kosovo Prime Minister Ramush Haradinaj could engage in domestic politics. Indicted for crimes against humanity and war crimes in February 2005, he had been provisionally released from the ICTY in June 2005. In May 2006, he was re-elected leader of the Alliance for the Future of Kosovo.

[Sources: AI, *Report 2007* (2007) 226, 228; HRW, *World Report 2007* (2007) 411–12.]

Progress was made in bringing Serbs suspected of war crimes to justice in domestic proceedings at the special War Crimes Chamber of the Belgrade District Court, although the Supreme Court continued to overturn war crimes verdicts and send cases back for retrial.

[Source: AI, *Report 2007* (2007) 226.]

On 27 February 2006, the International Court of Justice opened public hearings on genocide charges filed by Bosnia and Herzegovina against Serbia and Montenegro. [Complete text of judgment at [http://www.concernedhistorians.org/content\\_files/file/le/icjgeno.pdf](http://www.concernedhistorians.org/content_files/file/le/icjgeno.pdf).]

[Source: AI, *Report 2007* (2007) 226.]

In March 2006, at the request of the Special Representative to the UN Secretary-General in Kosovo, an Interpol warrant requested by Serbia, for the arrest on suspicion of war crimes of Kosovo Prime Minister Agim Çeku, former Kosovo Liberation Army (KLA) chief of staff and commander of the Kosova Protection Corps, was withdrawn.

Despite some progress in determining the fate of those who went missing during and after the armed conflict in Kosovo (1999), more than 2,200 cases remained, the majority ethnic Albanians. In February 2006, human rights groups called for a parliamentary inquiry into an alleged official cover-up of the transfer from Kosovo to Serbia of the bodies of ethnic Albanians killed in 1999. Some were hidden in mass graves, others allegedly burned. In June 2006, the last of the bodies of more than 700 ethnic Albanians exhumed from mass graves were returned to Kosovo. Police investigations were opened, according to reports in September, but no indictments were published by the end of 2006.

[Sources: AI, *Report 2007* (2007) 226–27; HRW, *World Report 2007* (2007) 418.]

See also Bosnia and Herzegovina, China, Croatia.

## **SIERRA LEONE**

Last Annual Report entry: see NCH #45 (2006).

In 2006, trials continued before the Special Court for Sierra Leone (SCSL), established in 2002 to bring justice for victims of atrocities committed during part of the civil war (1996–2001). Charges included murder, mutilation, rape and other forms of sexual violence, sexual slavery, conscription of child soldiers, abductions and forced labor. In December 2006, the United Nations Secretary-General appointed Stephen Rapp, a United States national and Chief of Prosecutions at the International Criminal Tribunal for Rwanda, as the new SCSL Prosecutor. Of 11 people indicted, 10 were in custody, but Johnny Paul Koroma, former Chairman of the Armed Forces Revolutionary Council (AFRC), remained at large. Although individually charged, the trials were conducted in three groups. In the Revolutionary United Front (RUF) trial of three men including Issa Sesay, the prosecution closed on 2 August 2006 and the defence was due to start in 2007. In the Civil Defence Forces trial of three men including Moinina Fofana, closing arguments began in late November 2006. In the AFRC trial, the defence was concluded in December. For the case of Liberian President Charles Taylor, see

Liberia.

Implementation of the recommendations of the 2005 report of the Truth and Reconciliation Commission (TRC) was minimal. During 2006, a TRC task force developed a comprehensive action plan for the government to implement the TRC recommendations and identified a government agency, the National Commission for Social Action, to assist in the process.

[Sources: AI, *Report 2007* (2007) 229–30; HRW, *World Report 2007* (2007) 148.]

See also Liberia.

## SINGAPORE

Last Annual Report entry: see NCH #10 (1998).

## SLOVAKIA

Last Annual Report entry: see NCH #27 (2002).

In March 1992, pursuant to the 1991 Lustration Act, the Ministry of the Interior of the Czech and Slovak Federal Republic searched the archives of the former State Security Agency (StB) for information about **Ivan Turek** (1944–), who occupied a high administrative position in the state school system, and issued a negative security clearance. According to the ministry, Turek had been registered as an StB collaborator in 1984–89 and, consequently, was disqualified from holding a post in public administration. Turek resigned and applied for another job. Although he alleged that his registration as a StB collaborator had been wrong and that a negative security clearance with all its effects was an interference with his integrity and reputation, the Slovakian courts dismissed his appeal. However, on 14 February 2006, the European Court of Human Rights (ECHR) held by 6 votes to 1 that Turek’s right to privacy was violated because he was not given full access to a crucial piece of evidence, namely a secret 1972 guideline used for the accusation, which defined the category of StB “agent” and established rules of cooperation with StB agents, including rules for their recruitment.

[Source: ECHR, *Case of Turek versus Slovakia* (Strasbourg 14 February 2006).]

