Network of Concerned Historians	NCH
Annual Report 2022	http://www.concernedhistorians.org

## INTRODUCTION

This twenty-eighth Annual Report of the Network of Concerned Historians (NCH) contains news about the domain where history and human rights intersect, in particular about the censorship of history and the persecution of historians, archivists, and archaeologists around the globe, as reported by various human rights organizations and other sources. It mainly covers events and developments of 2021 and 2022.

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

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		2022	<u>2021</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>
2014	2013	2012	2011	2010	2009	2008	2007	2006	2005
2004	2003	2002	<u>2001</u>	<u>2000</u>	<u>1999</u>	<u>1998</u>	<u>1997</u>	<u>1996</u>	<u>1995</u>

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## **AFGHANISTAN**

Previous Annual Report entries: 2000–2016, 2018, 2021.

On 4 August 2021, historian and poet Abdullah Atefi (?–2021) was tortured and killed in the Chora district, Uruzgan province. During the night of 3 and 4 August, Taliban forces allegedly took him out of his home and shot him on the street. A member of the Afghan branch of PEN International since 2008, Atefi established himself as a writer of the history of Pashto literature and culture after having graduated with master's degrees in economics and engineering. Despite featuring regularly in regional publications, several of his works remained unpublished due to financial difficulties and he had made a living by cultivating land and working as a literature teacher at a local secondary school. The Taliban denied any involvement in the murder.<sup>1</sup>

During the presidency of Hamid Karzai (2004–2009), M. N., a history professor and author of a number of books on Afghan history, was threatened multiple times by members of the Taliban, after he had repeatedly denied their requests. Then, in 2018, his son was allegedly killed by the Taliban. After the Taliban took over Afghanistan on 16 August 2021, M. N.'s life was supposed to be in danger.<sup>2</sup>

On 18 August 2021, three people were killed in Jalalabad, when Taliban fighters fired at protesters waving the national flag. On 19 August, the 102nd anniversary of Afghanistan's independence on 19 August 1919, Taliban fighters surrounded protesters in Kabul showing the national flag and shouting "our flag, our identity." In demonstrations on the same day in Asadabad, two people were reportedly killed during a demonstration in which the white flags of the Taliban were torn down.<sup>3</sup>

After the Taliban took over power on 16 August 2021, they damaged and destroyed a number of historical sites. On [18] August, members of the Taliban damaged the statue of Abdul Ali Mazari (1946–1995), the political leader of the Hazara-dominated Hezb-e Wahdat (Unity Party), in Bamiyan, Central Afghanistan. In November, a replica of the Koran was put on the pedestal and the central Mazari square was renamed. Mazari had played a prominent role in the anti-Soviet resistance during the Soviet-Afghan War (1979–1989) and against the Taliban in the Civil War (1992–1996), during which he was abducted,

<sup>&</sup>quot;Afghanistan: PEN International and PEN Norway Condemn the Murder of Afghan PEN Member," PEN International (5 August 2021); "Afghan Poet, Historian Killed By Taliban, Says Official," Gandhara-RFE/RL (5 August 2021); "Afghanistan: Outrage at Second Murder of Afghanistan PEN Member by Taliban," PEN International (9 August 2021).

<sup>&</sup>lt;sup>2</sup> Ben Kiernan, personal communication (14 September 2021).

<sup>&</sup>lt;sup>3</sup> Hannah Ellis-Petersen & Dan Sabbagh, "Several Reported Killed as Taliban Shoot at Crowds Waving Afghan Flag," Guardian (19 August 2021).

tortured, and killed. In 2016, he was proclaimed a "Martyr of National Unity" by then-President Ashraf Ghani.

In [September], members of the Taliban painted over a mural commemorating Tetsu Nakamura ([1956/7]–2019), a Japanese doctor and aid worker, who had worked in Peshawar and Nangarhar since 1984. The memorial was replaced by a slogan congratulating the nation for their "victory."

On 16 September, members of the Taliban destroyed a historic fort in the town of Girishk, Helmand province, allegedly to make room for a religious school.<sup>4</sup>

On 29 August 2021, Abdul Baqi Haqqani, the Taliban-appointed higher education minister, announced a review of the curricula along the lines of "Islamic, national and historical values." In September 2021, Taliban authorities also imposed a society-wide prohibition on "insulting national figures." Many female history and archaeology students were unable to pursue their studies, as most educational institutions for girls and women closed after the Taliban took power.<sup>5</sup>

See also Australia, United Kingdom.

## **ALBANIA**

Previous *Annual Report* entries: 1996, 2012, 2015–2021.

In March 2021, the construction of the Bypass Road in Gjirokastër, a UNESCO World Heritage site, began. The construction work was in violation of national regulations and would destroy the archaeological remains of the Old Varosh neighborhood and the Zerze bili bridges, among others.<sup>6</sup>

On 19 October 2021, the European Commission concluded that no investigations had been conducted into cases of persons who went missing during the Communist regime (1946–1991) [See NCH *Annual Report 2017, 2020–2021*]. On 3 February 2022, the Authority for Information on Former State Security

Peter Beaumont, "Japanese Aid Chief among Six Dead in Afghanistan Attack," Guardian (4 December 2019); "Taliban Blow Up Hazara Leader Abdul Ali Mazari's Statue in Bamiyan," India Today (18 August 2021); Akhtar Mohammad Makoii, "The Soul of Kabul': Taliban Paint Over Murals with Victory Slogans," Guardian (7 September 2021); "Taliban vernielen historische vesting in Afghanistan met bulldozers," Nu.nl (17 September 2021); Aletta André, "Hazara vrezen voor erfgoed en veiligheid onder Taliban," NOS (6 December 2021).

<sup>5</sup> Shadi Khan Saif, "Taliban Takes Over Higher Education, Rule Threatens Women's Education," University World News (2 September 2021); Scholars at Risk, Free to Think 2021 (New York: SAR, 2021), 44; Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 22; "Taliban Decide Against Opening Schools to Girls in Afghanistan Beyond Age of 11," Guardian (23 March 2022).

<sup>&</sup>lt;sup>6</sup> World Heritage Watch, Report 2021, (Berlin: WHW, 2021), 65–69.

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Documents and the State Police signed an agreement to work together to revive stalled efforts to find the remains of people who disappeared.<sup>7</sup>

After the publication of *Free* on 28 October 2021 – a memoir about coming of age during and after Enver Hoxha's Communist regime (1941–1985) – Lea Ypi, professor of political theory at the London School of Economics, received "offensive, accusatory and defamatory" messages, including sexist comments and personal attacks.<sup>8</sup>

On 27 July 2022, the Autoriteti për Informimin mbi Dokumentet e Ish-Sigurimit të Shtetit (AIDSSH; Information Authority on Former State Security Documents) sent to parliament documents confirming that five public and elected officials, including former President Ilir Meta (in office between 2017–2022), had been involved with the Sigurimi, the secret police service of the People's Socialist Republic of Albania (1944–1991). According to the files, Meta had voluntarily spied on a friend who had tried to illegally cross the then closed-off border. In addition to the information, the AIDSSH reiterated its request to parliament to update the law on politicians' verification procedures. Following the dissolution of the People's Republic, two commissions were established to run background checks on politicians' ties to the Communist regime. The current law did not allow the AIDSSH to override the decisions of these commissions.

See also Azerbaijan.

## **ALGERIA**

Previous *Annual Report* entries: 1996, 2001–2019, 2021.

On 22 April 2021, Said Djabelkhir, a professor specialized in Sufi Islam, was convicted by the Sidi M'hamed Court of First Instance for "offending the Prophet of Islam" and "denigrating the dogma or precepts of Islam" and sentenced to three years in prison and a fine of 50,000 Algerian dinars. On Facebook, Djabelkhir had published three posts, in which he described certain hadiths (reports of

Gjergj Erebara, "Albanian Prosecutor Declines to Probe Communist-Era Disappearances," Balkan Insight (22 October 2021); "Albania Reluctant To Find Its 6,000 Missing Communism Victims — Analysis," Eurasia Review (26 October 2021); Fjori Sinoruka, "Albanian Officials Agree to Cooperate to Find Communist-Era Missing," Balkan Insight (3 February 2022).

<sup>&</sup>lt;sup>8</sup> Matthew Weaver, "<u>Author Says Memoir of Communist Albania Met With 'Vicious' Abuse</u>," *Guardian* (3 January 2022).

<sup>&</sup>quot;Startling Revelation: Ilir Meta's Name Found in Former-State Intelligence Files," Euronews (27 July 2022); "Former President Ilir Meta's Name Appears in Communist Intelligence Files," Exit News (27 July 2022).

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statements by the Prophet Muhammad) as "apocryphal," called some stories in the Quran "myths," and

made comparisons between the Islamic holiday Eid al-Adha and the Berber new year celebration.

During his trial, he defended the posts as "academic reflections." <sup>10</sup>

On 26 June 2021, authorities arrested former Member of Parliament Nordine Ait Hamouda and

remanded him in custody in Algiers pending investigation for "insulting symbols of the state," and

"attacking a former President of the Republic." The charges referred to his comments on the privately-

owned local Al Hayat TV channel a few days earlier calling historic figures including Emir Abdelkader

(1808–1883), a religious and military leader who fought against French colonial forces, and Houari

Boumédiène (1932-1978), the chairman of the Revolutionary Council (1965-1976) and second

president of Algeria (1976–1978), "traitors." On 23 June 2021, the Ministry of Communication had

also ordered a one-week suspension of Al Hayat TV. Ait Hamouda was granted provisional release on

23 August after two months in prison.<sup>11</sup>

See also France.

**ANTIGUA & BARBUDA** 

See Grenada.

**ANGOLA** 

Previous Annual Report entries: 2003, 2009, 2017, 2020.

**ARGENTINA** 

Previous Annual Report entries: 1997–2021.

On 24 February 2022, in a so-called truth trial, judge Zunilda Niremperger opened an investigation into

the 1924 Massacre of Napalpí in the court of Resistencia, Chaco Province. On 19 July 1924, some 130

police and ranchers with guns descended on protesting residents of the Napalpí indigenous reservation

<sup>10</sup> Scholars at Risk, Free to Think 2021 (New York: SAR, 2021), 20.

Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 30.

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where Qom and Moqoit people lived in conditions of semi-slavery, forced to work on the cotton fields. Responding to then-governor Fernando Centeno, the attackers killed between 300 and 500 people.

Niremperger would hear evidence about this crime against humanity from one 114-year-old survivor, from three other deceased survivors with whom taped interviews had been held, from relatives of other deceased survivors who received information according to indigenous oral traditions, from the Institute del Aborigen Chaqueño (IDACH; Institute of the Indigenous Chaqueño) and from several historians, including Pedro Solans and Qom historian Juan Chico (?–2021). It was the first time in the history of Argentina that an act of genocide against indigenous peoples was brought to trial. Chaco Governor Jorge Capitanich, acting as the plaintiff in the case, said that even though they were no longer alive, the perpetrators "must and deserve to be convicted in the collective memory of the indigenous peoples." In 2008, Capitanich had apologized on behalf of the government to the Napalpí victims.

On 19 May 2022, the court found the state guilty of the Napalpí massacre and ordered reparations to be awarded, including the massacre being added to Argentina's school syllabus and continuing forensic efforts to find the victims' remains. No financial reparations were sought.<sup>12</sup>

See also United Kingdom.

## **ARMENIA**

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

See Azerbaijan, Greece.

## **AUSTRALIA**

Previous Annual Report entries: 1997, 2001, 2003, 2007–2009, 2014–2016, 2018–2021.

In 2018, Benjamin Roberts-Smith, a former Special Air Service (SAS) corporal, filed a defamation suit against Fairfax Media and journalists Nick McKenzie, Chris Masters, and former journalist David Wroe, claiming that articles published in The Sydney Morning Herald, The Age, and The Canberra

<sup>&</sup>quot;Resistencia: Este jueves realizarán una audiencia preliminar al juicio por la verdad para la Masacre de Napalpí," Fiscales.gob.ar (22 February 2022); "Landmark Napalpí Massacre Trial Begins in Argentina, 98 Years after Indigenous Killings," Buenos Aires Times (20 April 2022); "Argentina Found Guilty of Massacre of Qom and Moqoit People," BBC News (20 May 2022).

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Times about unlawful killings allegedly committed by or implicating Robert-Smith during the War in Afghanistan (2001–2021), had damaged his reputation. The respondents were relying on a defense of truth. The trial was ongoing in 2022.<sup>13</sup>

On 14 May 2021, the Yoo-rrook Justice Commission, the first independent truth-telling body in Australia, was established in the state of Victoria. Its mandate was to create an official record of the impact of colonization on First Peoples in Victoria using First Peoples' stories and make detailed recommendations about practical actions and reforms needed in Victoria. 14

In June 2021, during federal parliamentary inquiry sessions into Rio Tinto's destruction of Juukan Gorge [See below and see NCH *Annual Reports* 2020–2021], the Eastern Guruma – Aboriginal owners of the Marandoo mine in Western Australia – told that they had been kept in the dark for decades over the destruction by Rio Tinto of hundreds of cultural artefacts from ancestral burial sites between 1995–1997. On 2 February 1992, the Western Australian government had granted consent under the Aboriginal Heritage Act – the same legislation which allowed Rio Tinto to blow up the Juukan Gorge in May 2020 – to Rio Tinto's application for a large mine at Marandoo on the condition that it would avoid a significant rock art complex, protect the Thoongari burial sites, and salvage important materials of the sites that would be destroyed. Three days later, the government had passed an additional law, the Marandoo Act, which effectively prevented any legal challenges from Aboriginal people. Rio Tinto's CEO Simon Trott said the company was "not proud of its history" at the Marandoo Mine and was engaging with traditional owners to right "historical wrongs." The company continued to operate under the 1992 Marandoo Act.<sup>15</sup>

In 1990, investigative journalists Brian Toohey and William Pinwill published *Oyster: The Story of the Australian Secret Intelligence Service*, a history of the role played by the Australian Secret Intelligence Service (ASIS) in CIA operations in Chile in the 1970s. The book was censored by the government before publication to keep details of ASIS's operations secret. Over thirty years later, during a closed hearing at the Administrative Appeals Tribunal (AAT) in June 2021, government officials provided Clinton Fernandes, a former army intelligence analyst and professor of international and political studies at the University of New South Wales, Canberra, with several hundred records related to the

Jamier McKinnell, "Everything You Wanted to Know about Ben Roberts-Smith's Defamation Case," ABC News (29 June 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 23-24.

<sup>&</sup>quot;Yoo-rrook Justice Commission," First Peoples' Assembly of Victoria (14 May 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 53; First Peoples – State Relations Group, "Truth and Justice in Victoria," Victoria State Government (5 October 2021).

Lorena Allam, "Rio Tinto Accused of Allowing Irreplaceable Indigenous Artefacts To Be Dumped in Rubbish Tip," Guardian (25 June 2021).

opening, administration, and closing of the ASIS Office in Santiago, Chile, between 1970 and 1973. However, the documents handed over to Fernandes, who had previously pressed the government to declassify historical national security files on ASIS operations in Indonesia and Cambodia [See NCH *Annual Reports 2014–2015*], were heavily redacted reports that contained little information about its actual operations or its liaison relations with the CIA in Chile. On 2 June, a government executive at the AAT hearing had contended that any release of documents, fifty years later, would "harm" Australia's ability to conduct international relations. In the aftermath of the case, the AAT deliberated whether to compel the government to re-release the heavily censored historical records with fewer redactions.<sup>16</sup>

In October 2021, the Joint Standing Committee on Northern Australia, a parliamentary commission, published its report on the destruction of indigenous heritage sites at Juukan Gorge [See NCH *Annual Reports 2020–2021*] and recommended, among others, that the Australian parliament amend the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 to make the Minister for Indigenous Australians responsible for all Aboriginal and Torres Strait Islander Cultural Heritage matters and to adopt minimum standards which include "a record of past destruction of cultural heritage sites (with adequate safeguards to protect secret information and ensure traditional owner control of their information on any database)."<sup>17</sup>

Throughout 2021, military historians from the official Australian War Memorial (AWM) history unit, set up in 2016 to investigate Australia's combat operations in Iraq (2003–2011) and Afghanistan (2001–2014), and peacekeeping operations in East Timor (1999–2012) and led by historian Craig Stockings, were denied access by the Defense Department to the unredacted final report of the Brereton Inquiry, an inquiry into war crimes committed by the Australian Defense Force during the War in Afghanistan (2001–2021), that had been published in November 2020. The reason stated was that disclosure could

Australia rechaza revelar su rol en el golpe de Estado en Chile," Der Welt (2 June 2021); Peter Kornbluh, "Australian Spies Aided and Abetted CIA in Chile," National Security Archive (10 September 2021).

<sup>&</sup>quot;Mining Firm Rio Tinto Sorry for Destroying Aboriginal caves," BBC News (31 May 2020); "Mining Firm Desecrated Australia Aboriginal site," BBC News (2 August 2013); Tiffanie Turnbull, "Destruction of Ancient Aboriginal Site Sparks Calls for Reform in Australia," Thomson Reuters Foundation News (29 May 2020); Deanna Kemp, Andrew Hopkins & John Owen, "How Rio Tinto Can Ensure Its Aboriginal Heritage Review Is Transparent and Independent," The Conversation (22 June 2020); "Rio Tinto Chief Jean-Sébastien Jacques to Quit over Aboriginal Cave Destruction," BBC News (11 September 2020); Nick Toscano & Hamish Hastie, "Rio Tinto CEO, Top Executives Resign amid Cave Blast Crisis," Sydney Morning Herald (11 September 2020); Melanie Burton, "Rio Tinto Should Pay Restitution for Sacred Aboriginal Caves Blast — Inquiry," Reuters (9 December 2020); "Rio Tinto Chief to Step Down over Cave Destruction," BBC News (3 March 2021); Joint Standing Committee on Northern Australia, A Way Forward: Final Report into the Destruction of Indigenous Heritage Sites at Juukan Gorge (Canberra: Parliament of the Commonwealth of Australia, 15 October 2021), xxv-xxvi; Scarlett Evans, "Dreams of Saving Sacred Land Dies in the Dust," Index on Censorship, 50 no. 4, 30–33.

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inadvertently tip off suspects and prejudice ongoing court trials. According to the AWM, "official historians are granted unrestricted access to closed period and security classified government records." <sup>18</sup>

In February 2022, independent senator Rex Patrick asked the Administrative Appeals Tribunal (AAT) to order "the release of previously secret cabinet documents about Australia's dealing with Timor-Leste following its 1999 independence vote." At the time, Timor-Leste was governed by the United Nations Transitional Administration in East Timor (UNTAET). Former Australian foreign affairs department officer Philip Dorling had filed an affidavit with the AAT recalling a 2000 private conversation with the Australian foreign minister Alexander Downer in which the latter made remarks that Dorling interpreted as confirming that East-Timorese leaders, including Xanana Gusmão, José Ramos-Horta and Joao Carrascalao, had been the subject of an extensive electronic surveillance campaign mounted by Australia. Patrick had already secured the release of parts of the documents which showed that the Australian cabinet in 2000 was preoccupied with the interests of big oil and gas corporations, fearing that the independence of Timor-Leste could disrupt access to the vast underwater reserves in the Timor Sea [See NCH *Annual Reports 2014–2015, 2021*]. 19

## **AUSTRIA**

Previous Annual Report entries: 2000–2001, 2005–2007, 2009, 2018, 2020.

## **AZERBAIJAN**

Previous *Annual Report* entries: 1995, 1997–1998, 2008–2013, 2015–2021.

On 31 January 2022, Fakhraddin Hasanzade, producer of the history program "Secrets of a Hundred Years" at the state-run broadcaster AzTV, filed his resignation, after AzTV had canceled the screening on his program of a film about Mammad Amin Rasulzade (1884–1955), who was the President of the Azerbaijani National Council when it proclaimed the Azerbaijan Democratic Republic (1918–1920). AzTV did not give an explanation for the cancelation of the film, which had repeatedly been announced by Hadanzade on social media, but it was allegedly related to two lines – "Rasulzade is the founder of

<sup>&</sup>lt;sup>18</sup> Chris Masters & Nick McKenzie, "War Memorial Historians Denied Access to Afghanistan War Crimes Report," *The Age* (23 November 2021).

Christopher Knaus, "Alexander Downer Called Timor-Leste an 'Open Book' for Australia in 2000, Tribunal Hears," Guardian (8 February 2022).

Azerbaijan" and "Rasulzade is the sincerest love of the Azerbaijani nation" – in the movie. Rasulzade was part of an ongoing controversy between the ruling Yeni Azərbaycan Partiyası (YAP; New Azerbaijan Party) and the liberal-nationalist opposition party Müsavat: the government had repeatedly downplayed the legacy of Rasulzade and the Democratic Republic, allegedly because the latter's democratic credentials were more impressive than YAP's autocratic rule and to discredit Müsavat, founded by Rasulzade in 1911.<sup>20</sup>

On 3 February 2022, Minister of Culture Anar Karimov announced the formation of a working group tasked with removing "fictitious traces written by Armenians" on churches in territories reclaimed during the 2020 Nagorno-Karabakh war. This referred to a theory that gained prominence, but was dismissed by historians, that Armenian inscriptions in churches on now-Azerbaijani territory were later additions to churches built when the region was known as Caucasian Albania (2nd–8th centuries). After widespread criticism, the ministry published a statement on 7 February, reaffirming the working group but not mentioning any future removal, and stating that "Azerbaijan has always been respectful of its historical and cultural heritage" [See NCH *Annual Report 2021*].<sup>21</sup>

<sup>&</sup>lt;sup>20</sup> Ulkar Natiqqizi, "<u>Cancellation of Azerbaijani Historical Biopic Sparks Controversy</u>," *Eurasianet* (31 January 2022).

<sup>&</sup>lt;sup>21</sup> "Azerbaijan Walks Back Plans to Erase Armenian Traces from Churches," The Moscow Times (8 February 2022).

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## **BAHAMAS**

See Grenada.

#### **BAHRAIN**

Previous Annual Report entries: 2004, 2008–2012, 2015–2017, 2021.