## **SLOVENIA**

The authorities failed to resolve the problems relating to the so-called “erased”, some 18,300 individuals unlawfully removed from the Slovenian registry of permanent residents in 1992. The “erased” were people from other former Yugoslav republics who had been living in Slovenia but had not acquired Slovenian citizenship after Slovenia became independent in 1991. The authorities failed to ensure that the “erased” had full access to economic and social rights, including the right to work and access to health care. Although the Slovenian Constitutional Court had ruled in 1999 and 2003 that the removal of these individuals from the registry of permanent residents was unlawful, approximately one third of the “erased” still did not have Slovenian citizenship or a permanent residence permit. Many were living in Slovenia “illegally” as foreigners or stateless persons; others were forced to leave Slovenia. Those who managed to obtain Slovenian citizenship or permanent residency—often after years—continued to suffer from the consequences of their past unregulated status and had no access to full reparation, including compensation. In June 2006, 11 “erased” people filed an application with the European Court of Human Rights claiming that the “erasure” resulted in violations of their rights, including the right to private and family life, the right to be free from inhuman or degrading treatment or punishment, the right to freedom of movement, and the right to be free from discrimination.

[Source: AI, *Report 2007* (2007) 233.]

## **SOMALIA**

Last Annual Report entry: see NCH #45 (2006).

## **SOUTH AFRICA**

Last Annual Report entry: see NCH #45 (2006).

There was concern about the legality of prosecution guidelines approved by the Cabinet in 2005 and presented to Parliament in January 2006. The guidelines would give the National Directorate of Public Prosecutions (NDPP) the administrative discretion to allow immunity from prosecution for crimes “emanating from the conflicts of the past” for people who failed to apply for or were refused amnesty by the Truth and Reconciliation Commission (TRC)’s Amnesty Committee. While the applicant would have to disclose all the circumstances of the alleged offence, and the NDPP would have to obtain the views of any victims before arriving at a decision, there was no obligation to take into

account the victims' views or no provision for judicial assessment of the truthfulness of the evidence. The guidelines did not explicitly exclude from consideration for immunity crimes such as torture, crimes against humanity and war crimes. As of 30 September 2006, the government had paid reparations of R30,000 (approximately US\$4,200) to 15,520 individuals identified by the TRC as eligible because of human rights abuses before May 1994.

[Source: AI, *Report 2007* (2007) 238.]

After publishing an op-ed commentary criticizing Intelligence Minister **Ronnie Kasril**'s opinions on Israel, the weekly *Jewish Report* refused to print his response in which he compared Israel's treatment of the Palestinians with the Nazis' anti-Jewish policies prior to "the Final Solution". The weekly said that this might constitute hate speech, but this view was criticized by the South African Freedom of Expression Institute.

[Source: IOC (2007 no.1) 127.]

## **SPAIN**

Last Annual Report entry: see NCH #45 (2006).

In the autumn of 2006, traditional festivals celebrating the expulsion of the Moors from Spain in 1492 were toned down because of increased sensitivity over relations with the Muslim community.

[Source: IOC (2007 no.1) 127.]

On 15 February 2007, the family of the late Manuel Gutiérrez Torres, local leader of the Falange (the Spanish Fascists) during the civil war (1936–39) and mayor of Cerdedo (Pontevedra), Galicia, in the 1940s and 1950s, sued historian **Dionisio Pereira González**, a specialist in the history of the Galician workers' movement, for defamation because in his book *A Ila República e a Represión franquista no Concello de Cerdedo* (The Second Republic and the Francoist Repression in Cerdedo; 2006; Verbo Xido publishers), he had concluded from numerous oral sources that Gutiérrez Torres, his brothers and other falangistas probably participated in the harsh repression at the time.

[Source: Academia Solidaria de Historia a Debate (Santiago de Compostela 2007).]

See also Council of Europe, Guatemala, Rwanda.

## **SRI LANKA**

Last Annual Report entry: see NCH #37 (2004).

## **SUDAN**

Last Annual Report entry: see NCH #45 (2006).

In February and June 2006, the Prosecutor of the International Criminal Court visited Khartoum. He did not visit Darfur, however, or issue any indictments in 2006. He presented six-monthly reports to the United Nations Security Council. In December 2006, he said his Office was seeking to finalize submissions to the judges to be made in February 2007.

[Source: AI, *Report 2007* (2007) 243.]

On 1 February 2007, the Arabic-language newspaper *Al-Sudani* was closed because it had reported on the case of the assassinated journalist **Mohamed Taha Mohamed Ahmed** ([1956]–2006) (See NCH #45.) The staff lodged an appeal against the decision.

[Source: IOC (2007 no.2) 202.]

## **SURINAME**

Last Annual Report entry: see NCH #37 (2004).

## **SWEDEN**

Last Annual Report entry: see NCH #10 (1998).

## **SWITZERLAND**

Last Annual Report entry: see NCH #37 (2004).

On 6 and 11 March 1997, the Télévision Suisse Romande (TSR; French-speaking Swiss television) showed *L'Honneur perdue de la Suisse* (Switzerland's Lost Honor), a documentary by journalist **Daniel Monnat** (1951–), as part of his series *Temps présent*. The documentary treated the importance of wartime economic collaboration between Nazi Germany and Switzerland. The program critically examined some historical “myths” and concluded that the Swiss political and economic elites had accommodated themselves “a bit too well” to the circumstances. On 24 October 1997, after complaints against the documentary, the Autorité indépendante d'examen des plaintes en matière de radio-télévision (AIEP; Independent Authority to Examine Complaints concerning Radio and Television)

ruled that the program was biased and had violated the Federal Law on Radio and Television. It invited the Société suisse de radiodiffusion et télévision (SSR) to take measures to remedy the violation. The film, in which nine historians participated, was called a piece of “committed journalism” that illustrated theses and opinions, not facts, without this being acknowledged. According to the AIEP, Monnat had lacked journalistic diligence. The SSR retorted that it had not been consulted by the AIEP and that it had had no access to two expert reports about the documentary written for the AIEP by historians Jean-Claude Favez and Georg Kreis. A court order enabled the SSR to organize a hearing with the two historians in June 1999. In August 1999, however, the AIEP confirmed its earlier decision. Public sale of the documentary tape was banned. In January 2000, the SSR, Monnat and a historian involved in the program initiated proceedings against the AIEP which would eventually be submitted to the European Court of Human Rights (ECHR). On 21 September 2006, the ECHR considered that the documentary was part of a public debate about a serious and controversial question of general interest (the role of Switzerland during World War II) and that criticism expressed in it was not directed at the Swiss population but at the Swiss leadership during World War II. No complaints came from persons mentioned in the documentary or from their heirs nor from the state. The ECHR added that the passage of time had to be taken into account and that discussions about events of more than fifty years ago had to be judged less severely than those of ten or twenty years ago. Monnat had fulfilled his journalistic responsibility. The sanction, including the ban, had had a chilling effect. The ECHR unanimously ruled that Monnat’s freedom of expression had been violated. On 12 November 2006, TSR broadcast Monnat’s documentary again.

[Source: ECHR, *Affaire Monnat c. Suisse* (Strasbourg 2006).]

In early March 2006, a new, facultative 150-page history textbook for 14- to 18-year-olds in Zürich, *Hinschauen und Nachfragen: Die Schweiz und die Zeit des Nationalsozialismus im Licht aktueller Fragen* (Observing and questioning: Switzerland and the Nazi era in the light of recent questions), written by **Barbara Bonhage**, historian at the Federal Polytechnic in Zürich (ETH Zürich), **Peter Gautschi**, expert on history didactics, **Jan Hodel**, and **Gregor Spuler**, was the object of some controversy. It summarized large parts of the 25-volume report of the Swiss Independent Expert Commission on the Second World War presided by historian Jean-François Bergier (December 1996–March 2002) that had investigated the conduct of Switzerland during wartime. Bonhage and Spuler had participated in the work of the Bergier Commission. In the Great Council of Zürich, Rolf André Siegenthaler called the textbook “indoctrination”. Another politician, Luzi Stamm, spoke of its “self-accusatory” tone. One of the five experts guiding its authors, legal scholar Franz Muheim, declared that his criticism was not dealt with in the textbook, which he called one-sidedly negative. Most historians welcomed the textbook.

[Sources: *Informationen Georg-Eckert Institut*, no. 51, July 2006: 48–50; *Le Temps*, 10 March 2006.]

In February 2007, the ECHR started a reinvestigation of the case of **Martin Stoll**, journalist of *Sonntags Zeitung*, versus the Swiss federal government. In January 1997, Stoll had written two stories that contained leaks from a “confidential” report by the then Swiss ambassador in Washington, Carlo Jagmetti, on negotiations with the World Jewish Congress about unclaimed Jewish assets in Swiss banks. In 1999, Stoll was fined 800 Swiss francs (approximately 648 US dollar) for publishing “official confidential deliberations”. In 2001, he had appealed to the ECHR which ruled in April 2006 by four votes to three that the Swiss authorities had violated Stoll’s right to freedom of expression.

[Source: Reporters Without Borders, *Ifex Alert* (15 February 2007).]

## **SYRIA**

Last Annual Report entry: see NCH #45 (2006).

There was increased discussion within civil society over the issue of combating past impunity, particularly with regard to mass human rights abuses committed since the late 1970s. The fate of more than 17,000 people, mostly Islamists, who “disappeared” after they were detained in the late 1970s and early 1980s, and hundreds of Lebanese and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or Lebanese and Palestinian militias, remained unknown.

[Source: AI, *Report 2007* (2007) 252.]

See also Iraq, Lebanon.

## **TAIWAN**

Last Annual Report entry: see NCH #23 (2001).

## **THAILAND**

Last Annual Report entry: see NCH #38 (2005).

In June 2006, the National Reconciliation Commission, appointed by the Thaksin Shinawatra government in 2005 to help resolve the crisis in the south, submitted its final report. Recommendations included making the local Bahasa dialect, spoken by Muslims, a working language. Some 1900 people were killed in the last three years in ongoing violence in the Songkla, Pattani, Yala, and Narathiwat Provinces in the south.

[Source: AI, *Report 2007* (2007) 255.]

On 16 November 2006, Ministry of Culture officials forced Bangkok Opera to change the final scene in *Ayodhya*, an opera retelling the Ramayana epic and written by composer **Somtow Sucharitkul**. The scene depicted the violent death of demon king Thotsakan (also called Ravan). Contrary to custom, it was originally planned to be shown on-stage rather than off-stage. But the ministry said scenes depicting death were traditionally discouraged in the classical dance of “khon” for fear of provoking misfortune. The opera’s premiere was allowed after Somtow signed a contract stating that the production would not harm local culture and morals.

[Sources: IOC (2007 no.1) 128; Southeast Asian Press Alliance, *Ifex Alert* (24 November 2006).]