In April and November 2020, police in Hamad Town interrogated Jameel J., then 15, about his participation in the ninth anniversary of the 2011 Arab Spring uprising (a series of anti-government protests in which at least almost hundred people were killed and more than 3000 wounded). On 11 February 2021, three days before the tenth anniversary of the uprising, three other children, ages 16 to 17, were also arrested for their participation in 2020, and all were taken to the Criminal Investigation Directorate (CID) in Manama. At the CID, police reportedly beat them and threatened them with rape and electric shocks. Prosecutors and judges refused to allow the children's parents or lawyers to be present during their interrogations and enabled the abuses. On 11 March 2021, the Fourth Criminal Court in Manama convicted them all on a six-month suspended sentence, after heavy international coverage of children abuse in Bahrain.<sup>22</sup>

# BANGLADESH

Previous Annual Report entries: 1999, 2001, 2004–2006, 2008–2019, 2021.

On 1 June 2021, alleged members of the Bangladesh Chhatra League, the student wing of the ruling Awami League, attacked members of the Jatiyatabadi Chhatra Dal, the student wing of the Bangladesh Nationalist Party (BNP), while they were commemorating the anniversary of the death of Ziaur Rahman (1936–1981), Bangladesh's seventh president (1977–1981) and founder of the BNP (established in 1978). At least twenty students were injured.<sup>23</sup>

<sup>&</sup>lt;sup>22</sup> "Bahrain: Stop Denying Abuse of Detained Children," Human Rights Watch (7 June 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 70.

<sup>&</sup>lt;sup>23</sup> Scholars at Risk, Free to Think 2021 (New York: SAR, 2021), 47–48.

On 13 April 2022, a Dhaka court sentenced four people to death for the murder of Humayun Azad (1947–2004), leading writer and professor of German literature at Dhaka University [See NCH *Annual Reports* 2004–2005].<sup>24</sup>

#### **BARBADOS**

See Grenada.

## **BELARUS**

Previous Annual Report entries: 1996–2000, 2005–2007, 2009–2011, 2014–2021.

Amid widespread anger over President Alexander Lukashenko's landslide 9 August 2020 re-election, which the opposition and many governments denounced as fraudulent, a number of historians and history producers were dismissed, arrested and detained [See also a previous list in NCH *Annual Report* 2021]:

- On 19 November 2020, historian Jaŭhen Malikaŭ ([1979/1980]—) was dismissed from the Belarusian State University of Transport in Gomel after he had been arrested and sentenced to five days in prison for participating in a protest against Lukashenko's re-election, Following his dismissal, he was drafted into the army, despite the age limit of conscription being 27.25
- In November 2020, poet and regional historian Aleś Harbul was briefly detained. 26
- On 22 November 2020, Vital Byl, a Ph.D. candidate at the History Institute of the University of Greifswald, Germany, was briefly detained during a rally in Minsk.<sup>27</sup>

Faisal Mahmud, "Bangladesh Sentences Four to Death for Prominent Writer's Murder," Al Jazeera (13 April 2022); Amnesty International, Public Statement (ASA 13/002/2004; 4 March 2004); Index on Censorship, 2004, no. 3, 99–100; International PEN Writers in Prison Committee, Rapid Action Network 7/04 (London: PEN, 8 March & 28 July 2004); International PEN Writers in Prison Committee, Half-Yearly Caselist to 31 December 2004 (London: PEN, 2005): 32.

<sup>25 &</sup>quot;More Solidarity than Arrests: What Belarusian Culture Experienced Over the Week," PEN Belarus (1 December 2020); PEN International, PEN International Case List 2020 (London: PEN, 2021), 119.

<sup>&</sup>lt;sup>26</sup> PEN International, <u>PEN International Case List 2020</u> (London: PEN, 2021), 119.

<sup>27 &</sup>quot;More Solidarity than Arrests: What Belarusian Culture Experienced Over the Week," PEN Belarus (1 December 2020); PEN International, <u>PEN International Case List 2020</u> (London: PEN, 2021), 118.

• In [late 2020], Ihar Baranoŭski, a local historian from Brest, was detained for thirty days for participation in protest rallies.<sup>28</sup>

- In September 2021, Viktor Yakubov, associate professor in history at Polack State University (PSU) in Novopolotsk, Vitebsk Oblast, was formally dismissed because of "absenteeism" between 2 and 15 September, when he was serving "administrative arrest" for having reposted "extremist materials." At the time of his dismissal, he was serving his fourth administrative arrest. In 2007, Yakubov had finished his Ph.D. in history at PSU.<sup>29</sup>
- In [September] 2021, Vladimir Alexandrovich Lobach, doctor of historical sciences at Polack State University, left the university by "consent of both parties." Lobach ran a blog in which he expressed his views on Lukashenka's re-election and the ensuing protests.<sup>30</sup>
- On 27 September 2021, Andrey Kalas, local historian and teacher of Belarusian history and culture in Vaukavysk, was detained for ten days. Officially, he was arrested for owning an unchecked hunting rifle, but many teachers at his school cited the ongoing pressure on those teaching on Belarusian culture and language.<sup>31</sup>
- On 10 November 2021, Matvey Grinkevich, a fourth-year student of the Faculty of History at the Belarusian State Pedagogical University, was detained and had a criminal case against him initiated on accusations that he had participated in an "unauthorized mass event."<sup>32</sup>
- On 24 November 2021, Anastasia Voytovich (Vaitovich), student at the Faculty of History of the Belarusian State University, was detained on the accusation of having participated in one of the 2020 protests. In 2020, she had been expelled from Minsk State Linguistic University for "political reasons." In mid-March 2022, she was sentenced to three years in restricted freedom in an open penal facility. <sup>33</sup>
- Between December 2021 and January 2022, two people [names unknown] from the history faculty were among 55 people dismissed for political reasons at the Belarusian State University.<sup>34</sup>

<sup>&</sup>lt;sup>28</sup> "More Solidarity than Arrests: What Belarusian Culture Experienced Over the Week," PEN Belarus (1 December 2020).

<sup>&</sup>lt;sup>29</sup> "Пока сидел, поставили прогул. Уволили доцента Полоцкого университета после 14 лет работы," Nasha Niva (28 September 2021); Belarusian Students' Association, <u>The State of Academia in Belarus 2021</u> (Belarusian Students' Association, February 2022), 21.

Belarusian Students' Association, <u>The State of Academia in Belarus 2021</u> (Belarusian Students' Association, February 2022), 21.

<sup>&</sup>lt;sup>31</sup> "Vaukavysk: Prominent Local Historian and Teacher Arrested for 10 Days over Video Posted in 2018," Belsat (1 October 2021).

Belarusian Students' Association, <u>The State of Academia in Belarus 2021</u> (Belarusian Students' Association, February 2022), 16.

Belarusian Students' Association, *The State of Academia in Belarus 2021* (Belarusian Students' Association, February 2022), 13; Asveta, *Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 3* (March 2022), 3; "Anastasiya Vaitovich," *Viasna Human Rights Centre* ([22 March] 2022).

<sup>&</sup>lt;sup>34</sup> Asveta, <u>Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 1</u> (January 2022), 1.

• In February 2022, security forces searched the home of Aliaksandr Aheeu, Ph.D. candidate in

had previously been dismissed because of his political position.<sup>35</sup>

• In February 2022, Roza Turarbekova, associate professor of history at the Faculty of International Relations at the Belarusian State University, was dismissed.<sup>36</sup>

historical sciences and former faculty member of Mahilou State Arkadz Kuliashou University. Aheeu

- On 23 March 2022, Albina Semianchuk, Ph.D. candidate of historical sciences and associate professor of the Belarusian culture department at Hrodna State University, had her contract not renewed for political reasons.<sup>37</sup>
- In May 2022, Andrei Darakhovich, a history teacher at Minsk Language and Humanities College, was detained and accused of having signed up to a Telegram channel organizing demonstrations against Lukashenko. On 14 July 2020, he had been detained at a protest rally.<sup>38</sup>
- On 10 May 2022, Dzmitry Niachayau, a third-year student at the Faculty of History of the Belarusian State University, was detained in Minsk.<sup>39</sup>
- On 13 June 2022, Aliena Zubrova, a history teacher in Navapolatsk, was sentenced to fifteen days in prison for "distribution of extremist materials," related to a social media post she had shared.<sup>40</sup>
- On 1 July 2022, historian Aliaksandr Hrusha was dismissed as director of the Central Scientific Library of the National Academy of Sciences, despite having signed a new contract in January.<sup>41</sup>

On 6 January 2022, during a meeting to discuss official history politics, President Alexander Lukashenko stressed that the "correct interpretation of history" was key to state security. He argued that the mass protests that followed his re-election in August 2020, denounced by many as fraudulent, had been caused by a view of Belarusian history as part of Europe's historical heritage that was "excessively promoted in school curricula and museums." Already on 1 January, Lukashenko had signed a decree that proclaimed 2022 the "year of historical memory" with the goal to "propagate an objective attitude to the past among citizens" and "to sustain and to consolidate the unity of the Belarusian nation."

In February 2022, the Republican Council for Historical Policy was created. The permanent body under supervision of the Presidential Administration would give "recommendations on preventing and suppressing violations in the field of preserving historical memory." In [March] 2022, the government announced that as of 1 September all universities and colleges would have to introduce three new compulsory courses: History of Belarusian Statehood, Modern Political Economy, and Philosophy.

Asveta, <u>Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 2</u> (February 2022), 1–2.

<sup>&</sup>lt;sup>36</sup> Asveta, <u>Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 5</u> (May 2022), 7.

<sup>&</sup>lt;sup>37</sup> Asveta, <u>Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 3</u> (March 2022), 3.

<sup>38</sup> Asveta, Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 5 (May 2022), 2.

<sup>&</sup>lt;sup>39</sup> Asveta, <u>Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 5</u> (May 2022), 2.

<sup>&</sup>lt;sup>40</sup> Asveta, <u>Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 6</u> (June 2022), 3.

<sup>41</sup> Asveta, Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 6 (June 2022), 3.

Minister of Education Andrei Ivanets commented that the courses would allow first-year students to "be able to view the well-known historical facts in the context of social and political developments."

Changes to the history curriculum reportedly mainly affected how World War II and contemporary history were taught. Mentions of Nobel prize winner and oral historian Svetlana Alexievich [See NCH *Annual Reports 2016, 2021*] had been stripped from the textbooks.<sup>42</sup>

On 21 February 2022, the house of Larysa Shchyrakova, a historian by education and a freelance journalist working for Belsat TV channel and the human rights website Gomel Spring, was searched for the fourth time in a year: her phone, camera and computer were confiscated, and she was taken in for questioning [See NCH *Annual Report 2021*].<sup>43</sup>

On 31 March 2022, the court of Babruysk sentenced history teacher Larysa Sekiarzhytskaya to paying a fine of 2,240 Belarusian rubles (€ 631,56) because of her "political and social attitude to the events in the Ukraine." On 4 March, she had worn a yellow-blue ribbon in her hair to school to express support for the Ukrainian people after the 24 February invasion by Russian forces. <sup>44</sup>

In April 2022, Dzmitry Yatsevich, who had been director of the National Historical Archives of Belarus for ten years and was a major specialist in Belarusian history, had his contract not extended. He was replaced by Major General Aleh Voinau, who had until recently been an assistant to the Minister of Defense. 45

On 13 July 2022, the Gomel District Court sentenced Belsat journalist Katsyaryna (Katerina) Bakhalova (pen name: Katsyaryna Andreyeva) to eight years in prison on undisclosed charges in a trial behind closed doors. On 15 November 2020, Andreyeva and her camera woman Darya Chultsova, a graduate from the Faculty of History and Philology of Mahiliou State University, Mogilev, had been detained for covering a violently dispersed memorial service for Roman Bandarenka, who had reportedly been beaten to death by security forces four days prior at Peremen Square (also known as Square of Changes), one of the centers of the August 2020 protests against President Aleksandr Lukashenko's re-election [See above and NCH *Annual Report 2021*]. On 18 February 2021, Andreyeva and Chultsova were

<sup>&</sup>lt;sup>42</sup> Kamil Kłysiński, "The Anti-Western Narrative in Belarus's Historical Policy Becomes Harsher," Centre for Eastern Studies (14 January 2022); Asveta, <u>Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 2</u> (February 2022), 4; Asveta, <u>Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 3</u> (March 2022), 4; Asveta, <u>Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 5</u> (May 2022), 7.

Veera Nikkanen, "Belarus: Belsat TV Journalists Mark One Year in Penal Colony," International Press Institute (27 February 2022).

<sup>&</sup>lt;sup>44</sup> Asveta, Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 3 (March 2022), 2.

<sup>&</sup>lt;sup>45</sup> Asveta, Digest of Sviatlana Tsikhanouskaya's Office on Education and Science: Issue 4 (April 2022), 2.

sentenced to two years in the Penal Colony No. 4 in Homiel, where they were labeled as people "prone to extremism and other destructive activities" and further restricted in their freedom. Chultsova was scheduled for release on 5 September 2022.<sup>46</sup>

## **BELGIUM**

Previous Annual Report entries: 2002–2004, 2006, 2008, 2010–2012, 2021.

On 26 October 2021, the parliamentary Commission spéciale chargée d'examiner l'État Indépendant du Congo et le passé colonial de la Belgique au Congo, au Rwanda et au Burundi (Special Commission on the Colonial Past) published a 689–page report (commissioned from ten experts) on the history of the colonization of Congo (by King Leopold II in the Congo Free State, 1885–1908, and by Belgium in 1885–1960), and Rwanda–Urundi (as trust and mandate territories, 1922–1962). The experts' report concluded that exploitation, violence and racism were systemic features of the colonization and recommended, among others, the restitution of stolen objects, archives, and human remains, and reparations (including financial reparations) for its "colonial debt in light of Belgium's moral responsibility." The experts further stressed the "paramount importance" of declassifying the archives.

On 19 January 2022, while participating in a debate entitled "After colonization: seeking truth and reparation," historians Anne Wetsi Mpoma and Gillian Mathys, who were both members of the expert group, expressed concern over the partial and conditional access to the colonial archives, highlighting that "Belgian researchers can obtain an exemption to have access to classified documents, but not Congolese, Rwandan or Burundian researchers."

See also Italy, Latvia.

<sup>46 &</sup>quot;Belsat Journalist Sentenced to 8 Years for 'High Treason'," Belsat.eu (13 July 2022); "Belarus Journalist Given Extra 8 Years for 'State Treason'," Moscow Times (13 July 2022); "Darya Chultsova," International Women's Media Foundation ([no date]).

Chambre des Représentants de Belgique / Belgische Kamer van Volksvertegenwoordigers, <u>Commission spéciale chargée d'examiner l'État Indépendant du Congo et le passé colonial de la Belgique au Congo, au Rwanda et au Burundi, ses conséquences et les suites qu'il convient d'y réserver: rapport des experts (doc. 55, 1462/002; 26 October 2021); Nick Amies, "Experts Deliver Report to the Special Committee on Belgium's <u>Colonial Past</u>," The Bulletin (28 October 2021); Gaëlle Ponselet, "Colonial Crimes: Experts Recommend that <u>Belgium Compensate</u>," Justiceinfo.net (2 November 2021); Colette Braeckman, "La Belgique se confronte à <u>son histoire coloniale</u>," Histoire coloniale et postcoloniale (4 November 2021); Jennifer Rankin, "New <u>Evidence of Belgian Complicity in 1961 Killing of Burundian PM</u>," Guardian (5 January 2022); Gaëlle Ponselet, "Belgium's Colonial Past Commission Stalls," Justiceinfo.net (31 January 2022).</u>

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**BELIZE** 

Previous Annual Report entries: 2014.

See Grenada.

**BOLIVIA** 

Previous Annual Report entries: 2007, 2009–2021.

In March 2021, the Truth Commission, set up in 2017 to investigate serious human rights violations committed by successive military dictatorships between 1964 and 1982 [See NCH Annual Reports 2017–2021], presented its final report to President Luis Arce Catacora. However, the eleven-volume report, documenting killings, forced disappearances and torture by state agents, was only made public in the form of an executive summary. The report was not published online and the government did not act on it.48

In August 2021, a report by the Grupo Interdisciplinario de Expertos Independientes (Interdisciplinary Group of Independent Experts) exposed failures by the Attorney General's Office to ensure accountability for crimes committed under the governments of Evo Morales (2006–2017) and Jeanine Áñez Chávez (2019–2020). It also criticized a February 2021 amnesty, issued by current-President Luis Arce Catacora, for crimes related to the 2019 political crisis during which at least 33 people died and 715 were injured. Following the report, Arce revoked the amnesty. 49

**BOSNIA and HERZEGOVINA** 

Previous Annual Report entries: 2001–2021.

On 8 April 2021, Serb and Croat lawmakers in the House of Peoples (the Bosnian parliament) voted seven against six with one abstention against changes to the criminal code to prohibit the denial of facts about the July 1995 Srebrenica genocide. It was the latest in a series of failed attempts over more than

<sup>&</sup>lt;sup>48</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 91; Thomas Graham, "Bolivian Victims of Dictatorships Still Waiting for Justice: 'We Are Forgotten'," Guardian (30 March 2022).

<sup>&</sup>lt;sup>49</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2021), 89.

a decade to adopt a new law to outlaw denial of the 1995 genocide [See NCH Annual Report 2021]. In June 2021, the United Nations Special Advisor on Prevention of Genocide warned against the increasing glorification of convicted war criminals. On [28] July 2021, the United Nations High Representative Valentin Inzko amended the criminal code, sanctioning the glorification of war criminals convicted by final and binding judgments and the denial of genocide, crimes against humanity and war crimes, making them punishable with a maximum prison sentence of five years. On 30 July, the parliament of the Serb-run Republika Srpska passed a law on non-implementation of the criminal code and another providing for penalties of up to fifteen years in prison for "violating the reputation of

On 10 August 2021, the Organization for Security and Co-operation in Europe Mission to Bosnia and Herzegovina reported a sharp decline in the number of completed war crimes cases and in the number of new indictments. On 19 October, the European Commission published a report stating that judicial cooperation with other countries in the region on the prosecution of war crimes committed during the Yugoslav wars of succession (1991–1995) remained ineffective [See NCH *Annual Report 2021*].<sup>51</sup>

the Republika Srpska." The law took effect on 8 October 2021. 50

On 28 September 2021, the twenty-eighth anniversary of the closure of the Detelj detention camp in 1993, it remained impossible for survivors to hold a memorial event. After the Wars of Yugoslav Succession (1991–1995), the site of the camp was privatized under the ownership of the Hercegovacka Bank. After the bank's liquidation in 2012, the site remained shut. In the spring and summer of 1992, the camp had been used by Bosnian Croats to detain Serb prisoners. After conflicts erupted between Bosnian Croat and Bosniak forces, Dretelj became a detention camp for Bosniaks. The Association of Detainees of Bosnia and Herzegovina estimated that around 3,000 Serb and Bosniak detainees had been subjected to torture, beating, rape, and murder during the war.<sup>52</sup>

Office of the High Representative, "High Representative Valentin Inzko Introduced Today Amendment to the BH Criminal Code" (Press release; 23 July 2021); Nejra Dzaferagic, "Bosnia Under Pressure to Adopt Srebrenica Genocide Denial Law," Balkan Insight (16 April 2021); Guy Delauney, "Bosnian Serbs Defy Top UN Official Inzko over Genocide Denial," BBC News (28 July 2021); "Bosnian Serbs Reject Imposed Ban on Genocide Denial," Al Jazeera (30 July 2021); "Srebrenica: Bosnia's Peace Envoy Outlaws Genocide Denial," Deutsche Welle (24 July 2021); "Bosnian Serbs Reject Imposed Ban on Srebrenica Genocide Denial," TRT World (30 July 2021); "Bosnian Serb Entity's President Reverses International Overseer's Ban On Genocide Denial," RFE/RL (13 October 2021); Julian Borger & Daniel Boffey, "EU Working to Amend Genocide Denial Law that Is Blamed for Bosnia Crisis," Guardian (22 December 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2021), 96.

Lamija Grebo, "<u>Bosnia Completing Fewer War Crimes Cases, OSCE Warns</u>," *Balkan Insight* (11 August 2021); Milica Stojanovic, Samir Kajosevic, Xhorxhina Bami & Semir Mujkic, "<u>European Commission Raps Serbia's 'Weak' War Crimes Case Record</u>," *Balkan Insight* (19 October 2021).

Teo Zoric, "Bosnian War Prisoners Unable to Commemorate Detention Camp Closure," Balkan Insight (28 September 2021).

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In the run-up to 31 May 2022, Bosnian Serb authorities banned White Armband Day (named after a

May 1992 decree by Bosnian Serb authorities forcing all non-Serbs to mark their houses with white

flags and wear white armbands when going outside), an annual event commemorating the Bosnian Serb-

led ethnic cleansing of Bosnian Muslims and Bosnian Croat populations in the Prijedor area, and

celebrated by the survivors of the ethnic cleansing on 31 May 2022, because of "a serious danger of

violence" due to threats from Samopostovanie (Self-Respect) and Princip (Principle), two far-right

Bosnian Serb nationalist groups. In Prijedor, 3,173 people were killed during the 1992–1995 war, with

almost 31,000 detained in prison camps and 53,000 forced to flee, totaling 94% of the Bosnian Muslim

and Bosnian Croat population from the Prijedor municipality.<sup>53</sup>

On 15 June 2022, vandals destroyed the Yugoslav Partisans' Necropolis in Mostar, one of the largest

monuments commemorating anti-Fascist fighters who died in World War II. All 700 gravestones of the

memorial cemetery, which for years had been the target of right-wing vandals who had previously

defaced the stones with graffiti, were destroyed.<sup>54</sup>

See also Croatia, Serbia.

**BOTSWANA** 

Previous Annual Report entries: 2018.

**BRAZIL** 

Previous Annual Report entries: 1999, 2001–2003, 2005–2021.

On 11 June 2021, the Fundação Palmares (Palmares Foundation; established 1988) published an

electronic report Retrato do acervo: três décadas de dominação marxista na Fundação Cultural

Palmares (Portrait of the Collection: Three Decades of Marxist Domination in the Palmares Cultural

Foundation). The Associação Nacional de História (ANPUH; National Historical Association) and

other critics feared that the report was the first step in systematically destroying or excluding Marxist

publications which were part of its collections. ANPUH argued that these publications were necessary

53 Enes Hodzic, "How Right-Wingers Thwarted a War Crime Commemoration in Bosnia," Balkan Insight (4 July 2022); "White Armband Day," Remembering Srebrenica ([no date]).

<sup>54 &</sup>quot;Vandals Attack Yugoslav Partisans' Necropolis in Bosnia," Al Jazeera (16 June 2022).

to understand not only the history of the foundation but more broadly the history of racism and emancipation in Brazil. On 23 June 2021, the Federal Court in Rio de Janeiro imposed an injunction on the foundation.<sup>55</sup>

On 24 July 2021, activists of Revolução Periférica (Peripheral Revolution) set fire to the statue of Manuel de Borba Gato (1649–1718). They saw him as a symbol of the "bandeirantes," a group of explorers who colonized Brazil and were involved in massacring and enslaving indigenous peoples and in recapturing fugitive slaves. The statue had been targeted several times by protesters in the past. Three activists were arrested, charged with "arson," "criminal association," and "license plate tampering," but released on 10 August 2021, although the charges were not withdrawn.<sup>56</sup>

On 23 August 2021, the Bahia Section of the Associação Nacional de História (ANPUH; National Association of History) denounced the fact that the previous week Carlos Zacarias Figueiróa de Sena Júnior, a historian working at the Universidade Federal da Bahia (UFBA; Federal University of Bahia), was attacked by a producer of denialist historical content (that is, content denying the crimes of the past) after Figueiróa de Sena had criticized it on his Facebook page following the nomination of one of the producer's videos by the Secretaria Estadual de Educação da Bahia (State Department of Education of Bahia).<sup>57</sup>

In [November] 2021, the film *Marighella* by director Wagner Moura, about the life of Marxist-Leninist Communist, politician, writer and guerrilla fighter Carlos Marighella (1911–1969), was released after it had been delayed for almost two years by the Agência Nacional do Cinema (Ancine; National Cinema Agency). Ancina withheld funding for its distribution, alleging a problem in the accounts for another production by O2 Filmes, the film's producer. Most believed that the film was informally censored because it was "not aligned with the government." The Special Secretary of Culture, former actor Mário Frias, allegedly tweeted the following in response to statements by Moura: "Did you think I was going to get public funds for this pamphlet garbage?" Since its release without the benefit of government funding, *Marighella* became the most watched Brazilian production of the last two years, with 100,000 spectators in 300 theaters across Brazil. <sup>58</sup>

ANPUH, Nota de repúdio da Associação Nacional de História (ANPUH) à decisão da direção da Fundação Palmares de censurar e extirpar parte de seu patrimônio bibliográfico (press release; 28 June 2021).

<sup>&</sup>quot;Arrest of Activists Involved in Protest Action," Civicus Monitor (19 August 2021); ANPUH, "Libertação imediata de Galo, Géssica E Biu" (Press release; 30 July 2021); ANPUH, "Nota sobre o incêndio da estátua de Borba Gato" (Press release; 2 August 2021).

Diretoria da ANPUH, Seção Bahia, <u>Press release</u> (Ilhéus, 23 August 2021); ANPUH, "O comércio da mentima e os ataques à história professional" (Press release; 23 August 2021).

Luiz Gustavo Vilela, "Marighella's Delayed Release Shows Censorship Is Alive and Well in Brazil," Index on Censorship (19 November 2021).

In the run-up to the Exame Nacional do Ensino Médio (Enem; National High School Exam) on 21 November 2021, critics denounced the fact that President Jair Bolsonaro had reportedly asked his Minister of Education Milton Ribeiro in the first half of 2021 that Enem change the wording referring to the 1964 military coup (which led to a military dictatorship between 1964–1985) into the term "Revolution," thus endorsing a far-right version of history. In addition, a director of the Instituto Nacional de Estudos e Pesquisas Educacionais Anísio Teixeira (Inep; National Institute for Educational Studies and Research "Anísio Teixeira"; the agency responsible for Enem) apparently demanded the exclusion of more than twenty exam questions, many of which dealt with Brazil's recent history. Other forms of interference and intimidation were also reported. In early November 2021, 37 Inep members resigned in protest against the censorship attempt. Since 2018 Bolsonaro had frequently criticized Enem and the usual question about the 1964 coup had reportedly disappeared from the 2020 exam. On 15 November 2021, Bolsonaro commented that the Enem would now start "looking more like the government," saying that nobody should worry about "those absurd is sues from the past." "59

On 19 November 2021, President Jair Bolsonaro nominated Ricardo Braga (Ricardo Borda D'Agua de Almeida Braga) as the Director of the Brazilian National Archive. The owner of a private security company, Braga lacked the necessary expertise for the job. Many critics, including the Fórum Nacional das Associações de Arquivologia do Brasil (National Forum of Associations of Archivists of Brazil) and the Brazilian Historians in the United States, condemned the nomination, expressing fears that it would lead to the rewriting of the history of the Brazilian dictatorship (1964–1985) and perhaps to a destruction of records. Bolsonaro, a member of the armed forces during the dictatorship, had repeatedly publicly alluded to the dictatorship as a positive period in Brazilian history and said that the dictatorship made a mistake by torturing people when it should have killed them. In 2009, he hung a poster on his office door in Congress that said, "whoever looks for bones is a dog," in reference to the search for the remains of suspected members of the Araguaia guerrilla group who were forcibly disappeared. 60

On 26 November 2021, the Inter-American Commission on Human Rights filed an application before the Inter-American Court of Human Rights against Brazil, claiming that it had, among others, failed to

Beatriz Jucá, "Censura e "pressão ideológica" no Enem para que ele tenha "a cara do Governo," El País (15 November 2021); Clement Verite, "Bolsonaro Tried to Revisit Brazil History in High School Exam," Newsendip (19 November 2021).

Fórum Nacional das Associações de Arquivologia do Brasil, Nota em defesa do arquivo nacional (November 2021); Brazilian Historians in the United States, Open Letter on Mr. Ricardo Braga's Nomination as Director of the Brazilian National Archive (29 November 2021); Human Rights Watch, "Brazil: Bolsonaro Celebrates Brutal Dictatorship" (press release; 27 March 2019) (quotes).

preserve crucial evidence for the investigation of the 1997 murder of Manoel Luiz da Silva, a rural laborer and member of the peasant movement Movimento Sem Terra. 61

On 10 February 2022, the Fórum Nacional de Ensino e Pesquisa em Arquivologia (FEPARQ; National Forum for Teaching and Research in Archival Science), the Fórum Nacional das Associações de Arquivologia do Brasil (FNArq; National Forum of Brazilian Associations of Archival Science), and the Associação Nacional de História (ANPUH; National Historical Association) complained to Ricardo Borda D'Água de Almeida Braga [See above], the Director-General of the Arquivo Nacional (National Archives) about Federal Court decisions ordering the anonymization of the name of former colonel of the Pernambuco Military Police Olinto de Sousa Ferraz in six pages of the final report of the Comissão Nacional da Verdade (CNV; National Truth Commission) – which in 2011–2014 investigated human rights violations committed in 1964–1988 – and the censorship of passages about former governor of Paraná Ney Braga in the report of the Truth Commission of Paraná. The CNV report was held by the National Archives. The court decision regarding Sousa Ferraz was the result of a lawsuit filed by his relatives in late 2019. They referred to the 1991 Law of Archives and the 2011 Access to Information Law. In Art. 31, V, § 4, however, the latter stated that "[t]he restriction of access to information relating to a person's private life, honor, and image may not be invoked with the intention of hindering the process of verification of irregularities in which the holder of the information is involved, as well as actions aimed at the recovery of historical facts of greater relevance."62

## **BULGARIA**

Previous Annual Report entries: 1995–1998, 2002, 2006, 2009, 2012, 2015–2017, 2019–2020.

On 6 October 2021, President Rumen Radev stated that Bulgaria would lift its veto for European Union accession talks with North Macedonia if its government would, among others, recognize the "historical truth." He referred, for instance, to the term "Bulgarian Fascist Occupying Forces" used in history textbooks in North Macedonia to describe the occupation by the then Kingdom of Bulgaria during World War II, after it had joined the Axis powers in 1941, and insisted that it be changed into "Bulgarian

<sup>61 &</sup>quot;IACHR Takes to Inter-American Court of Human Rights Case Concerning Brazil's Lack of Due Diligence to Investigate Murder of Rural Laborer," Organization of American States (10 January 2022).

<sup>&</sup>lt;sup>62</sup> "Justiça determina "anonimização" de partes do relatório da Comissão Nacional da Verda de," Giro da Arquivo (3 February 2022); "Denúncia sobre a 'anonimização' de documentos do arquivo nacional" (Statement; 10 February 2022).

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administration" [See NCH *Annual Report 2021*]. In December, newly-elected Prime Minister Kiril Petkov reiterated that North Macedonia should amend its history textbooks.<sup>63</sup>

See also North Macedonia.

## **BURKINA FASO**

Previous Annual Report entries: 2001, 2004, 2005, 2013, 2015–2018, 2021.

On 6 April 2022, a military tribunal sentenced former President Blaise Compaoré in absentia to life imprisonment after being found guilty of complicity in the 1987 murder of former President Thomas Sankara (1949–1987) [See NCH *Annual Reports 2001, 2016–2018, 2021*]. Compaoré was living in exile in Ivory Coast.<sup>64</sup>

## **BURUNDI**

Previous *Annual Report* entries: 1999, 2001–2003, 2005–2015, 2017–2021.

<sup>63 &</sup>quot;Bulgaria Tells North Macedonia to Stop 'Erasing' Bulgarians," Balkan Insight (6 October 2021); Sinisa Jakov Marusic, "Bulgaria Again Blocks North Macedonia, Albania, EU Accession Talks," Balkan Insight (15 December 2021).

<sup>&</sup>lt;sup>64</sup> Emmanuel Akinwotu, "Burkina Faso's Ex-President Guilty of Complicity in Murder of Predecessor," *Guardian* (6 April 2022).

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**CAMBODIA** 

Previous Annual Report entries: 1999–2018, 2020–2021.

On 16 February 2021, Prime Minister Hun Sen signed into law the Sub-Decree on the Establishment of

a National Internet Gateway which allowed, among others, for network connections "that affect safety,

national revenue, social order, dignity, culture, tradition and customs" to be blocked or disconnected.<sup>65</sup>

In August 2021, a Phnom Penh court convicted nine activists and former opposition members of

incitement and sentenced them to between twelve and twenty months in prison. They had peacefully

protested near the Chinese Embassy in Phnom Penh as part of a 2020 campaign to commemorate the

anniversary of the 1991 Paris Peace Accords (concluded among various Cambodian parties that had

officially ended the Cambodian-Vietnamese War [1978–1989] and the Third Indochina War [1975–

1991]).66

On 30 December 2021, a French court issued indictments against Huy Piseth and Hing Bun Heang, the

then chief and deputy chief of the bodyguard unit of Prime Minister Hun Sen (in office since 1985), for

ordering and carrying out an attack on opposition party leader Sam Rainsy on 30 March 1997. The court

also summoned Hun Sen for his role in the attack, but the summons was blocked by the French

government citing head of state immunity. It was the first time in almost twenty-five years that a step

was made toward accountability for the attack that killed sixteen and injured more than 150.67

See also Australia.

**CAMEROON** 

Previous *Annual Report* entries: 2010, 2012–2014, 2016, 2020–2021.

<sup>65</sup> Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 111.

<sup>66</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 121.

Brad Adams, "At Long Last, Signs of Justice for 1997 Cambodia Massacre," Human Rights Watch (30 March 2022).

## **CANADA**

Previous Annual Report entries: 1998, 2000, 2002–2003, 2005–2006, 2008–2009, 2012–2021.

In October 2021, the National Center for Truth and Reconciliation (NCTR) criticized the government for withholding records about the residential school system (between the 1870s and 1996 the government removed about 150,000 indigenous children from their homes and sent them to church-run "residential schools," in what the 2015 Truth and Reconciliation Commission [TRC] had described as a "culture of genocide" targeting indigenous people [See NCH *Annual Report 2021*]).

In November 2021, historians and archivists expressed concern that some of these records were destroyed or hidden away. Brenda Macdougall, a professor of the history of Métis and First Nations at the University of Ottawa, and a colleague historian found in 2021 that a series of significant records on early residential school history had been transferred to the Vatican without leaving any transcripts in Canada. Following Macdougall's findings, renewed calls were made to the Vatican to release historical documents on the residential school system. In previous years, access to the relevant archives had been obstructed at least twice: in 2011, after a few months of archival research, TRC researchers had been denied access to the archives in Ottawa. In 2014, a group of Ph.D. students from the University of Ottawa had found records dumped in a bin outside the Deschâtelets Archives.

In December 2021, Crown-Indigenous Relations Minister Marc Miller said that some of the records would be handed over to the NCTR within thirty days, with others being reviewed. On 7 December, a joint statement by the NCTR and Missionary Oblates of Mary Immaculate, which operated 48 residential schools in Canada, said that the Oblates' archives in Rome were to be opened to the NCTR and that it would grant full access to critical residential school records. <sup>68</sup>

In November 2021, a committee led by retired Canadian Supreme Court justice Michel Bastarache delivered its report on the case of art historian Verushka Lieutenant-Duval, who had used the N-word for educational purposes in class at the University of Ottawa and had been suspended for three days [See NCH *Annual Report 2021*]. The committee ruled that Lieutenant-Duval was protected by academic freedom: the racial epithet was not directed toward any individual, nor was it gratuitous, adding that "[t]here is no right not to feel offended since academic freedom protects controversial and hurtful statements."

Movember 2021); Stephanie Taylor, "Federal Government Will Soon Hand Over More Residential School Records: Miller," CBC (6 December 2021); "Catholic Order Says It Will Open Up Residential School Records in Rome - but Survivor Remains Skeptical," CBC (8 December 2021).

<sup>&</sup>lt;sup>69</sup> Amanda Pfeffer, "Ottawa Professor Apologizes for Using N-word, Regrets Growing Controversy," CBC (21 October 2020); Nathan Greenfield, "Bastarache Report – Academic Freedom and University of Ottawa," University World News (11 November 2021).

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On 29 January 2022 and the following days onward, people protesting against COVID-19 measures desecrated the National War Memorial, the Tomb of the Unknown Soldier, and the statue of athlete and cancer activist Terry Fox (1958–1981) in Ottawa.<sup>70</sup>

In late March 2022, two University of Montreal students launched a petition against history professor Michael Carley over comments he made on social media that supported Russia's invasion of Ukraine. Carley's Twitter and Facebook accounts had since been deleted. A university spokesperson declared on 27 March that "Carley [was] expressing his opinions in his personal capacity, not in the exercise of his duties as a professor." However, one of the petitioners said that his social-media accounts listed him as a University of Montreal professor, giving his tweets more credibility. <sup>71</sup>

On 26 April 2022, Ryerson University was renamed Toronto Metropolitan University in response to the debate about Egerton Ryerson (1803–1882), deemed one of the architects of Canada's residential school system that was labeled "cultural genocide" by the Truth and Reconciliation Commission in 2015 [See above and NCH *Annual Report 2021*].<sup>72</sup>

See also United States.

# CENTRAL AFRICAN REPUBLIC

Previous Annual Report entries: 2006–2009, 2011–2012, 2014–2021.

In early July 2021, the eleven commissioners of the Truth, Justice, Reconciliation and Reparation Commission (CVJRR) were sworn in. The CVJRR would investigate serious crimes committed since 1959 – the year that David Dacko (1930–2003) took over the leadership of the Mouvement pour l'évolution sociale de l'Afrique noire, the first ruling party after independence from France in 1960.<sup>73</sup>

Following allegations of human rights violations by the United Nations in relation to the Civil War (2012–present) – especially since the 2020 offensive by the oppositional Coalition des patriotes pour le changement (CPC; Coalition of Patriots for Change) led by former President François Bozizé – a

<sup>&</sup>lt;sup>70</sup> "Trudeau: Canadians Disgusted by Anti-Vaxxers Who Desecrated Monuments," Guardian (31 January 2022).

Emerald Bensadoun, "Students Launch Petition against University of Montreal Professor over Comments Supporting Russia's Invasion of Ukraine," Globe and Mail (27 March 2022).

Joe Friesen, "Ryerson Will Be Called Toronto Metropolitan University after Board Approves Name Change," Globe and Mail (26 April 2022).

<sup>73 &</sup>quot;Central African Republic: Creation of the Truth, Justice, Reconciliation and Reparation Commission," Teller Report (17 July 2021).

Network of Concerned Historians, *Annual Report 2022* (August 2022)

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Commission of Inquiry was set up. In October 2021, the Minister of Justice presented the results of the

commission report, acknowledging some of the allegations against the national forces and their allies.

However, it was not made public and no further steps were taken. 74

**CHAD** 

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

**CHILE** 

Previous Annual Report entries: 1998–2021.

On 4 January 2021, a court in Valparaíso dismissed all charges against historian Paula Cometa Stange

and the other members of the feminist collective LASTESIS. In May and June 2020, police complaints

had been filed and a criminal investigation was approved after the collective had denounced acts of

police violence against women in the context of confinement due to COVID-19.75

See also Australia.

**CHINA** 

Previous Annual Report entries: 1995–2021.

On 19 April 2020, Beijing police detained Chen Mei and Cai Wei for archiving censored news articles,

interviews, and personal accounts related to the outbreak of the COVID-19 epidemic in Wuhan [See

NCH Annual Report 2021]. They remained out of contact with their families. In August 2021, a Beijing

court sentenced them to fifteen months in prison after convicting them of "picking quarrels and

provoking trouble."76

<sup>&</sup>lt;sup>74</sup> "CAR Says Ex-President Attempting 'Coup' as Rebels Form Coalition," Al Jazeera (19 December 2020); Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 120.

<sup>75</sup> PEN International, <u>PEN International Case List 2020</u> (London: PEN International, 2021), 40.

<sup>&</sup>lt;sup>76</sup> Human Rights Watch, World Report 2021: Events of 2020 (New York: HRW, 2021), 167; Amnesty International, Report 2020/21: The State of the World's Human Rights (London: AI. 2021), 122; Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 165.

On 1 March 2021, an amendment to the 2018 Heroes and Martyrs' Protection Law came into force, allowing for people who "insulted, slandered, or infringed upon" the memory of China's national heroes and martyrs to be sentenced to up to three years in prison [See NCH *Annual Reports 2018, 2021*]. By October 2021, the amendment had reportedly been used at least fifteen times to punish people for insulting the history of the Chinese Communist Party (CCP).

In April 2021, a man in Beijing ([1958]–) was charged for mocking Navy fighter pilot Wang Wei who crashed in the South China Sea after colliding with an American surveillance aircraft in 2001. In October 2021, the authorities arrested a man in Nanchang after he posted an irreverent comment about the events surrounding the death of Mao Zedong's son in 1950. Former journalist Luo Changping, responding to the movie blockbuster that depicted a major Chinese attack during the Korean War (1950–1953) known as "The Battle at Lake Changjin," was detained in Hainan after he wrote a blog questioning the rationale for China's intervention in that war and the catastrophic cost for those "volunteers" sent to fight and die in it. A woman named Xu ([1994]–) was sentenced to seven months in prison for mocking imitators of Dong Cunrui (1929–1948), a soldier in the People's Liberation Army who blew himself up during the Chinese Civil War (1927–1949) to destroy a bunker and who is seen by the CCP as a war hero.<sup>77</sup>

On May 9, 2021, after roughly two years in state custody, Yuan Keqin, a Chinese professor of East Asian political history at Hokkaido University of Education (HUE), Japan, was allowed to meet with his legal counsel for the first time [See NCH *Annual Report 2021*].<sup>78</sup>

On 31 May 2021, political commentator and former journalist Qiu Ziming ([1983]–), who had questioned the Chinese regime's transparency regarding a violent border clash between Chinese and Indian soldiers in June 2020, was sentenced to eight months in prison on the charge of "defaming heroes and martyrs" [See above].<sup>79</sup>

On 1 August 2021, Yu Ying-shih (1930–2021) died. Yu, a student in the history department of Yenching University, Beijing, went to Hong Kong in 1950 for a reunion with his father, historian Yu Hsieh-chung, and stayed there in exile. Yu studied under historian of ideas Qian Mu (1895–1990) at the newly founded New Asia College which he would head himself in 1973–1975. Yu became a professor of East Asian Studies and History at Princeton University (1987–2001). In 2006 he received the John Kluge

Cate Cadell, "China Launches Hotline for Netizens to Report 'Illegal' History Comments," Reuters (11 April 2021); Joseph Brouwer, "The Historical Nihil-list: Cyberspace Administration Targets Top Ten Deviations From Approved History," China Digital Times (16 August 2021); Steven Lee Myers, "Shutting Down Historical Debate, China Makes It a Crime to Mock Heroes," New York Times (2 November 2021).

<sup>&</sup>lt;sup>78</sup> Scholars at Risk, Free to Think 2021 (New York: SAR, 2021), 57.

<sup>&</sup>lt;sup>79</sup> Reporters without Borders, <u>The Great Leap Backwards of Journalism in China</u> (Paris: RSF, 2021), 9.

Prize for the Study of Humanity. He advocated a new Confucianism. He often returned to the theme that China's long traditions could be a wellspring, not an enemy, of enlightenment, individual dignity, and democracy. He was probably China's best-known historian.<sup>80</sup>

On 11 November 2021, the sixth plenary session of the Central Committee of the Chinese Communist Party (CCP) passed a resolution on China's history, confirming President Xi Jinping's leadership within the narrative of the CCP's 100-year history (1921–2021). It praised Xi's significance in propelling the nation into a "new era" of strength and summarized China's "historic achievements" reached under his leadership (2012–), with traumatic times like the famine (1959–1961) and purges acknowledged but not elaborated. The resolution would dictate how authorities teach China's modern history in textbooks, films, television shows and classrooms, and encouraged censors and police officers to apply laws against criticism of the CCP and its "martyrs." A 531–page official CCP history ([2021]) devoted over a quarter of its pages to Xi's term in office. In January 2013, Xi was quoted as saying: "To destroy a country, you must first eradicate its history," citing Qing scholar Gong Zizhen (1792–1841). In 2017, he had added his personal ideology, known as "Xi Jinping thought for socialism with Chinese characteristics in a new era," to the CCP charter.