## **TIMOR-LESTE**

Last Annual Report entry: see NCH #45 (2006).

Following the closure in May 2005 of the United Nations (UN) tribunal in Dili—comprising an investigator’s office (the Serious Crimes Unit or SCU) and courts (the Special Panels for Serious Crimes)—there was a significant lack of efforts to provide accountability and justice for victims of the Indonesian invasion, occupation, and withdrawal (1975–99). In July 2006, the UN Secretary-General issued a report in which he recommended the resumption of the investigative functions of the SCU but not the judicial functions of the Special Panels (The Special Panels were set up by the UN to conduct trials in alleged cases of crimes against humanity committed by Indonesian military and local

militias against at least one thousand civilians in Timor-Leste between 1 January and 25 October 1999, in the run-up to Timor-Leste's popular consultation and vote on independence in August 1999). [Sources: AI, *Report 2007* (2007) 257; HRW, *World Report 2007* (2007) 336–37.]

In November 2005, the Comissão de Acolhimento, Verdade e Reconciliação de Timor Leste (CAVR; Commission for Reception, Truth, and Reconciliation) submitted its 2,000-page report to Parliament. The CAVR had received 8,000 individual statements and listened to hundreds of victims' testimonies through public hearings. The report found that at least 102,800 Timorese people had died as a result of the Indonesian occupation and accused Indonesian authorities of crimes against humanity and war crimes. It added that the crimes committed in connection with the independence referendum in 1999, while egregious, "were far outweighed by those committed during the previous 24 years of occupation." President Xanana Gusmão distanced himself from its findings and over 200 recommendations. The report was largely ignored by the Timorese government and the international community.

[Sources: AI, *Report 2007* (2007) 257; HRW, *World Report 2007* (2007) 334, 336–37.]

In riots in late May 2006, after Australian and other peacekeepers landed, a mob attacked the SCU archives in Dili. The attorney general's office storing the records was looted, the databases were stolen, and other records, including the files on top Indonesian military commanders like General Wiranto, were stolen. Fortunately, the UN Security Council had required that a copy of the SCU records be made. Another mob threatened the CAVR records, containing, inter alia, interviews with more than 8,000 East Timorese, about human rights violations in East Timor in 1974–99. After archivists informed the Australian government and the UN, guards were instituted and the CAVR records saved.

[Sources: Huskamp Peterson, T., "Temporary Courts, Permanent Records", *United States Institute of Peace Special Report*, no. 170 [August 2006] 2, 3, 6; "Law Report: War, Cultural Cleansing and the Courts" [Interview with archivist Andras Riedlmayer on ABC Radio National] (17 October 2006).]

See also Australia, Indonesia.

## **TOGO**

Last Annual Report entry: see NCH #27 (2002).

**TUNISIA**

Last Annual Report entry: see NCH #23 (2001).

**TURKEY**

Last Annual Report entry: see NCH #45 (2006).

In 2006, writer **Elif Shafak**, her publisher Metis and her translator were charged with “insulting Turkishness” because in her novel *Baba ve Pic* (Father and Bastard; English translation: *The Bastard of Istanbul*) one of the characters had referred to the massacre of Armenians in 1915 as genocide. One character said: “I am the grandchild of a family whose children were slaughtered by the Turkish butchers.” and “I was brought up having to deny my roots and say that genocide did not exist.” On 21 September 2006, she was acquitted because of lack of evidence (and possibly because the charge could harm negotiations between Turkey and the European Union).

[Sources: *Ifex Communique 15–37* (19 September 2006); IOC (2006 no.3) 82–83; IOC (2006 no.4) 200; IOC (2007 no.2) 27.]

In 2006, author **İpek Çalışlar** and **Necdet Tatlıcan**, chief editor of the newspaper *Hürriyet* were accused of insulting the memory of Atatürk (Mustafa Kemal Atatürk, founder of the Turkish Republic and its first president, 1923–38) in a newspaper interview of 4 June 2006 about Çalışlar’s bestselling biography *Latife Hanım* (Lady Latife). The book, about Atatürk’s first wife Latife Uşaklıgil, referred to an anecdote told by Latife’s sister Vecihi—reported in various sources but not substantiated by evidence—about how Atatürk had donned his wife’s hijab (headscarf) once in 1923 to escape assassination by an armed rival. On 19 December 2006, Çalışlar and the others were acquitted. On 13 November 2006, the prosecutor dismissed a complaint against **Ecevit Kilic**, a reporter for *Yeni Aktuel*. The complaint related to an interview with Çalışlar about her book.

[Sources: HRW, *World Report 2007* (2007), 426; IOC (2007 no.2) 27; PEN, *Defamation and “Insult”*: *Writers React* (15 November 2006); PEN, *Half-Yearly Caselist* (London) 2006b: 55.]

In [June] 2006, **Ahmet Önal**, owner of Peri Publishing House, was charged with insulting Atatürk for publishing *Alawitism in Dersim*, a book written by **Munzur Cem** and **Huseyin Baysulun**. In the same month, he was sentenced to thirteen months’ imprisonment on a 2003 charge that writer **Evin Cicek**’s Turkish-language book *Passions and Captives* insulted Atatürk. Önal has had in total 26 cases brought against him in connection with various books he has published.

[Sources: Amnesty International, *Turkey: Article 301—How the Law on “Denigrating Turkishness” is*

*an Insult to Free Expression* (WWW-text; London; March 2006) 5; IOC (2006 no.3) 83.]

On 6 October 2006, **Taner Akçam**, a refugee and a visiting professor of history at the University of Minnesota, United States, wrote an article in *Agos* to defend Hrant Dink (see below). He asserted that he, rather than Dink, had consistently used the term “genocide” to describe the Armenian deportations and massacres of 1915–17 and he urged readers, whether they agreed with the use of the term or not, to protect the right of others who do so and to decriminalize the studying and writing of history. In January 2007, Akçam was charged with “insulting Turkishness”, “instigation to commit a crime”, “praise of a crime and criminal”, and “instigating public animosity and hatred”.

In March 1976, Akçam, then an assistant lecturer in the department of economics at the Middle East Technical University and the editor of the magazine *Devrimçi Gençlik*, had been arrested on six charges arising out of articles he had published. Reportedly sentenced to 750 years’ imprisonment, he had escaped to Germany and the United States.

[Sources: IOC (1976 no. 3) 86; Middle East Studies Association, Letter to Prime Minister Recep Tayyip Erdogan (25 January 2007).]

On 12 October 2006, Orhan Pamuk (see NCH #40) received the Nobel Prize for Literature. After the January 2007 murder of Hrant Dink (see below), he temporarily left Turkey.

[Source: IOC (2007 no.2) 15, 17, 19, 25–29.]

On 1 November 2006, **Muazzez İlmiye Çig** ([1914–]), an archeologist of the Sumerian and Hittite cultures, and **Ismet Ogutcu**, publisher of the Kaynak Publishing House, were acquitted of charges of “inciting hatred by insulting people based on their religion” for which Çig risked eighteen months’ imprisonment. In her book, *Vatandaşlık Tepkilerim (My Reactions as a Citizen)*, Çig had claimed that traditional headscarves were worn first around 3.000 BCE (during the Sumerian period) by women who worked as prostitutes in temples to differentiate them from women who worked primarily as priestesses.

[Sources: IOC (2007 no.2) 27; “Ninety-two-year-old Turkish archaeologist acquitted in headscarf case” (Cihan News Agency-National, 2 November 2006); PEN, *Half-Yearly Caselist* (London) 2006b: 55.]

On 18 November 2006, **Attila Yayla**, a professor of politics, political philosophy, and political economy at Gazi University, Ankara, spoke on a panel of Izmir organized by the local branch of the governing Justice and Development Party (AKP). He maintained that, despite widespread official propaganda, the single-party era between 1925 and 1945, led mainly by Atatürk, was backward in some respects. He was accused of treason in the press and on television for insulting Atatürk. The Rector of Gazi University, Kadri Yamaç, denounced Yayla’s exercise of freedom of expression and

summarily dismissed him. In March 2007, the Izmir Public Prosecutor's office charged him with insulting Atatürk.

[Sources: "Atilla Yayla: What Happened When I Criticized Atatürk, *International Herald Tribune*, 6 December 2006; Middle East Studies Association, Letter to Prime Minister Recep Tayyip Erdogan (7 February 2007).]

On 7 December 2006, **Eren Keskin**, lawyer and former president of the Istanbul chapter of the Human Rights Association, was tried on charges of "insulting Turkishness" for making a speech in 2004 saying that "the official history of Turkey is a dirty history".

[Sources: Amnesty International, *Turkey: Article 301—How the Law on "Denigrating Turkishness" is an Insult to Free Expression* (WWW-text; London; March 2006) 7; World Press Freedom Committee, *It's a Crime: How Insult Laws Stifle Press Freedom: A 2006 Status Report* (Reston, VA 2006) 43.]

On 19 January 2007, **Hrant Dink**, who had received innumerable death threats (thousands, according to some writers in the Turkish press), was murdered. Perhaps as many as 100,000 mourners attended his funeral on 23 January. After his death, charges against him were dropped but not those against **Serkis Seropyan**, co-editor of *Agos*, and **Aydin Engin**, journalist and author. Investigation into Dink's assassination revealed that it was an organized crime. In June 2007, Hrant Dink's son **Arat Dink**, editor of *Agos*, was charged with insulting the Turkish identity for republishing an interview in which his father recognized the Armenian genocide. (See also NCH #48).

[Sources: AI, *Report 2007* (2007) 262; HRW, *World Report 2007* (2007), 426; IOC (2007 no.2) 15–17, 21, 27–28, 32–42, 202; PEN, *Ifex Update* (2 April 2007); PEN, "Statement on the Murder of Hrant Dink in Turkey (19 January 2007); World Press Freedom Committee, *Ifex Alert* (26 June 2007).]

On 7 March 2007, an Istanbul court ordered the national telecommunications company Turk Telecom to block access to the United States video-sharing website **YouTube** because some contributions were considered insulting to Atatürk. In some of the offending videos, Atatürk and the Turkish people were referred to as homosexuals. In others, insults had been affixed to the Turkish flag and Atatürk's portrait. Thousands of emails were reportedly sent to YouTube by Turkish Internet users protesting against the videos. Access was restored two days later after YouTube removed the offending videos. On 22 May 2007, a bill passed by Parliament on 4 May 2007 and allowing the authorities to block websites which violated the 1951 law on insults to Atatürk's memory became law.