Only three CCP resolutions on history were ever passed: the first, in 1945, gave full authority to Mao Zedong (1893–1976) as the leader of the future People's Republic of China (established in 1949); the second, passed in 1981 under Deng Xiaoping (1904–1997), criticized the "errors" made by Mao during the Cultural Revolution (1966–1976) and laid the foundation for economic reforms.<sup>81</sup>

In December 2021, Zhao Dexin ([1932]–), a retired professor of economic history at Zhongnan University of Economics and Law in Wuhan, won a copyright infringement case against the research publishing database China National Knowledge Infrastructure (CNKI), attracting huge publicity. Zhao claimed that CNKI had acquired his papers (through acquiring the journals they were published in) without informing or paying him. CNKI was ordered to pay CNY 700,000 (US\$ 107.000) to Zhao in damages. Zhao's case was seen as a rare victory against the publishing platform. 82

Library of Congress, "China Rediscovers Its Own History" (2007); "Yu Ying-shih," Wikipedia (retrieved 24 January 2010); Chris Buckley, "Ying-shih Yu, Renowned Scholar of Chinese Thought, Dies at 91," New York Times (10 August 2021).

Chris Buckley, "To Steer China's Future, Xi Is Rewriting Its Past," New York Times (7 September 2021); Vincent Ni, "Chinese Communist Party Elevates Xi's Status in 'Historical Resolution'," Guardian (11 November 2021); Christian Shepherd, "China Passes History Resolution to Enshrine Open-Ended Rule of Xi Jinping," Washington Post (11 November 2021); Waiyee Yip, "China's Xi Jinping Cements His Status with Historic Resolution," BBC News (12 November 2021).

Mimi Leung & Yojana Sharma, "Chinese Academy of Sciences Drops Huge Research Database," University World News (20 April 2022).

On 16 December 2021, Song Gengyi, a lecturer of journalism at Shanghai Aurora College (SAC), was dismissed because she had questioned the government's official death toll of 300,000 for the 1937 Nanking massacre. In a lecture, which was recorded by one of her students, leaked online and causing an online firestorm, Song called the death toll a "rough estimate that lacked statistical support" and said that the Chinese Communist Party was not interested in investigating it more thoroughly. SAC announced that she was dismissed because she had "made the wrong comments." When Li Tiantian, a school teacher in southern China, protested the dismissal on the internet, she was locked up in a mental hospital.

Also on 16 December, Gao Weijia, a staff member from Qingdao University, had her teaching license revoked and she was transferred to a non-teaching post after she had published an opinion on Weibo that people should "feel free to visit the Yasukuni Shrine," a controversial shrine in Tokyo honoring Japanese soldiers killed in wars since the nineteenth century and containing memorials for convicted war criminals [See NCH *Annual Report 2021*]. 83

On 26 February 2022, five historians – Sun Jiang (Nanjing University), Wang Lixin (Peking University), Xu Guoqi (Hong Kong University), Zhong Weimin (Tsinghua University), and Chen Yan (Fudan University) – published an open letter on social media platform WeChat in which they condemned the 24 February 2022 Russian invasion of Ukraine and asked for an immediate end to the fighting. The letter was almost instantly removed by censors, but not before it had been viewed and commented upon – including attacking the historians on social media with some calling them spies or traitors. Xu later said that initially he had hoped that the letter would attract other scholars to sign up and that he did not expect it to be blocked so soon. He singled out "narrow and blind nationalism" as a risk for all countries.<sup>84</sup>

In late March 2022, several provincial governments made it mandatory for university teachers to attend lectures to "correct" their views on the 24 February Russian invasion of Ukraine. The lectures would include topics such as "political corruption in Ukraine," how the United States caused the war and "how Nazis killed 14,000 people in Ukraine and Eastern Russia." It closely followed a recent Russian law on "false information" [See below]. 85

Mandy Zuo, "2 Mainland University Lecturers Punished for Comments Touching Sino-Japanese Sensitivities," South China Morning Post (17 December 2021); Ian Buruma, "Propaganda bij wijze van geschiedschrijving," NRC Handelsblad (21 January 2020).

Yojana Sharma, "Academic Dissent Emerges on War in Ukraine but Is Censored," University World News (9 March 2022).

Mimi Leung, "Political Education to Include Party View on Ukraine War," University World News (31 March 2022).

On 27 March 2022, postgraduate history student Sun Jian walked with two signs saying "Unblock Ludong" and "Resolutely oppose high nucleic acid testing for all staff" on the campus of Ludong University, Yantai, Shandong, for twenty minutes in order to protest against the university's harsh COVID-19 lockdown and mass testing. The local Public Security Bureau issued a warning to him after he posted videos of himself holding up the placards, saying he had disrupted order and "incited students to boycott" the university's measures in social media posts since December 2021. The university maintained that Sun's behavior "seriously violated national laws" and expelled him. <sup>86</sup>

On 3 June 2022, the eve of the 33rd anniversary of the Tiananmen Square massacre, Li Jiaqi, an influencer on Douyin with over 64 million followers and one China's most popular online salesmen, had his livestream abruptly cut short when he appeared to present an ice-cream cake that looked like a tank – a reference to the Tank Man, one of the most recognizable symbols of the 1989 Tiananmen Square Massacre. An investigation was reportedly started. According to some, the abrupt cut of Li's stream had led his mostly young audience to search for the massacre of which they had little previous knowledge, calling the censorious act the Li Jiaqi Paradox.<sup>87</sup>

# Hong Kong

In 2020, authorities had banned Hong Kong's annual candlelight vigil to commemorate the Tiananmen Square massacre of 4 June 1989 on public health grounds related to the COVID-19 pandemic. However, tens of thousands of people had participated [See NCH *Annual Reports 2020–2021*]. On 9 September 2021, a group of twelve people pled guilty to charges relating to the 2020 vigil. On 13 December, media tycoon Lai Chee-ying (also known as Jimmy Lai) (1947–), Chow Hang-tung [See below], opposition politician and former journalist Gwyneth Ho, Lee Cheuk-yan [See below], and four others – charged with inciting and taking part in an unlawful assembly – were sentenced to up to fourteen months in prison for organizing, taking part in, and inciting participation in the 2020 vigil. During the trial, Lai declared in a letter: "If commemorating those who died because of injustice is a crime, then inflict on me that crime and let me suffer the punishment ... so I may share the burden and glory of those young men and women who shed their blood on 4 June [1989]."

In 2021, authorities again banned the vigil on public health rounds, despite allowing other large scale open air events to take place. On 4 June, the day of the vigil, Hong Kong police arrested barrister and human rights activist Chow Hang Tung and charged her with "inciting others to knowingly participate

Mimi Leung, "Harsh Lockdown Curbs Prompt Student Protests, Expulsion," University World News (8 April 2022).

Frances Mao, "Li Jiaqi: China Lipstick King Sparks Tiananmen Questions," BBC News (7 June 2022); Vincent Ni, "Li Jiaqi: Chinese Influencer's Career Hangs in Balance After 'Tank Cake' Stream," Guardian (9 June 2022).

in a banned rally," after publishing a social media post asking people to commemorate the date in a private manner. On 4 January 2022, she was sentenced to fifteen months in prison, on top of the twelve months she had already been sentenced to [See above]. Chow appeared defiant during the hearing, reading from the memoirs of families of people killed at Tiananmen before being admonished by the judge.

On 8 September 2021, four senior leaders of the Hong Kong Alliance in Support of Patriotic Democratic Movement of China (established in 1989), which among others organized the annual vigil and ran the June 4th Museum, were arrested after the alliance, accused of working as a "foreign agent," refused to hand over information, reportedly including personal details of all members and financial records since the Alliance's foundation. The next day, authorities raided the museum, which had for years displayed information and historical items related to the 1989 massacre. The raid was carried out by the newly created national security unit. The museum had been closed down by officials in June [See NCH *Annual Report 2021*]. On 25 September, the Alliance announced that it would disband. The Alliance and its leaders, Lee Cheuk-yan, Albert Ho and Chow Hang-tung, were charged with "incitement to subversion" [See above]. The group denied that it was a threat to national security.<sup>88</sup>

In the run-up to the 33rd anniversary massacre on 4 June 2022, authorities again announced a ban on the annual vigil in Hong Kong warning residents not to attend or organize any commemorative events or share any social media posts and threatening prosecution on the grounds of "incitement." For the first time, the Catholic Diocese of Hong Kong decided against holding memorial masses citing safety concerns. One of its cardinals, ninety-year-old Joseph Zen, was in prison awaiting trial on charges of collusion with foreign forces. On 4 June, police officials arrested five men and one woman in the vicinity of Victoria Park, where the annual vigil had traditionally been held. They faced prison sentences of up to five years. Self-ruled Taiwan was one of the only parts of the Chinese-speaking world where the Tiananmen massacre could be commemorated openly, and on 4 June hundreds of people gathered in the capital Taipei. Taiwan's President Tsai Ing-wen criticized the "collective memory of 4 June being systematically erased in Hong Kong." 89

Chris Yeung, "Hong Kong Will Be Dark on the Anniversary of the Massacre This 4 June as the National Security Law Bites," Index on Censorship (3 June 2021); "Tiananmen: Hong Kong Vigil Organiser Arrested on 32nd Anniversary," BBC News (4 June 2021); "Hong Kong: Tiananmen Vigil Organisers Arrested," BBC News (8 September 2021); Helen Davidson, "Hong Kong Police Raid Tiananmen Massacre Museum," Guardian (9 September 2021); "Hong Kong: Police Raid Tiananmen Square Museum," BBC News (9 September 2021); "Hong Kong: Jimmy Lai Convicted for Taking Part in Tiananmen Vigil," BBC News (9 December 2021); "Hong Kong: Media Tycoon Jimmy Lai Gets 13 Months Jail for Tiananmen Vigil," BBC News (13 December 2021); "Hong Kong Tycoon Jimmy Lai Sentenced Over Banned Tiananmen Vigil," Guardian (13 December 2021); "Hong Kong: Activist Gets 15-Month Jail Term for Tiananmen Vigil," BBC News (4 January 2022); Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 162; Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 129.

Jemimah Steinfeld, "<u>China's Fifth Most Wanted Democracy Advocate Looks Back at Tiananmen</u>," *Index on Censorship* (1 June 2022); Erin Hale, "<u>Police in Hong Kong Warn over Vigil as Tiananmen 'Erased'</u>," *Al Jazeera* (3 June 2022); Helen Davidson, "<u>Hong Kong Police Warn Tiananmen Anniversary Gatherings Will</u>

On 1 March 2021, Patrick Li took up his government-appointed position as Radio Television Hong Kong's (RTHK) Director of Broadcasting. While in office, at least twelve new productions were pulled from the air at short notice and more than two hundred archived programs were removed from RTHK's YouTube channel. An episode of the political show *LegCo Review*, which included footage of an event commemorating the 1989 Tiananmen massacre, was removed from RTHK's archives for having been broadcasted without Li's "final approval." <sup>90</sup>

In July 2021, the two-volume *Through the Storm*, written by independent historian Yu Ruxin ([1951]–), was published by New Century Press in Hong Kong. The book explained the role of the military, especially of Mao Zedong's designated successor, Marshal Lin Biao (1907–1971) during the Cultural Revolution (1966–1976). The publisher, Bao Pu, said that he would print only 1,000 copies and that he could not find a vendor willing to display the book at the Hong Kong Book Fair. Yu said that the one book that had appeared in mainland China about the People's Liberation Army in the Cultural Revolution had been withdrawn from sale soon after appearing in 1989. 91

In October 2021, several thousand Hong Kong university students were the first to take compulsory courses on Hong Kong's 2020 national security law (which punished the crimes of "secession," "subversion," "terrorism," or "collusion with foreign forces" with up to life in prison). The courses stressed the need for greater patriotism and included the history of Hong Kong and China, highlighting the subjugation of China by foreign powers in the past, and referencing the existence of national security laws in large democratic countries such as the United States and the United Kingdom. 92

During the November 2021 launch of Disney's streaming service in Hong Kong, it became known that an episode of the satirical animated sitcom *The Simpsons* that made references to the 1989 Tiananmen Square massacre was missing. In the episode, named "Goo Goo Gai Pan," the Simpsons visit Beijing, including Tiananmen Square where a sign reads: "On this site, in 1989, nothing happened" – a nod to official Chinese censorship of the massacre. They also visit the embalmed body of Mao Zedong, who is referred to as "a little angel that killed 50 million people." In October, Hong Kong's legislature had passed a new law banning films that violated China's national security interests. <sup>93</sup>

Break the Law," Guardian (3 June 2022); "Tiananmen: Six Held in Hong Kong on Anniversary of Massacre," BBC News (5 June 2022); Oiwan Lam, "Tiananmen Massacre Vigils Are Banned in Hong Kong, though Memorials Persist across the World," Global Voices (5 June 2022).

Reporters without Borders, <u>The Great Leap Backwards of Journalism in China</u> (Paris: RSF, 2021), 39; Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 130.

<sup>&</sup>lt;sup>91</sup> Chris Buckley, "Rescuing China's Muzzled Past, One Footnote at a Time," New York Times (25 July 2021).

<sup>&</sup>lt;sup>92</sup> Jessie Pang & Sara Cheng, "New Hong Kong University Classes Set Out Dangers of Breaking Security Law," Reuters (5 November 2021).

<sup>&</sup>lt;sup>93</sup> "The Simpsons: Tiananmen Episode Not Found in Hong Kong," BBC News (29 November 2021).

On 22 December 2021, the University of Hong Kong (HKU) removed the Pillar of Shame statue from its campus and brought it to an undisclosed location. The statue, made by Danish sculptor Jens Galschiøt and installed in 1997, showed fifty anguished faces and tortured bodies piled on one another and had the texts "The Tiananmen Massacre," "June 4th 1989," and "The old cannot kill the young forever" engraved into its base. It had been a centerpiece of the annual 4 June vigil to commemorate the victims of the 1989 Tiananmen Square Massacre. In October, HKU had sent a letter to the Hong Kong Alliance in Support of Patriotic Democratic Movements in China [See above] demanding the removal of the Pillar of Shame statue from its campus ground before 13 October, citing safety reasons and "legal risks" under Hong Kong's colonial-era Crimes Ordinance. The deadline passed without the sculpture being removed from the campus. Galschiøt had declared that he owned the sculpture (which was on permanent loan to the Alliance), saying on 12 November 2021 that he wanted to bring it back but fearing arrest

under the national security law. He considered suing the authorities and demanding compensation. In the run-up to the 33rd anniversary of the massacre, activists assembled a new version of the Pillar of

Shame in Taiwan.

On [23] December 2021, the Chinese University of Hong Kong (CUHK) tore down a Goddess of Democracy statue (modelled in 2010 after the original statue erected by Chinese students in 1989 and paraded in Tiananmen Square just before the 4 June crackdown), while Lingnan University removed a Tiananmen wall relief sculpture. Both universities, like HKU, cited "legal and safety risks" to explain the removals. On 28 February 2022, CUHK told USA-based Chen Weiming, the sculptor behind the Goddess of Democracy statue [See NCH *Annual Report 2011*], to bear all legal liability and costs if he wanted the statue back. In the run-up to the 2022 anniversary of the 1989 massacre, students at Hong Kong university hid tiny figures of a "democracy goddess," modeled after the statue, around the campus.

In [January 2022], HKU covered up the "martyrs' slogan" – a three-decade-old tradition in which HKU students would annually repaint a slogan in Chinese characters reading "The souls of the martyrs shall forever linger despite the cold-blooded massacre" in commemoration of the victims of the 1989 Tiananmen Square Massacre – on the HKU Swire Bridge.<sup>94</sup>

 <sup>&</sup>quot;Hong Kong: University Orders Tiananmen Statue"s Removal," BBC News (8 October 2021); "Hong Kong University Orders Removal of Tiananmen Square Massacre Statue," Guardian (9 October 2021); Mimi Leung, "Tiananmen Sculpture Row a 'Litmus Test for HE Autonomy'," University World News (14 October 2021); Reuters, "Danish Sculptor Seeks Legal Protection to Pick Up Tiananmen Statue from Hong Kong," Guardian (12 November 2021); Rhoda Kwan & Vincent Ni, "Outcry as Hong Kong University Memorial to Tiananmen Square Victims Is Removed," Guardian (23 December 2021); "Pillar of Shame: Hong Kong's Tiananmen Square Statue Removed," BBC News (23 December 2021); "Hong Kong Universities Remove More Monuments Marking Tiananmen," BBC News (24 December 2021); Mimi Leung & Yojana Sharma, "Removing Campus Tiananmen Artworks 'Obliterates History'," World University News (5 January 2022); "Hong Kong: One of City's Last Tiananmen Square Memorials Covered Up," BBC News (29 January 2022); Hillary Leung, "Chinese University of Hong Kong Tells Tiananmen Artist to Bear All Legal Liability and Costs If He Wants Statue Back," Hong Kong Free Press (17 March 2022); "Artist Says University of Hong Kong May Allow Retrieval of Removed Tiananmen Statue, though Shunned by Crane Firms," Hong Kong

On 10 May 2022, Hui Po-keung, a cultural studies scholar at Lingnan University, Hong Kong, was arrested for "collusion with foreign forces" under the national security law while on his way to take up an academic post in Europe. Hui was a trustee of the 612 Humanitarian Relief Fund, which helped arrested democracy protesters pay for their legal and medical bills (and which was disbanded shortly before the arrest). In 2021, Lingnan University had dismissed Hui but declined to state a reason on personal privacy grounds. Hui had published several historical articles, such as "Comprador Politics and Middleman Capitalism" (1999) and, with others, "Historical Capitalism, East and West" (2003).<sup>95</sup>

In June 2022, the authorities announced new textbooks that would teach students that Hong Kong had never been a British colony, but that the British only "exercised colonial rule," a distinction intended to suggest China's unbroken sovereignty over Hong Kong – a move mirroring previous decisions to deny the past independence of Xinjiang and Tibet. The United Kingdom had governed the area between 1841–1941 and from 1945 until 1997, after which it handed back the territory to China. Already in 2020, government museums had been forced to erase descriptions of Hong Kong as a British colony. <sup>96</sup>

# Xinjiang

To the list of historians and related professionals imprisoned since 2015 in Xinjiang [See NCH *Annual Report 2021*], the following should be added:

- In July 2009, Niyaz Kahar (Qahar) (1975–), a journalist and blogger, was detained by security officials in Urumqi. Kahar was the founder of the Uyghur language website Golden Tarim, where he authored articles on Uyghur history, politics and culture. In a closed trial, Kahar was sentenced to thirteen years in prison for "publish[ing] illegal news and propagate[ing] ideas of ethnic separatism on his website." His family was only allowed to visit him for fifteen minutes every four months. In September 2015, his mother had warned that his health was deteriorating in prison.<sup>97</sup>
- On 28 June 2015, the Chinese Communist Party (CCP) officially started an investigation into Alimjan Memtimin (1959-), a former Deputy Director General of the Xinjiang Education Department and high-profile local politician. On 28 February 2016, he was stripped of his CCP membership, and

Free Press (8 April 2022); "Hundreds Gather in Taiwan to Mark Tiananmen Square Anniversary," Guardian (4 June 2022); Frances Mao, "Tiananmen: Hong Kong Students Hide Tiny 'Democracy Goddesses' on Campus," BBC News (4 June 2022).

<sup>95 &</sup>quot;Hong Kong Protest Defence Fund Trustee Hui Po-keung Arrested at Airport – Sources," Hong Kong Free Press (10 May 2022).

Frances Mao, "Hong Kong: New School Books Claim Territory Was Not a British Colony," BBC News (15 June 2022); Jemimah Steinfeld, "Beijing Is Rewriting Hong Kong's Handover History. We Must Not Allow It," Index on Censorship (21 June 2022).

Ongressional-Executive Commission on China, <u>China: List of Political Prisoners Detained or Imprisoned</u> as of October 11, 2018 (1424 cases) (October 2018), 539; "Niyaz Kahar," Shahit.biz (1 January 2020).

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sentenced to life in prison for assisting "separatist forces" by "distorting historical facts," allegedly in connection to his role in producing Uyghur textbooks containing historical figures. He was listed together with Sattar Sawut, an editor at the Xinjian Education Department who was sentenced to death with a two-year reprieve in 2020, as a "two-faced" official plotting separatism [See NCH *Annual Report* 2021].