[Source: Reporters without Borders, *Ifex Alert* (9 March & 24 May 2007).]

In March 2007, British publisher HarperCollins received a letter from the publisher in Istanbul of the Turkish translation of *The Great War for Civilisation*, a book by British journalist **Robert Fisk**, announcing that they would not organize a press campaign for the book. The reason was that it

contained a chapter entitled “The First Holocaust” about the 1915 Armenian genocide. In an article for *The Independent*, Fisk wrote that the Turkish-language edition of *A Shameful Act: The Armenian Genocide and the Question of Turkish Responsibility* (first German edition 1996; first Turkish edition 1999), a book by **Taner Akçam** (see above), was likewise received without publicity and without a single book review.

[Source: Fisk, R., “The Truth Should Be Proclaimed Loudly”, *Independent*, 17 March 2007.]

In April 2007, it was revealed that the Turkish-language edition of the Dutch-language book *De Brug* (The Bridge), entitled *Köprü*, a book about the Galata bridge in Istanbul written by Dutch historian and author **Geert Mak**, had been doctored. Changes included “migration” for the 1915 “deportation” of Armenians and deletion of a sentence about the “legendary cruelty” of Sultan Mehmet II. Although 20,000 copies were already distributed, the Foundation Collective Propaganda for the Dutch Book in Amsterdam who had published the book in Dutch offered buyers to replace the doctored version by an accurate one.

[Source: *NRC Handelsblad*, 7–8 April 2007: 1, 7; 10 April 2007: 9; 11 April 2007: 7.]

**Ragip Zarakolu**’s trial in relation to publication of a translated version of *The Truth Will Set Us Free: Armenians and Turks Reconciled* (also translated as *History Will Free Us All: Turkish-Armenian Conciliation*), a book by Armenian writer **George Jerjian** about the 1915 Armenian genocide, was postponed several times, the last time until May 2007 (see NCH #45). In the light of Hrant Dink’s murder (see above), Zarakolu, temporarily residing in the United States, decided not to attend a court hearing on 15 March 2007. On 3 May 2007, Zarakolu was acquitted, but the book’s translator, **Attila Tuygan**, was found guilty of “insulting the state and the memory of Atatürk”.

[Source: PEN, *Ifex Update* (2 April & 10 May 2007).]

See also France, Netherlands, United Nations.

## **TURKMENISTAN**

Last Annual Report entry: see NCH #37 (2004).

## UGANDA

Last Annual Report entry: see NCH #45 (2006).

In 2006, President Yoweri Museveni offered to grant amnesty to the top five leaders of the rebel group Lord's Resistance Army (Joseph Kony, Vincent Otti, Okot Odhiambo, Dominic Ongwen and Raska Lukwiya), if a peace deal was reached. The offer was made despite arrest warrants against them for crimes against humanity and war crimes issued by the International Criminal Court in 2005.

[Source: AI, *Report 2007* (2007) 12, 19, 266.]

## UKRAINE

Last Annual Report entry: see NCH #5 (1996).

## UNITED KINGDOM

Last Annual Report entry: see NCH #45 (2006).

In 2006, Sinn Fein leader Gerry Adams had his invitation to the opening of an exhibition of images of Che Guevara in a London museum withdrawn after museum authorities decided that the presence of politicians would not be "relevant." Adams noted that "it would appear that if Che was alive, he would be barred from his own exhibition."

[Source: IOC (2006 no.3) 118–19.]

On 14 March 2007, a controversial lecture at Leeds University by German political scientist **Matthias Kuentzel** (1955–), research associate (2004–) at the Vidal Sassoon International Centre for the Study of Antisemitism (SICSA), Hebrew University, Jerusalem, was abruptly canceled due to security concerns. According to Kuentzel, three emails from Muslim students had triggered a change of the title of the lecture (from "Hitler's legacy: Islamic Antisemitism in the Middle East" to "The Nazi Legacy: Export of Antisemitism into the Middle East") and shortly thereafter the cancellation of the lecture altogether. The Head of the German Department who had invited Kuentzel had concluded that the initial title of the lecture was potentially inflammatory given the University's large Muslim population.

[Source: Kuentzel, M., "'Freedom of Expression' at Leeds University", *Scholars for Peace in the Middle East* (3 April 2007).]

See also Austria, Grenada, Kenya, United States.

## UNITED NATIONS

A United Nations photo exhibition on the 1994 Rwanda genocide, scheduled to be opened on 9 April 2007 by Secretary-General Ban Ki-moon, was dismantled because of Turkish objections to a reference which read: "During World War I, a million Armenians were murdered in Turkey." The reference was intended to explain the word "genocide", coined by Raphael Lemkin in 1944 with, inter alia, the Armenian massacres in mind. Although after diplomatic consultations the words "in Turkey" were removed, the exhibition was postponed.

[Source: *International Herald Tribune*, 9 & 10 April 2007.]

## UNITED STATES

Last Annual Report entry: see NCH #45 (2006).

The French embassy in New York canceled a party in honor of **Carmen Callil's** new book *Bad Faith*, an account of the deportation of thousands of French Jews to Auschwitz, because it could not endorse Callil's opinion in the postscript that Israeli Jews were oppressing Palestinians in a way that could be equated with the treatment of Jews in Nazi-occupied France.