Details about the textbooks were presented in a 2 April 2021 documentary entitled "The War in the Shadows: Challenges of Fighting Terrorism in Xinjiang," by CGTN (China Global Television Network, the overseas arm of state broadcaster CCTV, China Central Television) in a ten-minute segment. It included on-camera "confessions" by Memtimin and Sawut. The documentary claimed that the portrayal of revolutionary Uyghur leader Ehmetjan Qasimi (1914–1949) and Uyghur hero Gheni Batur (1902–1981) in textbooks for primary and middle schools constituted acts of terrorism and separatism, and that the story of the "Yette qizlirim" (Seven girls), telling of a local rebellion against the Qing Dynasty in eighteenth-century East Turkestan, was similarly "terroristic" in nature. The textbooks were published and republished only after high-level approval and not considered problematic until 2017. Kamaltürk Yalqun, the son of Yalqun Rozi, one of the detained textbook editors [See NCH *Annual Report 2021*), said that the passages highlighted by the government were about old historical tales and figures that had nothing to do with terrorism. <sup>98</sup>

- In [2016], Peyzulla Ablimit, a history graduate from Xinjiang University, was detained, after having attempted to visit his wife and children in Turkey. 99
- On 19 July 2016, public security authorities detained Zhang Xiaoxiong and Dai Xuelin for selling and advertising banned books imported from Hong Kong and Taiwan, including *How the Red Sun Rose*, a history of the Chinese Communist Party. Zhang was sentenced to three and a half years and Dai to five years in prison. <sup>100</sup>
- On 8 December 2016, Xiong Yingxue (pen name: Xiong Feijun), an independent scholar and blogger, was detained and kept in Hubei province until his release on bail on 13 January 2017. For the first weeks he was not allowed to see a lawyer. Xiong had authored several books about Chinese history and contemporary affairs. <sup>101</sup>

<sup>&</sup>quot;Alimjan Memetimin," Shahit.biz (18 May 2021); "China Condemns 2 Ex-Xinjiang Officials in Separatism Cases," AP News (7 April 2021); Huizhong Wu, "A Uyghur Gets Death Sentence, as China Bans Once OK'd Books," AP News (1 February 2022); Uyghur Human Rights Project, Briefing: The Disappearance of Uyghur Intellectual and Cultural Elites (Washington, UHRP, 2021), 14–15; Bradley Jardine, Great Wall of Steel: China's Global Campaign to Suppress the Uyghurs (Washington: Wilson Center, 2022), 7–8.

Jilil Kashgary, "Four Uyghurs Facing Persecution After Deportation by Saudi Arabia to China Identified," Radio Free Asia (16 October 2020); "Peyzulla Ablimit," Shahit.biz (20 February 2021).

<sup>&</sup>lt;sup>100</sup> Congressional-Executive Commission on China, <u>China: List of Political Prisoners Detained or Imprisoned</u> <u>as of October 11, 2018 (1424 cases)</u> (October 2018), 271.

<sup>&</sup>lt;sup>101</sup> Congressional-Executive Commission on China, <u>China: List of Political Prisoners Detained or Imprisoned</u> <u>as of October 11, 2018 (1424 cases)</u> (October 2018), 303.

• In 2017, Tursunjan Hezim, a former high school history teacher and author of several articles on Uyghur history and local regional history, was again detained [See NCH *Annual Report 2011*]. His whereabouts were unknown.<sup>102</sup>

- In 2017, Akber Ebeydulla (Ekber Abaidulla), a history researcher and former official with the Kashgar Department of Cultural Heritage, was interned, allegedly because he had been "too proud" while explaining Uyghur cultural heritage to foreigners. Ebeydulla had received multiple awards for his work at both the prefectural and regional levels. <sup>103</sup>
- In [2017], historian, calligrapher, and theologian Ehmetjan [Exmet] Momin Tarimi was detained. Momin was the director and senior editor at the historical cultures department of the Xinjiang People's Press, the author of *Statement on the History of Uyghur Historiography* (2014) and *Uchturpan: The Pearl on the Silk Road* (2015) and more than seventy articles, and translator of more than thirty books into Uyghur (including the *General History of the World* and the banned *Ruining the Pipe Dream of the East Turkestan State* (2007), written in Chinese by Ma Dazheng and Shu Jianying). Tarimi had participated in various international conferences in Germany and Turkey before his detention. He was simultaneously pursuing a Ph.D. in history at Nanjing University, nearly completing a doctoral dissertation on Yaqup Beg (1820–1877), a statesman who established an independent state called the Kingdom of Kashgaria in 1864.<sup>104</sup>
- In 2017, Abbas Muniyaz ([1966/7]-), a writer of more than twenty books about Uyghur literature and history, was allegedly detained in Urumqi. 105
- In April 2017, Abdugheni Abdulla, a bookstore owner in Kashgar, was allegedly sentenced to seven years in a closed trial. The official verdict remained unknown, but his bookstore was searched after his arrest, suggesting that his arrest was related to the selling of banned books, including the historical novels *Iz* and *Oyghnaghan Zemin*. Around the same time, his son and co-owner of the store, Mawlanjan Abdugheni was also arrested. <sup>106</sup>
- In May 2017, Ehmetjan Jume, a political scientist and director of the Konasheher No. 1 High School in Kashgar, was detained for two years at a camp in Opal Township, after which he was sentenced to

Nabijan Tursun & Rachel Vandenbrink, "Uyghur Historian Given 7 Years," Radio Free Asia (6 March 2011); "Uighur Website Editor Sentenced in Secret in China," Committee to Protect Journalists (10 March 2011); Ifex Alert (11 March 2011); PEN, Half-Yearly Caselist To 30 June 2011 (London: PEN, 2011), 45; International PEN, Caselist – January to June 2012 (London: PEN, 2012), 28–29; Uyghur World Congress, "Tursunjan Hezim" (4 August 2011); Pen International Writers In Prison Committee, Caselist (January–December 2014), 142; Uyghur Human Rights Project, The Persecution of the Intellectuals in the Uyghur Region: Disappeared Forever? (October 2018); "Tursunjan Hezim," Shahit.biz (2 October 2020).

Shohret Hoshur & Joshua Lipes, "<u>Uyghur Detainee in BBC Video Report on Xinjiang Camps Identified as Cultural Official</u>," *Radio Free Asia* (29 July 2019); Abduweli Ayup, "<u>List of Uyghur Intellectuals Imprisoned in China from 2016 to the Present</u>" (13 March 2021).

<sup>&</sup>lt;sup>104</sup> "Ehmetjan Momin," Shahit.biz (11 April 2021); Uyghur Human Rights Project, Briefing: The Disappearance of Uyghur Intellectual and Cultural Elites (Washington, UHRP, 2021), 11–13.

<sup>&</sup>lt;sup>105</sup> Uyghur Human Rights Project, *The Persecution of the Intellectuals in the Uyghur Region: Disappeared Forever?* (October 2018); "Abbas Muniyaz," Shahit.biz (2 October 2020).

<sup>106 &</sup>quot;Mewlanjan Abdugheni," Shahit.biz (21 April 2019); "Abdugheni Abdulla," Shahit.biz (10 April 2020).

approximately fourteen years in prison. Jume was the author of multiple high-school textbooks, including *The World and Me*, *Society and Me*, and *History and Me*. In 2006, he was detained for a month, during which he was allegedly tortured. Between July and November 2009 he had been detained again after having tried to get a visa for the United States. <sup>107</sup>

- On 17 May 2017, Zhazira Qalyasqar was detained and sentenced to ten years in prison for keeping books about Kazakh history at her house and listening and reading speeches and books from Kazakh activists.<sup>108</sup>
- In July 2017, Abdusemet Muhemmedomer, a history student at Al-Azhar university in Egypt, disappeared after having been deported back, presumably to Kashgar. He had been studying in Egypt for ten months before his deportation. 109
- In October 2017, Reyhangul Imam ([1987/8]–), a history teacher at Kizilsu No. 1 High School was detained, and in March 2018 sentenced to twelve years in prison.<sup>110</sup>
- On 15 November 2017, public security officials detained Ye Jianke, Zhang Yunfan, Sun Tingting, and Zheng Yongming for attending a book club at Guangdong University of Technology in the Panyu district. Participants had discussed Chinese politics and history, including the 1989 Tiananmen Square Massacre. Four other participants were placed on a fugitive list. 111
- Since December 2017, Qurban Mahmut ([1950]—), who had been the vice chief editor of *Xinjiang Civilization* (1985–2011) in charge of selecting for publication the most influential works on Uyghur culture, politics and history, was believed to have been detained. 112
- In January 2018, Azat Sultan (1950–), former Vice President of the Chinese Uyghur Historical and Cultural Scientific Association and author of *History of 20th Century Uyghur Literature*, was detained, allegedly for having displayed "two-faced tendencies." He was released in May 2019.<sup>113</sup>
- In February 2018, Feng Siyu ([1994/5]—) was sentenced to two years in prison. One year before, in February 2017, she had returned to Xinjiang University's Minorities Folklore Research Center to work as a translator with Rahile Dawut ([1966]—), the Center's founder [See NCH *Annual Report* 2021]. Feng

<sup>&</sup>lt;sup>107</sup> Shohret Hoshur & Joshua Lipes, "<u>Uyghur School Director</u>, <u>Brother of RFA Reporter Jailed For 14 Years After Stint in Xinjiang Camp</u>," *Radio Free Asia* (3 May 2021); "<u>Ehmetjan Jume</u>," *Shahit.biz* (15 June 2021).

<sup>&</sup>lt;sup>108</sup> "Zhazira Qalyasqar," Shahit.biz (21 March 2019).

<sup>109</sup> Uyghur Human Rights Project, <u>Detained and Disappeared: Intellectuals Under Assault in the Uyghur Homeland</u> (March 2019); "<u>Abdusemet Muhemmedomer</u>," Shahit.biz (16 February 2021).

<sup>110 &</sup>quot;ReyhangulImam," Shahit.biz (16 June 2021).

<sup>111</sup> Congressional-Executive Commission on China, <u>China: List of Political Prisoners Detained or Imprisoned</u> as of October 11, 2018 (1424 cases) (October 2018), 167, 172.

PEN International, PEN International Case List 2020 (London: PEN International, 2021), 86.

Shohret Hoshur & Joshua Lipes, "Five Uyghur Professors from Xinjiang University Held in Political 'Reeducation Camps'" Radio Free Asia (18 September 2018); Shohret Hoshur & Joshua Lipes, "Uyghur Former Xinjiang University Vice President Detained For 'Two-Faced' Tendencies," Radio Free Asia (24 September 2018); "Azat Sultan," Shahit.biz (1 July 2021).

had studied history at Amherst College, Massachusetts, and Uyghur at Indiana University in the United States. Her current whereabouts were unknown.<sup>114</sup>

The government systematically attempted to destroy Uyghur heritage sites [See NCH *Annual Report* 2020]. Many mazars (sacred sites, often graves) had been destroyed since 2018. For more than two decades, the authorities had prevented mass pilgrimages (seyla) to the mazars and had closed the sites off for religious worship. Somewhere between 10 and 17 March 2018, the mazar of Imam Je'firi Sadiq, a founding father of Islam, in Niya was demolished. Satellite images further indicated the destruction of the Ordam Padishah mazar in Yengisar, the biggest in Xinjiang. Sometime between December 2017 and April 2019 the khaniqah (Sufi meeting place) and all other buildings of the Imam Ashim shrine in Hotan were torn down, leaving only the tomb of Imam Asim (Hashim), one of the first Islamic missionaries in China (ca. 1000 CE).

In addition, authorities destroyed more than a hundred Uyghur graveyards, including many smaller mazars that lay adjacent to them (as people often wanted to be buried near the mazar sites), with the sites having been turned into parks or parking lots, or remaining empty. In 2019, the Sultanim Maziri cemetery in Hotan, named after four commanders of the Kashgar Kara-Khanid Khanate (840–1212 CE) who had conquered Hotan and spread Islam in the then-Buddhist kingdom and were buried there around 960 CE, was destroyed and turned into a parking area. The gravesite of the Uyghur poet and journalist Lutpulla Mutellip (1922–1945), one of the most important figures in modern Uyghur literature, was razed and made into a theme park [See NCH *Annual Report 2021*].

Thousands of mosques were either razed or transformed into restaurants or hotels, including the most important mosques of Karghalik and Keriya, as part of a "rectification" campaign that had demolished nearly seventy percent of mosques in the city of Kashgar, since late 2016, and an unknown number of mosques in other parts of Xinjiang. In October 2019, the Uyghur Human Rights Project presented evidence of the complete or partial destruction of over hundred mosques by the authorities, citing a report of the destruction of 5,000 mosques in three months as part of the 2016 Mosque Rectification Program. In 2019, authorities in Ghulja leased the city's oldest mosque (the "Uzbek Mosque") to a Han-Chinese businessman from Beijing, who turned it into a hotel. In August 2020, the Tokul mosque was demolished to make room for a public toilet in the city of Atush. In the same month, the construction of a Hampton hotel started in Hotan, on the site of a razed mosque. In October, *Asahi Shimbun* reported that several mosques in Urumqi and Kashgar had been turned into restaurants for tourists [See NCH *Annual Report 2021*].

Authorities also removed a number of statues. Sometime between November 2019 and December 2020, the statue of Mahmud Kashgary (1005–1102), one of most important scholars of the Turkic world

<sup>&</sup>lt;sup>114</sup> Yael Grauer, "Revealed: Massive Chinese Police Database," The Intercept (29 January 2021); "Feng Siyu," Shahit.biz (2 June 2021).

who had compiled the "Grand Turkish Dictionary," was removed from the grounds of a mazar dedicated to him in Kashgar. The move came after a statue by Ghazibay (460–375), a pioneer of Uyghur medical science, had been taken down in front of the Hospital of Uyghur Medicine in Urumqi between October 2017 and March 2018. The site had thereafter been used for flag-raising ceremonies, the singing of patriotic songs and other forms of compulsory Chinese Communist Party–led education. In July 2017, the statue of Hussayn Khan Akbar Tejelli (1856–early 20th century), an Uyghur poet and medical scholar, was taken away from the grounds of the Kargilik County Hospital of Uyghur Medicine in Kashgar. At the same time, authorities built new heritage sites, commemorating historical periods that fitted the official Han-dominated narrative.<sup>115</sup>

Through a policy known as "becoming family," government officials were reportedly sent to stay in Uyghur homes to control bans on cultural practices (e.g., owning Uyghur-language books or wearing traditional clothing).

In 2022, a huge cache of documents including more than 5,000 photographs of Uyghurs taken between January and July 2018 and hacked from police computer servers in Xinjiang was published under the name "Xinjiang Police Files" by a consortium of fourteen media organizations. The documents provided evidence for a policy targeting almost any expression of Uyghur identity, culture or Islamic faith—and of a chain of command running all the way up to President Xi Jinping. One official document reportedly described the purpose of the so-called "re-education centers" built since 2014 as to "break their lineage, break their roots, break their connections, and break their origins." 116

On 9 January 2022, Haji Mirzahid Kerim [Kerimi] ([1939/40]–2022), a writer and retired editor at Kashgar Uyghur Press, died while serving a prison sentence, reportedly in the hospital after an incident

Lily Kuo, "Revealed: New Evidence of China's Mission to Raze the Mosques of Xinjiang," Guardian (7 May 2019); Bahram Sintash, "China Destroyed a One Thousand Years Old Cemetery Along With Others in XUAR in March 2019," Uyghur Cultural Heritage Preservation (1 July 2019); "Satellite Images Reveal China Is Destroying Muslim Graveyards Where Generations of Uighur Families Are Buried and Replacing Them with CarParks and Playgrounds 'to Eradicate the Ethnic Group's Identity'," Daily Mail (9 October 2019); "UHRP Report: Demolishing Faith: The Destruction and Desecration of Uyghur Mosques and Shrines," Uyghur Human Rights Project (28 October 2019); Bahram Sintash, Demolishing Faith: The Destruction and Desecration of Uyghur Mosques and Shrines (Uyghur Human Rights Project: Washington, 2019), 2; Rian Thum, "The Spatial Cleansing of Xinjiang: Mazar Desecration in Context," Made in China (24 August 2020); Bahram Sintash & Joshua Lipes, "Xinjiang Authorities Remove Statue of Revered Uyghur Scholar Mahmut Kashgary," Radio Free Asia (2 December 2020); Mihray Abdilim & Joshua Lipes, "Mosque in Xinjiang's Ghulja City Repurposed as Hotel," Radio Free Asia (29 April 2021); Sophia Yan, "Hilton Hotel to Be Built in Xinjiang after China Bulldozes Mosque," The Telegraph (12 June 2021); Magnus Fiskesjö, "Bulldozing Culture: China's Systematic Destruction of Uyghur Heritage Reveals Genocidal Intent," Cultural Property News (23 June 2021); Dale Berning Sawa, "This Is Our Voice': The Uyghur Traditions Being Erased by China's Cultural Crackdown," Guardian (10 December 2021).

<sup>&</sup>lt;sup>116</sup> Ben Dooley, "Inside China's Internment Camps: Tear Gas, Tasers and Textbooks," AFP (25 October 2018);
Dale Berning Sawa, "'This Is Our Voice': The Uyghur Traditions Being Erased by China's Cultural Crackdown," Guardian (10 December 2021); John Sudworth, "The Faces from China's Uyghur Detention Camps," BBC News (24 May 2022).

in which he had "jumped and fell." In [November 2018], he had been sentenced to eleven years in prison, despite a serious health condition, reportedly for writing about Uyghur history and historians and for a speech on an event which was dedicated to his life [See NCH *Annual Report 2021*]. 117

See also Cambodia, Czech Republic, Japan, Lithuania, United States, Vietnam.

# **COLOMBIA**

Previous Annual Report entries: 1997–1998, 2000, 2004, 2006–2021.

On 18 October 2021, the Inter-American Court of Human Rights ruled that journalist Jineth Bedoya suffered "grave verbal, physical and sexual aggression" for which the state was responsible. On 25 May 2000, Bedoya had been abducted in Bogotá, after which she was tortured and raped. In March 2021, during the hearing of Bedoya's testimony, the government had withdrawn its representatives and objected to five of the six judges, but resumed participation after widespread backlash. A [2021] report by the National Center of Historical Memory estimated that more than 13,500 women had been victims of sexual violence between 1985 and 2016. 118

On 28 June 2022, the Commission for Clarification of the Truth, Coexistence and Non-Repetition (CEV) – established as a result of the 2016 peace accords reached between the government and the largest rebel group, Revolutionary Armed Forces of Colombia (FARC) – launched its report on the causes and consequences of Colombia's conflict (1948–2016). The report made recommendations about the role of the security forces, denouncing the concept of the "internal enemy" and the systematic victimization of the political left, and condemning decades of punitive counternarcotics programs pushed and backed by the United States. 119

See also Cuba.

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Shohret Hoshur, "Elderly Former Editor of Uyghur Publishing House Jailed Over 'Problematic' Books Speech," Radio Free Asia (28 November 2018); Simina Mistreanu, "The Capital of Xinjiang Is Now in Turkey," Foreign Policy (30 September 2019); Uyghyr Yardem, "Detained & Imprisoned Literary Artists;" Shohret Hoshur & Joshua Lipes, "Prominent Uyghur Poet and Author Confirmed to Have Died While Imprisoned," Radio Free Asia (25 January 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2021), 163.

<sup>&</sup>lt;sup>118</sup> Joe Parkin Daniels, "Colombia Found Responsible for 2000 Kidnap and Torture of Journalist," Guardian (19 October 2021).

<sup>&</sup>lt;sup>119</sup> Michael Evans (ed.), "<u>There is Future if There Is Truth</u>": Colombia's Truth Commission Launches Final Report," *National Security Archive* (28 June 2022).

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**CONGO (Democratic Republic)** 

Previous Annual Report entries: 1998–2000, 2003–2021.

In August 2021, the government of President Felix Tshisekedi established a commission tasked with

delivering a roadmap for transitional justice, but it had yet to fully commit to ending impunity for past

and current serious crimes. Military courts and other tribunals adjudicating cases of war crimes and

crimes against humanity had made little progress [See NCH Annual Report 2021]. 120

**CONGO (Republic)** 

Previous Annual Report entries: 2004–2006, 2008, 2010–2012, 2019.

**COSTA RICA** 

Previous Annual Report entries: 2010.

See Honduras, Nicaragua.

CÔTE D'IVOIRE

See Ivory Coast.

**CROATIA** 

Previous Annual Report entries: 1995–2001, 2003–2013, 2015–2021.

In January 2021, politician-turned-writer Vladimir Šeks sued the Croatian state before the European Court for Human Rights (ECHR), because he had been denied access to transcripts of conversations

from former President Franjo Tuđman (1922–1999; in office between 1990 and 1999) that he needed

120 Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2021), 200.

for a book he was writing on the foundation of modern Croatia, and the disclosure of which was in the public interest. Šeks had been denied access to the documents that were held in the Office of the President of Croatia, on the grounds that they were a state secret – a decision confirmed by Croatia's Administrative and Constitutional Courts. On 3 February 2022, the ECHR ruled that there had been no violation of Šeks's right to free expression, including to receive and impart information and ideas without interference by public authority – because the "interference with the applicant's freedom of access to information had been necessary and proportionate to the important aim of national security." <sup>121</sup>

On 23 November 2021, the parliamentary committee for war veterans' affairs endorsed a proposal to establish a military graveyard in Zagreb for Ustaša and Home Guard soldiers who fought for the Independent State of Croatia (1941–1945), a puppet state of the Axis powers, and to describe them as members of the Croatian army. The proposal was condemned by anti-Fascist organizations and some committee members. Approximately 380,000–400,000 people were killed by the Ustaše regime. 122

On 14 June 2022, Chief Prosecutor of the International Residual Mechanism for Criminal Tribunals Serge Brammertz criticized the government for blocking justice and failing to cooperate with prosecutors in Bosnia and Herzegovina and Serbia over crimes committed during the Yugoslav wars of succession (1991–1995), reporting that "there is a widespread impression that in Croatia there is a will to pursue justice for Croatian victims but not for victims of other ethnicities." <sup>123</sup>

See also Serbia.

## **CUBA**

Previous Annual Report entries: 1997–2002, 2006, 2010–2012, 2015–2016, 2018, 2021.

On 4 February 2021, art historian and anti-censorship activist Carolina Barrero was arrested after she had handed in a demand, signed by 1252 artists and intellectuals, for the dismissal of Minister of Culture Alpidio Alonso the day before. She was released the same day after a long interrogation. On 6 February,

European Court of Human Rights, <u>Case of Šeks v. Croatia</u> (Application no. 39325/20) (3 February 2022); Matea Grgurinovic, "<u>ECHR Backs Croatia's Right to Keep Tudjman Documents Secret</u>," *Balkan Insight* (3 February 2022).

<sup>&</sup>lt;sup>122</sup> Matea Grgurinovic, "Croatian Anti-Fascists Criticise Memorial Graveyard for Nazi-Allied Troops," Balkan Insight (25 November 2021).