[Source: IOC (2007 no.1) 131.]

In 2006, the family of high school student Candice Hardwick, 15, was suing school officials in South Carolina who barred her from wearing a t-shirt illustrated with the Confederate flag. The school did not ban the flag, but did ban "potentially disruptive" clothing. Some believe that flying the flag was an endorsement of the support by the pre-1865 Confederacy for black slavery.

[Source: IOC (2006 no.3) 119.]

In 2006, a secret Central Intelligence Agency (CIA) *Clandestine Service History*, written in 1958, was declassified (after censorship) after a FOIA request by **Charles Gati**, professor at Johns Hopkins University, Washington, for his book *Failed Illusions: Moscow, Washington, Budapest, and the 1956 Hungarian Revolt* (2006). It revealed that the CIA had only one Hungarian-speaking officer stationed in Budapest at the time and did not foresee either the uprising or the Soviet invasion.

[Source: National Security Archive, "CIA Had Single Officer in Hungary 1956" (Update; 31 October

2006).]

In June 2006, the Federal Government released a heavily censored version of a 40-page affidavit that the Federal Bureau of Investigation (FBI) used to obtain the warrant for an unsuccessful search of a farm for the remains of labor leader Jimmy Hoffa (1913–75?), who “disappeared” in July 1975. In the released copy, twelve pages were completely blacked out and some other pages were partially blacked out.

[Source: IOC (2006 no.3) 119]

In June 2006, the Governor of Florida Jeb Bush approved the Education Omnibus Bill for Florida public schools which reportedly contained the following passage: “The history of the United States shall be taught as genuine history and shall not follow the revisionist or postmodernist viewpoints of relative truth...American history shall be viewed as factual, not as constructed.” American historians were very critical of the law. Shortly after the U.S.-led coalition forces invaded Iraq in 2003 and again on Veterans Day in 2005, his brother, President George W. Bush, attacked “revisionist historians” who questioned his justification for the invasion. “It is deeply irresponsible,” President Bush declared, “to rewrite the history of how the war began.”

[Source: Zimmerman, J., “A Florida Law Banning Relativism in Classes Ignores Reality and 75 Years Of Academic Tradition”, *Los Angeles Times* (7 June 2006).]

On 4 October 2006, the Polish consulate in New York annulled a meeting where British-Jewish historian **Tony Judt** (1948–), professor of European history and director of the Erich Remarque Institute, New York University, was scheduled to speak for the Network 20/20 about “The Israel Lobby & US Foreign Policy,” after telephone calls from the Anti-Defamation League (ADL) and the American Jewish Committee. Judt himself also canceled a speech entitled “War and Genocide in European Memory Today” at Manhattan College in the Bronx later the same month after a different Jewish group complained and the organizers had asked him not to refer directly to Israel. Over the past years, Judt wrote essays in *The New York Review of Books* (NYRB), the *London Review of Books*, the *New York Times* and the Israeli newspaper *Haaretz* arguing that religious and territorial fundamentalism prevailed in Israel, which, combined with Zionism, this would lead to an unviable communal Jewish state, and that the only solution was a binational, secular state. He was also critical of the American-Israeli lobby. In 2003, Judt was reportedly removed from the editorial board of *The New Republic* after he wrote a critical essay about Israel in the NYRB. In support of Judt, the NYRB published an open letter to the ADL signed by over hundred intellectuals.

[Sources: IOC (2007 no.1) 131; Lila, M., & R. Sennett, “The Case of Tony Judt: An Open Letter to the ADL”, *New York Review of Books* (16 November 2006); *Washington Post*, 9 October 2006: A03.]

In 2006, according to some sources, the ADL had also accused **Norman Finkelstein** (1953–), a Jewish political scientist at DePaul University, Chicago, strongly opposed to Israeli policies and author of *The Holocaust Industry: Reflections On the Exploitation of Jewish Suffering* (2000, 2003) of being a “Holocaust denier”, but the charges proved unfounded. After Finkelstein publicly attacked *The Case for Israel* (2003), a book by Alan Dershowitz, Harvard University Law School, Dershowitz attempted to prevent a written version of the attack, *Beyond Chutzpah: On the Misuse of Anti-Semitism and the Abuse of History* (2004) by sending threatening letters to the University of California Press, and to block Finkelstein’s candidacy for tenure by sending a critical dossier to members of DePaul’s Law School and of its political science department.

[Sources: Middle East Studies Association, Letter to Dennis Holtschneider, President De Paul University, Chicago (10 April 2007); *Washington Post*, 9 October 2006: A03].

In 2007, Human Rights Watch reported that the Bush administration was more hostile to releasing information to the press than prior administrations, moving to reclassify information that had been in the public domain, to reverse the presumption toward disclosure under the Freedom of Information Act, and to greatly restrict public access to presidential papers, an important source of information on public policy.

[Source: HRW, *World Report 2007* (2007) 65.]