<sup>&</sup>lt;sup>123</sup> International Residual Mechanism for Criminal Tribunals, <u>Address of Mr. Serge Brammertz, Prosecutor, International Residual Mechanism for Criminal Tribunals, to the United Nations Security Council, 14 June 2022</u> (14 June 2022), 3.

she was again summoned and interrogated for the alleged crime of "clandestine printing." She was accused of making and disseminating drawings of José Martí (1853–1895), a writer and national hero of the nineteenth-century liberation movement, wearing a shirt with stars. She was urged to return to Spain, where she resided, and her house in Old Havana was searched. The printed drawings of Martí and some pages with signatures demanding Alonso's resignation were seized. She could face up to nine months in prison. On 25 March 2021, the case was shelved. <sup>124</sup>

On [24] June 2022, Luis Manuel Otero Alcantará, a prominent member of the artistic collective Movimiento San Isidro, was sentenced to five years' imprisonment for, among others, defamation of the national flag. In February 2022, he had been charged with "insulting national symbols" for his 2019 performance *Drapeau*, in which he carried the national flag with him 24 hours a day for a month. In March 2020, the National Symbols Law had taken effect, restricting the use of national symbols to developing "patriotic awareness" and "veneration" for the "historical tradition of the nation" [See NCH *Annual Report 2021*]. 125

On 25 June 2022, art historian and political activist Omara Ruiz Urquiola ([1973]—) was forbidden reentry in Cuba after a stay of eighteen months in the United States for cancer treatment. In July 2019, she had been dismissed as a lecturer in Cuban culture and the history of design at the Instituto Superior de Diseño (Higher Institute of Design) of the University of La Habana. In the summer of 2020 she had co-founded the Observatorio de Libertad Académica (Academic Freedom Observatory) in Bogotá together with researchers from the Universidad Sergio Arboleda in Colombia with the purpose of documenting human rights violations against students and academics in Cuba since 1959 (when Fidel Castro took power). In late 2020, she had participated in the protests of artists of the Movimiento San Isidro to ask for respect for human rights [See above]. 126

<sup>&</sup>quot;Cuban Activist Arbitrarily Arrested over a Letter Calling for the Resignation of Alpidio Alonso as Minister of Culture," Democratic Spaces (4 February 2021); "The Political Police Threaten Carolina Barrero and 'Advise' Her to Leave Cuba," Translating Cuba (8 February 2021); "The Case in Cuba against Carolina Barrero for 'Clandestine Printed Matter' Has Been Shelved," Translating Cuba (25 March 2021).

<sup>&</sup>quot;Cuban Court Sentences Two Dissident Artists to Prison Terms," Al Jazeera (24 June 2022); "Prison or Exile: Cuba's Systematic Repression of July 2021 Demonstrators," Human Rights Watch (11 July 2022).

Valentina Oropeza Colmenares, "Omara Ruiz Urquiola, la profesora a la que Cuba no deja regresar," BBC News (7 July 2022).

#### **CYPRUS**

Previous Annual Report entries: 2002, 2005, 2008–2011, 2013, 2015–2018, 2021.

On 6 September 2021, the Ministry of Education sent an instruction urging all English teachers to tear out page 36 from the *English Oxford Discover Futures 3 Workbook* before handing it out to second-grade lyceum students. The text on page 36 presented Mustafa Kemal Atatürk (1881–1938), Turkey's founder and first president (1923–1938), as "Turkey's most important hero." The ministry called the text "unacceptable" because it praised Atatürk as an example of leadership, citing crimes against minorities, such as Armenians, Pontians and Assyrians, and the "ethnic cleansing" of Hellenism in Smyrna and elsewhere. After a wave of criticism, including from secondary education teachers' union Oelmek, the ministry decided on 8 September to withdraw the textbook altogether. 127

## **CZECH REPUBLIC**

Previous Annual Report entries: 1997–1998, 2000, 2010, 2013–2021.

In November 2021, head of the presidential office Vratislav Mynář allegedly ordered the shredding of classified intelligence documents related to the 2014 sabotage of a munition depot in Vrbětice by Russian military intelligence officers that killed two people. President Miloš Zeman was considered one of the European Union's most Kremlin-friendly leaders.<sup>128</sup>

In late May 2022, a panel on memory politics in China hosting Zhou Fengsuo, a student who had participated in the 1989 Tiananmen Square protests and number five on China's most wanted list, and dissident artist Badiucao was interrupted when the Chinese embassy called the event's curator threatening that the event would damage Czech–Chinese relations. The curator ignored the call.<sup>129</sup>

See also Slovakia.

<sup>127</sup> Stavros Nikolaou, "Ministry Withdraws Textbook over Ataturk Reference (Update 3)," Cyprus Mail (8 September 2021).

Tony Wesolowsky, "Czech PM's Remarks on 2014 Blasts Trigger Outrage, Underscore Split over Russia Ties," RFE/RL (20 April 2021); Ian Willoughby, "Zeman's Office Chief Personally Ordered Shredding of Sought Documents," Radio Prague International (28 March 2022).

<sup>&</sup>lt;sup>129</sup> Jemimah Steinfeld, "China's Fifth Most Wanted Democracy Advocate Looks Back at Tiananmen," Index on Censorship (1 June 2022).

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**DENMARK** 

Previous Annual Report entries: 2006–2007, 2013, 2016–2020.

On 15 February 2022, Danish Prime Minister Mette Frederiksen delivered a final apology in Nuuk,

Greenland, for Denmark's role in an experiment in which twenty-two Greenland Inuit children aged 4

to 9 were taken away from their families to raise them in Denmark in 1951, with the aim of creating a new Greenlandic elite by raising the children with a Danish mindset and returning them to Greenland

to act as role models for other children. In December 2020, Denmark had issued a written apology for

its role in the experiment following an investigation published a month prior. Six children of the

experiment who were still alive had sued Denmark for violating their privacy. The parties settled the

case in February, with Denmark paying each of them about \$37,000.130

**DJIBOUTI** 

Previous Annual Report entries: 2008.

**DOMINICAN REPUBLIC** 

Previous Annual Report entries: 2013.

<sup>130</sup> Lasse Sørensen, "Denmark Issues Final Apology for 1950s Social Experiment on Inuit Children from Greenland," Courthouse News (15 March 2022).

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**ECUADOR** 

Previous Annual Report entries: 2005–2007, 2009–2021.

**EGYPT** 

Previous Annual Report entries: 1996–2001, 2003, 2006–2007, 2010–2021.

On 11 July 2021, security forces arrested Alia Mosallam, a historian and postdoctoral fellow at the Alexander von Humboldt Foundation, Germany. Flown to Cairo from Berlin with her husband and three children, she was held at the airport for seventeen hours and interrogated several times by intelligence officers. No official reason was given by the security services for her detention. 131

In February 2022, authorities took a collection of Jewish documents from the al-Basatin cemetery, believed to be the second-oldest Jewish cemetery in the world dating back to the ninth century, without following the normal procedures and without consulting representatives from the Jewish community. Authorities claimed that they were afraid that the documents might otherwise be smuggled out of Egypt. 132

See also China, Morocco.

**EL SALVADOR** 

Previous Annual Report entries: 2001–2021.

On 31 August 2021, the Legislative Assembly approved changes to the Law of Judicial Careers and the Organic Law of the Attorney General's Office without the required plenary debate. The law would force judges and prosecutors to retire once they turned sixty or after completing thirty years of service, affecting one-third of all judges and dozens of prosecutors. One of the judges forced to retire in September 2021 was Jorge Guzmán, who led the trial of the 1981 El Mozote Massacre [See NCH

<sup>131 &</sup>quot;Egyptian Academic Briefly Detained upon Arrival at Cairo Airport," Middle East Eye (12 July 2021); Ebby Abramson, "Alia Mosallam, Egyptian Academic Detained upon Arrival at Cairo Airport," Endangered Scholars Worldwide (20 July 2021).

<sup>132</sup> Batya Jerenberg, "Egyptian Authorities Confiscate Valuable Jewish Archives in Cairo," World Israel News (27 March 2022).

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Annual Report 2021]. His removal was likely to cause further delays in the trial. Throughout 2020, the government of President Nayib Bukele had repeatedly denied Guzmán to access military operation files

related to the massacre.

On 14 October 2021, the Inter-American Commission on Human Rights (IACHR) presented a report

on the human rights situation in El Salvador in which it urged the government to increase its efforts to

fight impunity, provide reparation, make every effort to search for missing people and guarantee access

to archives, all in relation to the Civil War (1979–1992). In March 2021, victims of the 1981 El Mozote

massacre had reported to the IACHR that the authorities refused to provide access to the military

archives despite a November 2019 promise to open them [See NCH Annual Reports 2008, 2012–2013,

2015, 2017, 2019–2021].133

On 25 February 2022, a court filed charges against former President Alfredo Cristiani (in office between

1989–1994) for alleged involvement in the 1989 massacre of six Jesuit priests, their housekeeper and

her daughter [See NCH Annual Reports 2009, 2012, 2017-2018, 2021]. 134

**EQUATORIAL GUINEA** 

Previous Annual Report entries: 2019.

**ERITREA** 

Previous Annual Report entries: 2008, 2016, 2018.

See Ethiopia.

133 Rhina Guidos, "After Outcry, Salvadoran Archbishop Will Grant Access to Archive on Massacre," National

Catholic Reporter (22 January 2021); "Bukele Purges Judiciary," El Faro English (1 September 2021); Inter-American Commission on Human Rights, Situation of Human Rights in El Salvador (14 October 2021); Organization of American States, "IACHR Presents Report on the Situation of Human Rights in El Salvador,"

(2 November 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 223; Amnesty International, Report 2021/22: The State of the World's Human Rights (London:

AI, 2022), 158.

134 "El Salvador Court Orders Arrest of Former President over 1989 Priest Massacre," Guardian (12 March 2022).

#### **ESTONIA**

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

# **ETHIOPIA**

Previous Annual Report entries: 1998–2011, 2015–2021.

Between November 2020 and April 2021, the government's military operation in Tigray, which was bolstered by troops from neighboring Eritrea, led to attacks on twelve churches and mosques, among others. The sixth-century Debre Damo monastery was among the sites Eritrean troops allegedly looted of its old manuscripts and other cultural treasures. When in its turn the Tigray People's Liberation Front (TPLF) took control of several key towns in the Amhara region in August 2021, a number of churches in the region of Lalibela were looted for money, food and ancient manuscripts. The fifth-century church of Checheho Medhanialem was damaged after coming under heavy artillery fire from the TPLF. 135

Following the 1 April 2022 decision of the United Nations Human Rights Council to deploy an independent investigation team into the mass killings during the civil war which broke out in November 2020, Amhara security forces and militia, which occupied western Tigray, were identified as digging up fresh mass graves, exhuming hundreds of bodies, burning them and then transporting what remained out of Tigray. Witnesses said the campaign of the disposal of evidence of ethnic cleansing started on 4 April 2022 and was supervised by experts from Gondar University.<sup>136</sup>

<sup>&</sup>lt;sup>135</sup> Fasikaw Menberu & Farouk Chothia, "<u>Ethiopia Tigray Crisis: From Monk to Soldier – How War Has Split a Church</u>," *BBC News* (3 October 2021).

<sup>136</sup> Lucy Kassa, "Ethiopia War: Evidence of Mass Killing Being Burned – Witnesses," BBC News (7 May 2022).

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FIJI

Previous Annual Report entries: 2004, 2006, 2010.

**FINLAND** 

Previous Annual Report entries: 2011–2012, 2017, 2020.

On 28 October 2021, the government appointed a five-member Truth and Reconciliation Commission to examine historical and current injustices suffered by the indigenous Sámi people, including the Finnish state's assimilation policy and violations of the indigenous community's rights, as part of a process that had started in 2017. Its final report was due on 23 November 2023 [See NCH Annual Reports 2017, 2020].137

See also Russia.

**FRANCE** 

Previous Annual Report entries: 1996–1999, 2001–2009, 2011–2014, 2016–2018, 2020–2021.

In March 2021, the Duclert commission, established to review state archives concerning France's role and engagement in Rwanda between 1990 and 1994, published its final report. It found that, although not an accomplice to the genocide, France bore responsibility for its blindness to the preparation for a genocide and its slowness to break with the regime responsible for it. President Emmanuel Macron acknowledged France's responsibility and sought forgiveness from the Rwandan people. In April, the Muse Report, commissioned by the Rwandese government, went further, stating that France bore "significant responsibility for having enabled a foreseeable genocide." <sup>138</sup>

On 2 July 2021, the Council of State annulled Interministerial General Instruction No. 1300, which blocked access to public archives more than fifty years old on national security and national defense

<sup>137 &</sup>quot;Finland Appoints Sámi Reconciliation Commission to Investigate Indigenous Injustices," YLE News (30 October 2021); Prime Minister's Office, "Background of the Truth and Reconciliation Commission" [no date].

Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 315-

grounds, thus giving priority to the 2008 Code du patrimoine (heritage code) which stipulated that after fifty years all archival documents pertaining to the French state (except a few categories such as information on weaponry and on secret agents) should enter the public domain without any conditions. However, on 30 July 2021 a law on the prevention of terrorist acts and on intelligence contained a new declassification procedure for all documents classified since 1934. Moreover, on 9 August 2021, Instruction générale interministérielle sur la protection du secret de la défense nationale (General Interministerial Instruction on the Protection of National Defense Secrecy) No. 1300/SGDSN/PSE/PSD was reissued, which, citing national security concerns, particularly stifled access to archives on the history of colonialism, World War II, and the development of nuclear forces [See NCH *Annual Report 2021*].

On 6 April 2022, the Association des archivists français (Association of French Archivists), Historiennes et historiens du contemporain (Contemporary Historians) and l'Association Josette et Maurice Audin expressed their dissatisfaction over the 30 July law and its application decree 2022–406 signed on 21 March 2022, stating that they would further complicate archival access in opposition to the Council of State's ruling and the public announcements of President Emmanuel Macron. They further noted that they would make some documents that currently had declassification limits between fifty and hundred years remain closed for the public indefinitely, that the Commission d'accès aux documents administratifs (CADA; Commission for Access to Administrative Documents), an independent commission responsible for ensuring freedom of archival access, would be turned into a useless but obligatory and time-consuming administrative mechanism, and that writing about the history of the security services and security politics would become impossible.<sup>139</sup>

On 11 August 2021, the stone memorial commemorating the life of the former minister and Holocaust survivor Simone Veil (1927–2017) in Perros-Guirec, Western Brittany, was defaced with swastikas.

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<sup>139</sup> Conseil d'État, "L'accès aux archives 'secret-défense' doit être possible sans procédure préalable une fois expirés les délais légaux de non-communication," ([2] July 2021); Conseil d'État, Association des archivistes français, Association des historiens contemporanéistes de l'enseignement supérieur et de la recherche, Association Josette et Maurice Audin and others versus Prime Minister: Decision (2021); "Communiqué de presse: Réaction du Collectif 'Accès aux archives publiques' à l'annulation de l'Instruction Générale Interministérielle n° 1300 par le Conseil d'État," Association des Archivistes Français (6 July 2021); "Instruction générale interministerielle sur la protection du secret de la défense nationale No. 1300/SGDSN/PSE/PSD" (9 August 2021); "AHA Statement Concerning Access to French Archives" (press release; 23 November 2020); "Declassification of Archives over 50 Years Old: Not Everything Is Unlocked for Historians," Teller Report (10 March 2021); Jürgen Finger, "CFP (Conference): Strategies of Blockade: Access to Archive Records in France and Germany in an International Perspective," H-German (13 July 2021); Sylvie Braibant, "L'accès aux archives continue à être entravé: Les images de la rencontre 'L'accès aux archives publiques, un enjeu citoyen' du 13 septembre 2021," Histoire coloniale et postcoloniale (16 November 2021); "Communiqué de presse: Des Paroles ... et des actes," Association des archivistes français (19 April 2022).

The memorial had been daubed twice earlier that week with mustard and excrement. The defacement was seen as part of a worrying increase in anti-Semitic incidents in France.<sup>140</sup>

On 13 September 2021, a statue of Modeste Testas (1765, Eastern Africa – 1870, Haiti), an African enslaved person who was bought by a family in Bordeaux, was defaced in Bordeaux. The act was labeled as "probably racist." The statue had been inaugurated in 2019, as part of a number of initiatives addressing the colonial past of Bordeaux, which was one of France's major trading hubs for enslaved persons.<sup>141</sup>

On 17 October 2021, during the commemoration for the Algerian protesters who were killed by the Paris police on 17 October 1961, President Emmanuel Macron called the police operation at the time an "unforgivable" crime. The statement was criticized by some historians for stopping short of an apology. They repeated their calls to make the historical archives, including those on the police killings, fully available for researchers. On 17 October 1961, 30,000 people had participated in protests in Paris against the Algerian War (1954–1962). After police chief Maurice Papon ordered a police crackdown, historians estimated that as many as 200 protesters were killed, with many of them beaten and thrown into the Seine [See NCH *Annual Reports 1997, 2002, 2013, 2017, 2021*]. On 6 June 2022, newly opened archival records showed that then-President Charles de Gaulle (in office between 1959–1969) was quickly informed about the massacre and had demanded prosecution of those responsible. However, no one was ever convicted. 142

On 5 February 2022, in the middle of the presidential election campaign during which immigration and Islam were significant issues, a sculpture of Emir Abdelkader (1808–1883) – an Algerian religious and military leader who led the struggle against the French colonial invasion of Algiers in 1830–1847 but was captured and transported to Amboise – was vandalized hours before it was inaugurated. The sculpture had been commissioned to mark sixty years of Algerian independence from France in 1962. 143

Confirming an earlier ruling of January 2022, the Paris appeals court on 12 May 2022 acquitted farright politician Éric Zemmour of denying a crime against humanity by saying that Marshall Philippe

<sup>&</sup>lt;sup>140</sup> "French Holocaust Survivor Simone Veil's Memorial Vandalised," Guardian (11 August 2021).

<sup>141 &</sup>quot;French Slave Statue Defaced in Apparent Racist Attack," BBC News (13 September 2021).

<sup>142 &</sup>quot;Cérémonie de commémoration des 60 ans du 17 octobre 1961" (Elysée press release; 16 October 2021); Ahmed Rouaba, "How a Massacre of Algerians in Paris Was Covered Up," BBC News (16 October 2021); Kim Willsher, "Macron: Police Violence at 1961 Algerian Protest 'Unforgivable'," Guardian (17 October 2021); Kim Willsher, "Macron Statement on 1961 Protest Killings 'Falls Short,' Say Critics," Guardian (18 October 2021); Fabrice Afri, "De Gaulle et le massacre des Algériens à Paris en octobre 1961," Histoire coloniale et postcoloniale (20 June 2022).

<sup>143 &</sup>quot;Emir Abdelkader: French Sculpture of Algerian Hero Vandalised," BBC News (5 February 2022).

Pétain, in collaborating with the Nazis, had saved most French Jews. On the basis of Article 24 bis of the 1881 press law (the so-called 1990 Gayssot Act about Holocaust denial, amended in 2017), the Ligue internationale contre le racisme et l'antisémitisme (Licra; International League against Racism and Anti-Semitism), the Mouvement contre le racisme et pour l'amitié entre les peuples (Mrap; Movement against Racism and for Friendship between the Peoples) and the Union des étudiants juifs (UEJF; Union of Jewish Students) had filed the case after Zemmour's statement in October 2019 during a television debate with philosopher Bernard-Henri Lévy that Pétain, whom the Nazis allowed to administer a part of France after they occupied it in 1940, had sacrificed foreign Jews living in France to save Jewish nationals. Almost all historians called Zemmour's interpretation a gross falsification of history. The complainants planned to bring the case before the Court of Cassation. 144

See also Cambodia, Central African Republic, Morocco.

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<sup>144</sup> Cnaan Liphshiz, "Éric Zemmour Acquitted of Holocaust Denial Charge for Saying French Nazi Collabo rator Saved Jews," Forward (16 May 2022); Marc Bensimhon & Julien Bensimhon, "Relaxe d'Éric Zemmour: une motivation choquante et dangereuse," Actu-Juridique fr (18 and 23 May 2022); AFP, "Eric Zemmour relaxé: Le Parquet général forme un pourvoi en cassation," Le Monde (19 May 2022); Zemmour contre L'Histoire (Paris: Gallimard, 2022), 40–42; European Court of Human Rights, Case of Lehideux and Isomi v. France (Application 55/1997/839/1045) (23 September 1998); Jon Henley, "Rise of Far Right Puts Dreyfus Affair into Spotlight in French Election Race," Guardian (30 October 2021).

#### **GABON**

Previous Annual Report entries: 2016, 2018.

#### **GAMBIA**

Previous Annual Report entries: 2016–2018, 2021.

On 25 November 2021, after repeated delays, the Truth, Reconciliation and Reparations Commission (TRRC; set up in 2017) presented its 17–volume final report on the human rights violations committed during the rule of Yahya Jammeh (in office as chairman of the Armed Forces Provisional Ruling Council in 1994–1996, and as president in 1996–2017) to President Adama Barrow [See NCH *Annual Reports 2018, 2021*]. On 24 December, the report was published. An estimated 400 people were tortured, raped, and killed by state agents, often at the hands of "Junglers," Jammeh's death squads. The TRRC recommended the prosecution of perpetrators, some of whom were still working in the security apparatus. On 25 May 2022, Justice Minister Dawda Jallow announced the creation of a special court to prosecute alleged perpetrators, including Jammeh. 145

#### **GEORGIA**

Previous Annual Report entries: 1998, 2003, 2010–2012, 2014, 2016, 2019.

The archives law prohibited full access to Soviet-era archives and in those available for inspection names of victims of political repression were redacted. Under Soviet rule (1922–1991), some 80,000 people reportedly became victims of repression and between 10,000 and 15,000 of them were shot. Additionally, around 200,000 members of minority communities were deported. 146

<sup>145 &</sup>quot;The Gambia Delays Report on Former Longtime Leader Jammeh," AlJazeera (30 September 2021); "Gambia: Truth and Reconciliation Report Must Lead to Justice and Reparations for Victims," Amnesty International (25 November 2021); "Gambian Commission Urges Prosecutions for Yahya Jammeh-era Abuses," AlJazeera (25 November 2021); Mustapha Darboe, "Gambia: Truth Commission Report Hangs on Election Result," Justiceinfo.net (26 November 2021); Erome Egbejule, "Adama Barrow's Re-election and the Gambia's Long Walk to Justice," AlJazeera (9 December 2021); "The Gambia Panel Recommends Expresident Yahya Jammeh Face Trial," AlJazeera (25 December 2021); Mustapha Darboe, "Gambia Validates Truth Commission's Work and Promises Justice," Justiceinfo.net (26 May 2022).

<sup>&</sup>lt;sup>146</sup> Manon Bokuchava, "Last Address: Tbilisi," Transitions (6 August 2021).

#### **GERMANY**

Previous Annual Report entries: 1995, 1997–2000, 2003, 2006–2013, 2015–2017, 2019–2021.

Since 2012 occasionally, but from August 2019 massively, Georg Friedrich, Prince of Prussia (1976–), head of the Hohenzollern family – Germany's most important noble family and the source of nine Prussian kings and three German Kaisers, including Wilhelm II (1859–1941) – initiated a series of Strategic Lawsuits against Public Participation (SLAPPs) by sending cease and desist letters and/or suing dozens of historians, politicians, and journalists over their portrayal of his family, its past, and its actions in public space, leading to 63 injunctions.

In 1926, under the Weimar Republic, and again in 1945 in the Sowjetische Besatzungszone in Deutschland (SBZ; Soviet Zone of Occupation), much Hohenzollern property (crown jewels, art, furniture, books, castles worth millions of euros) was confiscated. After the 1990 German reunification, Louis Ferdinand, Prince of Prussia (1907–1994) and Wilhelm II's grandson, initiated a campaign for the restitution of this property. A major obstacle, however, was article 1(4) of the 1994 Ausgleichsleistungsgesetz (law on restitution payments) which stipulated that restitution was excluded in those cases where the beneficiaries or their heirs "gave substantial assistance (erheblichen Vorschub) to the National Socialist system or to the Communist system in the Soviet Zone of Occupation or in the German Democratic Republic."

Among the statements found objectionable by the Hohenzollern family were those about ongoing legal cases; access to the Hohenzollern archives; secret negotiations with the government over property restitution; and the Crown Prince's past, among others. A very large majority of historians had opined that Wilhelm II's son, Crown Prince Wilhelm (1882–1951), had "given substantial assistance" to the National Socialists. The Hohenzollern family claim that Crown Prince Wilhelm had not collaborated, was dismissed in the Bundestag (parliament) during a hearing on 29 January 2020 with historians, lawyers, and politicians from all parties covered by all German media outlets and broadcast on German television.

Among the historians sued by the Hohenzollern were Stephan Malinowski, a historian at the University of Edinburgh who had authored an expert report on the Hohenzollern property, and Winfried Süss, a historian at the Leibniz-Zentrum für Zeithistorische Forschung in Potsdam who had claimed that the Hohenzollern had tried to influence the historical representation of the family in public institutions. Among the historians sent cease and desist letters was Karina Urbach, Institute for Advanced Study, Princeton, who had to retract her statement that the Hohenzollern family had closed its private archive for research. On 15 June 2021, the Verband der Historiker und Historikerinnen

Deutschlands (Association of Historians of Germany) launched a website on which all the legal cases were documented.<sup>147</sup>

In [January 2022], the religious group Jehovah's Witnesses filed a lawsuit against the government to reclaim family records of the group's persecution by the Nazis during World War II, currently held by the Museum of Military History in Dresden. The 31 files of documents had been purchased by the museum in 2009 from a family member, but Jehovah's Witnesses argued that the sale went against the 2005 will of the archives' owner Annemarie Kusserow and deprived them of an "invaluable part of [their] cultural heritage." In April 2021, a regional court had ruled that the museum had purchased the archive in good faith and was entitled to keep it. An estimated 1,600 Jehovah's Witnesses died as a result of Nazi persecution and around 4,200 were sent to concentration camps. 148

On 7 and 18 April 2022, the Soviet War memorial in Berlin's Treptower Park (built in the wake of World War II to commemorate Soviet soldiers who perished in the 1945 Battle of Berlin) was defaced with graffiti slogans relating to the ongoing war in Ukraine.<sup>149</sup>

On 20 June 2022, organizers of the international art exhibition Documenta in Kassel covered and later removed the work "People's Justice," a nearly sixty-foot-long painted banner by the Indonesian collective Taring Padi, after Israeli diplomats and Germany's culture minister Claudia Roth said it contained anti-Semitic images. The banner's cartoonlike and satirical depiction of political resistance against President Suharto (in power between 1967–1998), created in 2002 to commemorate the victims of that regime, involved hundreds of individual figures, two of which could have anti-Semitic overtones. Taring Padi apologized and declared that the work was "not meant to be related in any way to anti-Semitism." On 16 July 2022, Documenta Director Sabine Schormann resigned as a result of the affair. 150

See also Belarus, China, Egypt, Palestine, Paraguay, Poland, Ukraine, United Nations.

<sup>147</sup> Website of the Hohenzollern family; website of the Verband der Historiker und Historikerinnen Deutschlands (VHD) about the legal cases (divided into six groups): "Die Klagen der Hohenzollern"; Website on which four secret expert reports about the Hohenzollern properties were uploaded; Website of the Prinzenfonds of the transparency project FragDenStaat supporting the VHD.

<sup>&</sup>lt;sup>148</sup> Evelyn Blackwell, "Jehovah's Witnesses Sue German Museum for Archive of Nazi-Era Abuses," World News Era (January 2022).

<sup>&</sup>lt;sup>149</sup> "Russian Embassy Notifies German Foreign Ministry about Vandalized Memorial in Berlin," Tass (8 April 2022); "Soviet-Era Memorial in Berlin Defaced with Ukraine War Graffiti," The Nomad Today (19 April 2022).

<sup>&</sup>lt;sup>150</sup> Alex Marshall, "<u>Documenta Takes Down Art after Antisemitism Accusations</u>," *New York Times* (21 June 2022).

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**GHANA** 

Previous Annual Report entries: 2002, 2004–2008, 2017, 2019.

Throughout 2021, "witch" camps remained open, despite the government's promise to close them.

Older women accused of witchcraft were at risk of being banished to such camps. A commemorative

forum was held on 23 July 2021, a year after a mob lynched an elderly woman, to call on parliament to

criminalize the labeling of people as witches.<sup>151</sup>

**GREECE** 

Previous Annual Report entries: 1995, 1999, 2004–2011, 2013–2019.

In its 2021 annual report, the Germany-based NGO World Heritage Watch (WHW) voiced objections

over completed and planned construction projects around the Acropolis in Athens. WHW argued that

the projects were in violation of four of the five UNESCO World Heritage Monument criteria, and had

been implemented by circumventing international and national legal frameworks and institutional

standards. Additionally, the projects had led to immediate and predictable damages, and had used

techniques and materials that were inconsistent with the architecture of the site, thus erasing the sense

of historic unity and continuity.<sup>152</sup>

On 9 December 2021, the Central Board of Jewish Communities in Greece published a statement saying

that Russia would return the pre-war archives of Jewish communities that had been plundered from

thirty synagogues in Thessaloniki by Nazi forces and that had subsequently been transferred to Moscow

in May 1945. No date for the return was given. 153

On 30 December 2021, Turkish-Armenian historical linguist Sevan Nişanyan (1956–), editor of the

Etymological Dictionary of the Turkish Language and creator of the Index Anatolicus (a website

looking at the toponymy of 53,000 place names in Turkey, Greece, North Macedonia and Armenia),

faced deportation from Greece after being put on the so-called EKANA "list of undesirable foreigners"

and denounced as a national security threat for creating a database of Greek place names and how they

had changed through history. On 7 January 2022, a court ordered Nişanyan's release but gave him

<sup>151</sup> Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 177.

<sup>152</sup> World Heritage Watch, Report 2021, (Berlin: WHW, 2021), 21–23.

<sup>153 &</sup>quot;Russia to Return Pre-War Jewish Archives to Greece," Moscow Times (9 December 2021).

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fifteen days to leave Greece voluntarily. On 13 January 2022, his appeal against the court decision and

his request to remove his name from the list were rejected. He was forced to leave.

In 2017 Nişanyan had escaped from a Turkish prison (where he had been serving a sentence since

2014 on alleged charges of illegal construction) to Samos in Greece. Ni sanyan had also previously been

sentenced to 13,5 months of prison on blasphemy charges in Turkey over a 2012 blog defending an

anti-Islam film that ridiculed the Prophet Mohammed and sparked angry protests across the world [See

NCH Annual Reports 2010, 2014]. 154

See also Germany, Turkey.

**GRENADA** 

Previous Annual Report entries: 2007.

On 22 April 2022, the Earl and Countess of Wessex, Prince Edward and Sophie, canceled a stop in

Grenada of their Caribbean tour to mark the Queen's Platinum Jubilee because the National Reparations

Commission on slavery wanted an apology and reparations from the British government and Queen

Elizabeth for the Royal Family's role in the slave trade and slave plantations. The Royal African

Company, set up in the seventeenth century with a charter granted by King Charles II, had played a

critical role in both. The issue of reparatory justice for the victims of slavery also came up during royal

visits in other Caribbean states such as Barbados, Jamaica, Belize, the Bahamas, St Vincent and the

Grenadines, St Lucia, and Antigua and Barbuda. 155

**GUATEMALA** 

Previous *Annual Report* entries: 1995–2021.

154 "Turkish-Armenian Writer Facing Deportation after Greece Arrest, Says Wife," Greek City Times (2 January 2022; Mark Frary, "Turkish-Armenian Academic Faces Deportation from Greece over Controversial Views," Index on Censorship (14 January 2022); "Academic Forced to Leave Greece," Index on Censorship, 2022 (51

no. 1), 7.

Laura Trevelyan, "Earl and Countess of Wessex: Why Grenada Wanted to Talk to Royals about Slavery," BBC News (22 April 2022); Charley Adams, "Earl and Countess of Wessex: Prince Edward and Sophie Postpone Grenada Trip," BBC News (22 April 2022); André Rhoden-Paul, "Royal Couple Told of Antigua and Barbuda's Wish To Be Republic," BBC News (22 April 2022); Gemma Handy, "Why British Royals Face Simmering Resentment in Caribbean," BBC News (29 April 2022).

In March 2019, the Inter-American Court of Human Rights ordered Guatemala, in a binding ruling, to shelve the proposed legislation that would provide amnesty for genocide and other atrocities [See NCH *Annual Report 2020–2021*]. In April 2021, the bill was finally shelved. However, in June 2021, legislators presented a Peace and Reconciliation bill, that similarly sought to end proceedings for crimes

On 12 October 2021, a group of protesters tried to topple a statue of Christopher Columbus in Guatemala City. Twelve October marks Hispanic Heritage Day, a day commemorated worldwide to mark Columbus's arrival in the Americas, which has faced criticism for not recognizing the effects on indigenous people varying from enslavement to death.

Another group of protesters splashed red paint on a monument of former President José María Reina Barrios (1854–1898), after which they tore away the head on the monument.<sup>157</sup>

On 6 March 2022, judge Miguel Ángel Gálvez, who had previously sent former President Efraín Ríos Montt (1926–2018; in power between 1982–1983) to trial on charges of genocide and crimes against humanity, ordered nine retired military and police officials to trial on charges including illegal detention, torture, murder and forced disappearance of more than 195 people during the military regime of Óscar Humberto Mejía Víctores (1930–2016; in power between 1983–1986). Following the order, Gálvez became the victim of an online smear campaign: he was followed by unmarked vehicles and received death threats and threatening phone calls. <sup>158</sup>

#### **GUINEA**

Previous Annual Report entries: 2007, 2009–2021.

committed during the Civil War (1960–1996).<sup>156</sup>

In 2021, the government of Alpha Condé – the president until the coup of 5 September 2021 – failed to meet a self-imposed June 2020 deadline for the trial of alleged perpetrators of the 2009 stadium massacre [See NCH *Annual Reports 2015–2016, 2018–2021*]. The new President Mamady Doumbouya announced on 5 September that "justice will be the compass that will guide every Guinean citizen," making a symbolic appearance at the commemoration of the stadium massacre on 28 September. <sup>159</sup>

<sup>156</sup> Human Rights Watch, World Report 2021: Events of 2020 (New York: HRW, 2021), 283.

<sup>157</sup> Sofía Menchú, "Guatemala Protesters Strain to Topple Columbus Statue, Protesting Colonizer Legacy," Reuters (13 October 2021).

<sup>&</sup>lt;sup>158</sup> Jo-Marie Burt & Paulo Estrada, "<u>Guatemalan Judge under Threat after Ordering Trial in 1980s 'Death Squad Dossier' Case</u>," *WOLA* (24 May 2022).

<sup>159</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 294–295.

#### **GUINEA-BISSAU**

Previous Annual Report entries: 1999, 2012, 2015.

#### **GUYANA**

Previous Annual Report entries: 1997.

On 9 August 2021, the National Assembly adopted Resolution no. 23, accepting and implementing the 2016 findings of the Commission of Inquiry Appointed to Enquire and Report on the Circumstances Surrounding the Death in An Explosion of the Late Dr. Walter Rodney on Thirteenth Day of June, One Thousand, Nine Hundred and Eighty at Georgetown, that stated that there was no doubt that Gregory Smith, an active-duty sergeant in the Guyana Defense Force, had been responsible for the murder of historian and opposition politician Walter Rodney and that the killing could only have been "a state-organized assassination with the knowledge of Prime Minister [Forbes] Burnham [prime minister in 1964–1980 and president in 1980–1985]." However, as of November 2021, the commission's full report had not been released.

In 2014, then President Donald Ramotar (in office in 2011–2015) had established a commission to investigate the death of Walter Rodney (1942–1980), a Marxist history lecturer, author, and the founder and leader of the left-wing opposition party Working People's Alliance, a revolutionary and multiracial party opposed to Burnham's rule. Rodney was killed on 13 June 1980 by a bomb hidden in his brother's car [See NCH *Annual Report 1997*]. The commission was dissolved after President David Granger (in office in 2015–2020) was elected into office, but it nevertheless concluded that state authorities had been behind the murder. Meanwhile, Guyana's National Archives had been renamed the Walter Rodney National Archives and his grave and the site where he was killed were slated to become national monuments. 160

Mary Curry, ed., "The Walter Rodney Murder Mystery in Guyana 40 Years Later," National Security Archive (13 June 2020; updated 12 November 2021).

**HAITI** 

Previous Annual Report entries: 1997, 2000–2003, 2006, 2008–2009, 2013–2021.

In late October 2021, a safe containing records, among others, on the killing of Port-au-Prince Bar Association chief Monferrier Dorval (1956–2020) on 28 August 2020, were stolen from the Tribunal de Première Instance (TPI; Court of First Instance) in Port-au-Prince. The theft was seen as part of a pattern in which "every time there is a huge case" before the court "the files always disappear." Around the same time, the office of Investigative Judge Garry Orélien, who led the inquiry into the murder of former President Jovenel Moïse (1968–2021), who was killed on 7 July 2021, was broken into and some documents were allegedly tampered with. On 10 June 2022, gang members occupied the TPI and on 14 June set fire to an unknown number of its archival records, including court files. 161

On 1 January 2022, gunmen tried to kill Prime Minister Ariel Henry (1949–) during a ceremony at a church in Gonaïves to mark the anniversary of Haiti's independence on 1 January 1804. At the time, Haiti was the second colony in the Americas to become independent.<sup>162</sup>

See also France.

**HONDURAS** 

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

In early February 2022, an anti-corruption team from the Attorney General's Office visited the presidential offices one week after President Juan Orlando Hernández stepped down on 27 January 2022 and found that all evidence of wrongdoing had disappeared or was shredded. The Hernández administration (2014–2022) had argued that official documents were protected under a law dubbed the "Official Secrets Law," promulgated in 2014 and covering national security and defense. On 2 March 2022, the new congress repealed the law, allowing access to documents previously classified as secret.

<sup>&</sup>lt;sup>161</sup> Jacqueline Charles, "Stolen Court Safe Held Secrets of a High-Profile Killing: Can Justice Survive in Haiti?," Miami Herald (26 November 2021); "Des bandits détruisent des archives au tribunal de première instance de Port-au-Prince," Le Nouvelliste (15 June 2022).

<sup>&</sup>lt;sup>162</sup> "Haiti PM Ariel Henry Survived Assassination Attempt – Officials," BBC News (3 January 2022).

Hernández was taken in custody on 15 February 2022, following a request by the United States government for his extradition on drug trafficking and weapons charges.<sup>163</sup>

On 30 March 2022, Eduardo Enrique Urbina Ayala, a former history student at the National Universidad Nacional Autónoma de Honduras (UNAH), Tegucigalpa, returned from exile in Costa Rica. Urbina had fled Honduras on 11 December 2017, before the government of Juan Orlando Hernández (in office between 2014–2022) issued an arrest warrant for his alleged participation in the burning of a military truck – an event that occurred days after his arrival in Costa Rica. Urbina, who was a member of the Movimiento Estudiantil Universitario (University Student Movement) and the left-wing opposition party Libertad y Refundación (Liberty and Refoundation), had been one of the leaders of a UNAH group of students protesting against the 2017 re-election of Hernández, which was widely considered as fraudulent. 164

## **HONG KONG**

Previous Annual Report entries: 1996. From 1997: See China.

# **HUNGARY**

Previous Annual Report entries: 1995, 1997, 2004, 2007–2021.

In 2021, no official commemoration was held for the victims of the first deportation of Jews from Hungary to Kamianets-Podilskyi (in the then German-occupied Ukrainian Soviet Socialist Republic) in the summer of 1941.

In 2013, the government of President Viktor Orbán had founded the historical institute "Veritas," which critics said promoted a version of history favoring Orbán's political agenda [See NCH *Annual Report 2019*]. "Veritas" allegedly denied that anti-Semitism had been part of the state's policy during the Horthy regime (1919–1944) [See NCH *Annual Report 2021*]. In 2014, Sándor Szakály, the military historian who headed "Veritas" and who had met opposition for his revisionist views of history for

<sup>163 &</sup>quot;Honduras Repeals 'Secrets Law' in Fight against Corruption," Reuters (3 March 2022); Marlon González, "Honduras Prosecutor: Ex-president's Offices Swept of Papers," AP News (4 March 2022).

<sup>164</sup> Riccy Ponce & Sandra Rodríguez, "Eduardo Urbina, el estudiante de historia que debería estar en clases," Defensores en linea (13 April 2018); Brent Patterson, "PBI-Honduras Accompanies COFADEH during the Return of Criminalized Student Eduardo Urbina from Exile in Costa Rica," Peace Brigades International Canada (5 April 2022).

almost twenty years, stated in an interview that the 1941 deportation to Kamianets-Podilskyi had been an "alien police procedure," claiming that the Hungarian gendarmes could never have done such a thing. His comments had led Jewish organizations to demanding his dismissal, but to no avail. 165

In late November 2021, Andrea Pető, a historian in the Central European University Department of Gender Studies [See NCH *Annual Report 2020*], resigned from the humanities subcommittee of the Hungarian Accreditation Committee after she was asked to withdraw criticism of the European Association for Quality Assurance in Higher Education (ENQA). In a draft article, Pető had argued that the ENQA failed to confront the "illiberalization" of educational policy in Poland and Hungary [See NCH *Annual Report 2020–2021*] and that the illiberal turn in higher education policy was leading to self-censorship among Hungarian academics.<sup>166</sup>

<sup>165</sup> Karl Pfeifer, "Ohne Druck von deutscher Seite," Jüdische Allgemeine (18 July 2021).

<sup>&</sup>lt;sup>166</sup> Sally Gimson, "Macho Politics Drive Academic Closures," *Index on Censorship*, 2019 no. 3, 103; "Andrea Peto" (CEU website, September 2019); Jennifer Rankin, "How Dictatorship Works': Hungarian Academic Quits in Censorship Row," *Guardian* (30 November 2021).

#### **INDIA**

Previous Annual Report entries: 1996–1997, 2000–2021.

On 17 May 2021, the Central University of Kerala suspended Gilbert Sebastian, an assistant professor in the Department of International Relations, for describing the Rashtriya Swayamsevak Sangh (RSS; National Volunteer Corps, founded in 1925), a militant political organization connected to the ruling Bharatiya Janata Party, as "proto-Fascist." He had made the remark in a virtual session of his course on "Fascism and Nazism," in which he also considered Spanish dictator Francisco Franco and the South-African Apartheid government as examples of proto-Fascism. Members of the RSS student wing had complained to the university about Sebastian's remark. <sup>167</sup>

In July 2019, activists affiliated to the right-wing student group Akhil Bharatiya Vidyarthi Parishad (All Indian Student Council) reportedly stormed a meeting of Delhi University's Academic Council, demanding that the council remove materials from syllabi that they considered offensive. The university responded by forming an oversight committee to scrutinize the syllabi. In July 2021, the committee revised syllabi from the English, history, political science, and sociology departments despite its members lacking expertise in those subjects and without consulting department members. Revisions, later approved by the university, included the removal of works by Dalit and Tamil feminist authors from an English syllabus and their replacement with works by upper-caste writers. <sup>168</sup>

In July 2021, the University Grants Commission (UGC) released a new undergraduate history curriculum for centrally funded public universities after consultations with stakeholders during February and March 2021. It was widely criticized for its pro-Hindu bias: Muslim contributions to Indian history and the contribution of post-independence secular politicians were downplayed; Vedic and Hindu religious literature was singled out at the cost of ancient secular texts. Overall, the cultural diversity of India was ignored. Bibliographies were adjusted accordingly. The authors of the curriculum revision committee remained anonymous and their methodology was not explained. 169

On 14 August 2021, the eve of Independence Day, Prime Minister Narendra Modi announced that 14 August would henceforth be observed as "Partition Horrors Remembrance Day" to commemorate the victims of Partition (1947–1948), in which about two million people were killed and another twelve to

<sup>&</sup>lt;sup>167</sup> Scholars at Risk, Free to Think 2021 (New York: SAR, 2021), 23.