On 1 January 2007, the administration of Harker School, San José, California, abruptly canceled a talk, scheduled for 19 January, by **Joel Beinin**, historian of the modern Middle East and of Jewish history, member of the faculty of Stanford University for more than a quarter century, former president of the Middle East Studies Association of North America, and director of the Center for Middle East Studies at the American University in Cairo. When revoking the invitation, the administration cited pressures (reportedly including the executive director of the Jewish Community Relations Council of Silicon Valley) that threatened to undermine its financial position and public reputation. Beinin was a scholar critical of United States foreign policy and the policies of the Israeli government.

[Source: Middle East Studies Association, Letter to Christopher Nikoloff, Head of School, Harker School, San José, California (14 February 2007).]

In March 2007, the American Historical Association (AHA) adopted a “Resolution on United States Government Practices Inimical to the Values of the Historical Profession” with 1,550 (75.61%) in favor and 498 (24.29%) against. The number of voting members represented 14.67% of the AHA membership.

[Source: American Historical Association at <http://www.historians.org>.]

See also Bolivia, Cambodia, China, Germany, Grenada, Iran, Iraq, Japan, Mexico, Netherlands, Sierra Leone, Switzerland, Turkey.

## URUGUAY

Last Annual Report entry: see NCH #45 (2006).

In late August 2006, **Carlos Demasi**, professor of national history at the Instituto de Profesores Artigas, associate professor in the Centro de Estudios Interdisciplinarios Uruguayos, coordinator of the project “The Uruguay of Crisis and Dictatorship (1967–85)”, and former president of the Asociación de Profesores de Historia del Uruguay, was publicly criticized by some military and politicians. Among them was former President Luis Hierro López who said that Demasi’s view was the view of the left-wing political party Frente Amplio (Broad Front). The aim of the intervention was reportedly to influence the work of the commission (of which Demasi was a member) that edited a new history textbook on Uruguay in the late twentieth century for secondary schools. In the weekly *Búsqueda* and during a lecture to secondary-school history teachers at the Colegio San José de la Providencia, Demasi had commented on his research about the period of the military dictatorship (1973–85), said that the democracy deteriorated gradually between 1968 and the 1973 coup, criticized the cooperative attitude of the political parties (blancos and colorados) and their leaders to the army during that period, and discussed the question whether the guerrilla (active since 1963) or the army was primarily responsible for the violence leading to the coup. On 19 September 2006, 500 historians from Europe and the Americas signed an open letter to President Tabaré Vázquez Rosas in support of Demasi.

[Sources: Academia Solidaria de Historia a Debate (Santiago de Compostela 2006); *Diario La República* (Montevideo), 26 August 2006: 3; 15 September 2006: 32; 22 September 2006: 35; *Espectador* (Montevideo), 26 November 2006.]

Journalists **Pablo Meléndrez**, **Leonardo Pérez**, **María José Pino** and **Soledad Acuña** were attacked at the Military Club, Montevideo, by people dressed as civilians after they had begun questioning former President General Gregorio Álvarez (ruled 1981–85) about human rights violations during the military dictatorship (1973–85).

[Source: IOC (2006 no.4) 202.]

Although the Expiry Law of 1986 preventing legal proceedings against members of the security forces from the military period (1973–85) remained in force, some judicial decisions revealed progress in the fight for justice for victims of past human rights violations. In September 2006, a

Penal Judge in Montevideo found six military officers and two former policemen guilty of organized crime and of kidnapping Uruguayan members of the opposition group Partido por la Victoria del Pueblo (Party for People's Victory) in Argentina in 1976 as part of Operation Condor. They had not been sentenced by the end of 2006. In November 2006, the 11th Penal Judge ordered the detention and trial of former President Juan María Bordaberry (ruled 1971–76) and former Minister of Foreign Affairs Juan Carlos Blanco. They were charged with the murders of parliamentarians Zelmar Michelini and Hector Gutierrez Ruiz, along with two members of the Tupamaro guerrilla group Movement of National Liberation (Movimiento de Liberación Nacional), Rosario Barredo and William Whitelaw, in Argentina in 1976. The decision was under appeal at the end of 2006.

[Source: AI, *Report 2007* (2007) 25, 277.]

## **UZBEKISTAN**

Last Annual Report entry: see NCH #45 (2006).

Since Uzbek government forces killed hundreds of unarmed protestors in the city of Andijan on 13 May 2005, no one was held accountable for the killings. The authorities rejected numerous calls for an independent international inquiry into the massacre. Instead, they conducted closed trials and continued their campaign to silence critics of the government's version of events. Some of those tried were convicted of terrorism, the courts finding that the defendants had been plotting to set up an Islamic caliphate in Uzbekistan. But the trials appeared largely to have been staged to support the government's version of events and to provide justification for the crackdown that followed. On 8 September 2006, Dadakhon Khasanov, a well-known singer and songwriter, was given a suspended three-year prison sentence for writing and performing a song about the Andizhan events.

[Sources: AI, *Report 2007* (2007) 123, 278, 279; HRW, *World Report 2007* (2007) 442, 444.]

**VATICAN**

Last Annual Report entry: see NCH #37 (2004).

**VENEZUELA**

Last Annual Report entry: see NCH #45 (2006).

**VIETNAM**

Last Annual Report entry: see NCH #45 (2006).

**YEMEN**

Last Annual Report entry: see NCH #32 (2003).

**ZIMBABWE**

Last Annual Report entry: see NCH #45 (2006).

See Ethiopia.