<sup>&</sup>lt;sup>168</sup> Scholars at Risk's Submission to the Fourth Cycle of the Universal Periodic Review of India: 41st Session of the United Nations Human Rights Council (New York: SAR, 2022), § 26.

<sup>&</sup>lt;sup>169</sup> Shuriah Niazi, "Row over Hindu Bias in Revision of History Syllabus," University World News (23 July 2021).

fifteen million expelled. While many welcomed the initiative, others criticized it for being a veiled attack on Nehruvian politics at the time intended to target the Congress opposition and for coinciding with Independence Day in Pakistan.<sup>170</sup>

On 29 August 2021, Congress leader P[alaniappan] Chidambaram criticized the Indian Council for Historical Research (ICHR) for omitting the photograph of Jawaharlal Nehru, India's first prime minister in 1947–1964, from the first digital poster to celebrate the 75th year of India's 1947 independence, accusing the ICHR of bowing to hate and prejudice. In a reaction on 30 August 2021, ICHR director Om Jee Upadhyay said that ICHR "had no intention to diminish Nehru's contribution toward India's independence" and that there was a misunderstanding. The poster had been only the first of seven or eight and Nehru would appear on one of the following posters. Upadhyay said that Nehru's name was mentioned seventeen times in the NCERT book on modern India and that his images appeared multiple times as well.<sup>171</sup>

In November 2021, a civil court rejected a petition by Hari Shankar Jain asking to restore 27 temples demolished in 1192 in the area surrounding the Qutub Minar minaret (itself built in 1192 by the first sultan of Delhi, Qutbuddin Aibak, after defeating the Hindu rulers). The court said that India had been ruled by several dynasties and that wrongs committed in the past "cannot be the basis of disturbing peace of our present and future." The decision was challenged in a higher court. <sup>172</sup>

On 17 February 2022, the Ministry of Social Justice and Empowerment announced revised guidelines for the National Overseas Scholarship (NOS), a scholarship scheme for students from marginalized sections of society for higher studies at foreign universities. The guidelines prohibited NOS scholars to study Indian culture, or do research in the fields of heritage, history and social studies with India as the research subject. Moreover, they placed the final decision of whether research topics could be pursued under the authority of an NOS screening committee. Critics said that the criteria would restrict research in foreign universities on the caste system in Hindu religion, gender inequality in India, Brahminical cultural traditions, and poverty in the context of caste, among others. They also feared that the screening committee could narrow down the range of permissible topics even further. <sup>173</sup>

Press Information Bureau, Government of India, <u>Press Release Ministry of Information & Broadcasting</u> (14 August 2021); "<u>PM: Aug 14 Now Partition Horrors Remembrance Day, Lest We Forget</u>," *Indian Express* (15 August 2021).

<sup>171 &</sup>quot;Chidambaram Slams Indian Council for Historical Research for Omitting Nehru's Image," Telegraph (31 August 2021); Sharangee Dutta, "Nehru's Image Could Be in Next Poster, Says ICHR Chief Amid Controversy," Hindustan Times (30 August 2021).

<sup>&</sup>lt;sup>172</sup> Soutik Biswas, "Qutub Minar: Why India's Tallest Minaret Is Embroiled in Dispute," *BBC News* (26 May 2022).

<sup>&</sup>lt;sup>173</sup> Basant Kumar Mohanty "<u>Scholarship Holds Students back from Caste Home Truths</u>," *Telegraph* (19 February 1922).

On 18 February 2022, the Delhi High Court passed an ad-interim order directing United States-based historians Audrey Truschke (Rutgers University), Ananya Chakravarti (Georgetown University), and Rohit Chopra (Santa Clara University) not to publish any defamatory content alleging plagiarism against historian Vikram Sampath in relation to his journal article (2017) and two-volume biography (2019, 2021) on Hindutva ideologue Vinayak Damodar Savarkar (1883–1966). According to Truschke, Chakravarti, and Chopra, the plagiarized parts came from works by historians Ramesh Chandra Majumdar (1888–1980), Janaki Bakhle, Paul Schaffel (?–2013), Vinayak Chaturvedi, among others. Sampath claimed that the plagiarism allegations were part of an international smear campaign to discredit him for challenging the prevailing narratives around Savarkar. Accusing the three historians of defamation, he sought two crore (20 million rupees) in damages from them and a permanent injunction on the publication of a 11 February 2022 letter to Emma Griffin, president of the Royal Historical Society (RHS) in London, which was widely shared on Twitter. In the letter, the defendants had alleged that they had found a "pervasive, long-standing pattern of plagiarism" in the work of Sampath who had recently been elected a RHS member. On 24 February 2022 and 4 May 2022, the Court ordered Twitter to take down tweets of Truschke containing the plagiarism allegation. On 4 March 2022, the Court rejected an application by Sampath seeking to ban Truschke's website in India

In April 2022, Gursang Preet Kaur, a lecturer at Lovely Professional University in Jalandhar, Punjab, was dismissed after a video in which she was seen to be criticizing the deity Ram went viral. <sup>175</sup>

and alleging that an open letter in her support carried forged signatures. Truschke said that the letter "was vandalized by Hindu Right IT cells, with the goal of manufacturing confusion and fear." The

Court posted the case for hearing on 28 July 2022. 174

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<sup>174</sup> High Court of Delhi, Vikram Sampath versus Audrey Truschke and Others (2 May 2022); "Savarkar Biographer Vikram Sampath Accused of Plagiarism, Historians Say Others' Work Not Cited Fairly," The Wire (14 February 2022); Prashant Jha, "Vikram Sampath Moves Delhi High Court Seeking ₹2 Crore Compensation from Historians Who Accused Him of Plagiarism," Bar and Bench (17 February 2022); Prashant Jha, "Delhi High Court Restrains Audrey Truschke, Others from Publishing Defamatory Content against Vikram Sampath," Bar and Bench (18 February 2022); Nupur Thapliyal, "Delhi High Court Restrains Historian Audrey Truschke & Others From Publishing Defamatory Material Against Vikram Sampath" Live Law (18 February 2022); Abhijit Iyer-Mitra, "Want to Grasp the Leftist Manual of Targeting Opponents? Just Look at Sampath-Sanyal Saga," First Post (9 February 2022); Akash Bhattacharya, "How Historian Vikram Sampath <u>Uses Decolonisation Rhetoric to Make Hindu Domination Sound Reasonable</u>," Scroll.in (13 November 2021); "Twitter Ordered to Delete US Academic's Tweets Accusing Savarkar Biographer of Plagiarism," Indian Express (25 February 2022); Vandana Menon, "Didn't Sign Open Letter to Condemn Vikram Sampath's Defamation Suit, Guha & Mehta Say Amid Row," The Print (27 February 2022); Shreya Agarwal & Gargi Chatterjee, "'Can't Curtail Discussion on Subject by Academics': Delhi High Court Refuses Vikram Sampath Relief against Truschke's Non-compliance with Restraint Order," LawBeat (4 March 2022); "You Can't Curtail Discussion in Academic World: Delhi HC," Free Press Journal (5 March 2022); "Delhi HC Directs Twitter To Take Down Five More Tweets By Audrey Truschke Against Historian Vikram Sampath," Swarajya (4 May 2022).

<sup>175 &</sup>quot;Attack on Critical Thinking? Lovely Professional University Professor Sacked for 'Insulting' Ram," National Herald (25 April 2022).

On 6 May 2022, Waqas Farooq Kuttay, an assistant professor at Sharda University, Greater Noida, Uttar Pradesh, was suspended after some students complained to university officials about an "objectionable" question in a mid-term political science paper for undergraduate students. The question was: "Do you find any similarities between Fascism/Nazism and Hindu right wing (Hindutva)? Elaborate with arguments." The university also formed a three-member committee to investigate the affair. Kuttay was an interim faculty member who had submitted a Ph.D. in political science at Jamia Millia Islamia, New Delhi. In a press note, the university expressed regret over the question, saying that it "distorted the great national identity and the inclusive culture inherent in our national ethos." 176

On 17 May 2022, the Supreme Court ruled that the complex containing the Vishwanath temple (a 1585 Hindu shrine partially destroyed on orders of Mughal Emperor Aurangzeb in 1669) and the Gyanvapi mosque (built by Aurangzeb on the same spot in Banaras in 1669) in Varanasi would be protected and prayers would continue in the mosque. The ruling came after a group of Hindu petitioners had gone to a local court asking for access to pray at the shrine behind the mosque, following which a part of the mosque had been sealed by that court.

On 27 May 2022, during a television debate on the Gyanvapi mosque dispute, the Bharatiya Janata Party's (BJP) official spokesperson Nupur Sharma made controversial comments about the Prophet Muhammad that incensed Indian Muslims and outraged more than a dozen Islamic nations. Sharma apologized but claimed that her remarks were in response to "the continuous insult and disrespect towards the Hindu god Shiva." On 5 June, the BJP suspended her from the party; on 9 June, Delhi police said they had opened investigations against her. On 28 June, a tailor in Udaipur, Rajasthan, who publicly supported Sharma's remarks was killed, putting the state on alert.<sup>177</sup>

On 19 May 2022, the tomb of Mughal Emperor Aurangzeb (1618–1707) in Khuldabad, Maharashtra, was shut to visitors after a regional politician questioned "the need for its existence" and called for its destruction. In March 2016, the hashtag "Remove Mughals From Books" aimed at deleting references to the Mughal dynasty (1526–1857) from history textbooks became trending on Twitter after a speech by Human Resource Development Minister Smriti Irani, a member of the ruling Bharatiya Janata Party.

<sup>&</sup>lt;sup>176</sup> "University Suspends Lecturer Who Set Question on Fascism," Times of India (8 May 2022); "India: Professor Suspended for Exam Question," Scholars at Risk ([no date]; after 6 May 2022).

<sup>177</sup> Soutik Biswas, "Gyanvapi Masjid: India Dispute Could Become a Religious Flashpoint," BBC News (18 May 2022); Vikas Pandey, "Nupur Sharma: Prophet Muhammad Remarks Deepen India's Diplomatic Crisis," BBC News (7 June 2022); Geeta Pandey, "Nupur Sharma: The Indian Woman behind Offensive Prophet Muhammad Comments," BBC News (9 June 2022); "Udaipur: India State on Alert after Prophet Muhammad Row Beheading," BBC News (29 June 2022).

In the speech, Irani had railed against a history book aimed at primary school pupils, claiming that it misrepresented religious tensions in India and insulted the Hindu warrior King Shivaji (1630–1680).<sup>178</sup>

On 19 May 2022, a court in Uttar Pradesh allowed a lawsuit in which nine petitioners asked for the removal of the Shahi Idgah mosque at Mathura based on the claim that it was built on land belonging to the Keshav Dev temple, believed to be the birthplace of Hindu deity Krishna. The mosque, built in 1669–1670, was located next to the temple. The petitioners alleged that a 1968 compromise agreement on the sharing of property was illegal. Similar lawsuits had earlier been dismissed on grounds that they were in violation of the Places of Worship Act of 1991, which maintained the religious status of any place of worship as it was on 15 August 1947 (the Rama temple in Ayodhya [See NCH *Annual Reports* 2002–2004, 2006, 2010–2011, 2015, 2017, 2020–2021] being the only exception to this act).<sup>179</sup>

On 20 May 2022, police officials arrested Ratan Lal, a history professor at the University of Delhi and an outspoken critic of the government, allegedly for a social media post in which he compared a structure – which according to some represented the Hindu deity Shiva – found on the site of the Gyanvapi mosque [See above] with the phallic symbolism of the lingam. On 17 May, the same day of the post, lawyer Vineet Jindal had filed a criminal complaint against him for "promoting enmity between different groups on grounds of religion" and "malicious acts intended to outrage religious feelings." On 21 May, a court ordered Lal's release on bail and instructed him to refrain from social media posts or interviews. <sup>180</sup>

A new history book for Class 9, available from 20 May 2022 and prepared by the Board of Secondary Education in the Bharatiya Janata Party (BJP)-ruled State of Haryana created a row because it blamed Congress for the 1947 Partition of India and lauded the "positive" role played by the Rashtriya Swayamsevak Sangh (the ideological fountainhead of the BJP) and its founder Keshavrao Baliram Hedgewar (1889–1940) in "awakening cultural nationalism and freedom struggle." The new Class 10 history textbook reportedly carried similar distortions. Former Chief Minister and Congress leader Bhupinder Singh Hooda said that it was an attempt by the BJP to "politicize" education and to "saffronize" history. <sup>181</sup>

<sup>178 &</sup>quot;Some Indians Are Calling for a Muslim Empire To Be Wiped from History Books," BBC News (23 May 2022); Geeta Pandey, "Aurangzeb: Why is a Mughal Emperor Who Died 300 Years Ago Being Debated on Social Media?" BBC News (21 May 2022).

<sup>&</sup>lt;sup>179</sup> "UP Court Allows Lawsuit Asking for Removal of Shahi Idgah Mosque in Mathura," The Wire (19 May 2022). <sup>180</sup> "History Professor Detained for a Social Media Post," Scholars at Risk ([no date]; after 20 May 2022).

Vivek Gupta, "Haryana: Class 9 History Book Blames Congress for Partition, Lauds RSS, Hedgewar, Savarkar," The Wire (12 May 2022).

On 25 June 2022, human rights activist Teesta Setalvad ([1962]—) was arrested in Mumbai on trumped-up charges of criminal conspiracy and forgery for her activities while pursuing accountability for the 2002 mob violence targeting Muslims in Gujarat. In 2002, Hindu mobs had targeted Muslims to avenge an attack on a train that caused the death of 59 Hindu pilgrims, killing over thousand Muslims. Setalvad sought the prosecution of senior officials, including then Chief Minister of Gujarat Narendra Modi, who was elected prime minister in 2014. After the riots, based on submissions by activists including Setalvad, the National Human Rights Commission had strongly condemned the Gujarat gov ernment for its failure to deliver justice and the Supreme Court had rebuked the authorities and local justice system for protecting those responsible for abuses.

The Gujarati authorities prosecuted Setalvad for nearly two decades, filing a series of false charges, many of which remain pending. This time, Setalvad was detained a day after the Supreme Court had dismissed a petition filed by Zakia Jafri, the widow of Ehsan Jafri, a member of parliament who was murdered during the 2002 riots. In her petition, with the support of Setalvad's organization, Citizens for Justice and Peace, Jafri had challenged the report of a special investigation team that had absolved Modi of involvement in the riots [See NCH *Annual Reports 2003, 2005–2012, 2014–2015, 2017*].<sup>182</sup>

See also China, Singapore, United Kingdom, United States.

# **INDONESIA**

Previous Annual Report entries: 1996, 1998, 2001–2002, 2004–2013, 2015–2019, 2021.

On 2 May 2021, police beat and arrested a student leader during a demonstration commemorating Hari Pendidikan Nasional (National Education Day), an annual remembrance of Ki Hajar Dewantara (1889–1959) the founder of the Javanese educational system Taman Siswa, on the Alauddin State Islamic University campus. 183

In March 2022, the State Islamic University Bandung stripped Moeflich Hasbullah, a senior lecturer at the Faculty of Islamic History and Culture, of his right to teach, limited his payment and expelled him from his office at the University. In October 2017, after the Indonesian branch of Hizb-ut Tahrir (HTI), an Islamist party seeking to establish a global Caliphate, had been banned by the government in July,

<sup>&</sup>lt;sup>182</sup> Human Rights Watch, "India: Free, Drop Charges Against Teesta Setalvad" (28 June 2022).

<sup>&</sup>lt;sup>183</sup> Joint Submission to the Universal Periodic Review of Indonesia by Scholars at Risk and the Indonesian Caucus for Academic Freedom Fourth Review Cycle, 41st Session of the United Nations Human Rights Council (New York: SAR, 2022), § 22.

Hasbullah had provided an expert opinion on the disbandment as part of an HTI-requested judicial review. In January 2020, he was summoned for his opinion, which was considered by some to support HTI, and interrogated by the general inspectorate of the Religious Affairs Ministry. In April 2020, then Religious Affairs Minister Fachrul Razi signed a "letter of punishment" over an article by Hasbullah in which the latter criticized Vice President Ma'ruf Amin. After the letter, Hasbullah was stripped from his academic rights, a sanction that was supposed to end in March 2022, but that was extended indefinitely.

Suteki, a law professor specialized in the sociology of law and the philosophy of Pancasila (a set of principles that have been Indonesia's official ideology since 1945), was also suspended from his position at Diponegoro University, Central Java, after his allegedly HTI supportive opinion at the HTI judicial court proceeding in 2017. Both suspensions were considered part of a trend against academic freedom that had started around the time that President Joko Widodo took office in October 2014. In May 2022, the Indonesian Caucus for Academic Freedom and Scholars at Risk highlighted "a pattern of repression targeting outspoken scholars and students." <sup>184</sup>

See also Australia, Germany, Netherlands.

### **IRAN**

Previous Annual Report entries: 1996–2021.

On 5 August 2019, Touraj Amini (1968–), a Baha'i historian and writer, was arrested by security forces who confiscated some of his books, his notes, and his laptop. He was sentenced by the Karaj Islamic Revolutionary Court to one year in prison and two years in exile for alleged "propaganda against the state." On appeal his sentence was reduced to six months in prison, for which he was sent to Karaj Central Prison on 29 January 2021. His imprisonment was reportedly related to his research on the Qajar (1789–1925) and the Pahlavi (1925–1979) royal dynasties, during which, Amani argued, a genocide of Baha'is had been carried out. On 3 April 2021, more than forty academics wrote a letter to the authorities requesting the release of Amini. He was released at the end of his sentence on 28 July 2021. Among his works was *Documents of the Baha'is of Iran* (five volumes) and *Interaction of Religious Minorities and the Iranian Constitutional Revolution*. 185

<sup>&</sup>lt;sup>184</sup> "Indonesian Authorities Fight Radicalism on Campus," Study International (7 November 2017); Kafil Yamin, "Rights Groups Expose Rising 'Repression' of Academics, Students," University World News (31 May 2022); "Suteki," Wikipedia (last updated 11 May 2022).

<sup>&</sup>lt;sup>185</sup> "Touraj Amini," Journalism Is Not a Crime ([between April and July] 2021); "Writers at Risk Database," PEN America (last updated 4 June 2022).

On 28 June 2021, Javaid Rehman, the United Nations investigator on human rights in Iran, called for an independent inquiry into allegations of state-ordered executions of political prisoners in 1988 and the role played by President-elect Ebrahim Raisi. Rehman further expressed concern over reports that mass graves were being destroyed as part of a continuing cover-up. On 27 January 2022, 460 people, including former President of the International Criminal Court Sang-Hyun Song, called on UN High Commissioner of Human Rights Michelle Bachelet to investigate the 1988 killings [See NCH *Annual Reports* 2017, 2021].

On 27 July 2021, prosecutors in Sweden charged Hamid Nouri ([1961–]), who was arrested in Sweden, with war crimes over the mass execution of sympathizers of the armed leftist opposition group Mujahedin-e Khalq in July–August 1988. He denied the charges. The trial started in August 2021. It was the first time anyone went on trial over the 1988 killings. On 14 July 2022, the Stockholm District Court sentenced him to life in prison for war crimes committed as the assistant deputy prosecutor of the Gohardasht prison, Karaj. 186

On 7 January 2022, social media platform Instagram blocked posts using a hashtag in memory of the victims of a Ukrainian airliner shot down by Iranian security forces on 8 January 2020. The Association of Families of the Victims, representing the 176 victims from six countries, found that posts with the hashtag #IWillLightACandletoo, as well as its Persian version, were not visible to users. Cybersecurity experts said that Iran had possibly orchestrated the block by reporting the posts. Instagram declared that the hashtag was "restricted by mistake" and restored it after 24 hours. <sup>187</sup>

On 8 January 2022, Baktash Abtin (1974–2022), an imprisoned film director and member of the Iranian Writers' Association (IWA) who had been transported to a prison hospital in mid-December 2021, died there from complications relating to COVID-19 which could have been avoided had he received medical care earlier. He had contracted the disease while in Tehran's Evin prison after having been sentenced in 2019 to five years' imprisonment on charges of "illegal assembly and collusion against

Amnesty International, "Iran: Key Officials Named over 1988 Mass Prison Killings — New Report" (press release; 4 December 2018); Stephanie Nebehay, "Exclusive U.N. Expert Backs Probe Into Iran's 1988 Killings, Raisi's Role," Reuters (29 June 2021); "Sweden Charges Man over 1988 Iran Prison Massacre," BBC News (28 July 2021); "Sweden Tries Hamid Nouri over 1988 Iran Prison Massacre," BBC News (10 August 2021); Joshua Nevett, "Hamid Nouri: How Sweden Arrested a Suspected Iranian War Criminal," BBC News (4 September 2021); Stephanie Nebehay, "UN Urged to Open Query Into Iran's 1988 Killings and Raisi Role," Reuters (27 January 2022); "Report 31: Expert Witness Hearings Pt. 1" (expert witness of historian Rouzbeh Parsi), Civil Rights Defenders (1 April 2022); "Sweden Hands Life Sentence to Ex-Iranian Official over 1988 Purge," Al Jazeera (14 July 2022).

<sup>&</sup>lt;sup>187</sup> Rana Rahimpour, "<u>Instagram Blocked Hashtag in Memory of Iran Plane Crash Victims</u>," *BBC News* (7 January 2022).

national security" and to one year for "spreading propaganda against the state," in relation to his joint authorship of a book on the history of the IWA [See NCH *Annual Reports 2020–2021*]. 188

On [12 January 2022], Franco-Iranian Fariba Adelkhah (1959–), social and political anthropologist, specialist in Shia Islam, and director of research at Sciences Po's Center for International Studies (CERI) in Paris, was sent back to prison from house arrest [See NCH *Annual Report 2020–2021*].<sup>189</sup>

See also Iraq, Morocco, Norway, United Nations, United States.

# **IRAQ**

Previous Annual Report entries: 1998, 2000–2021.

In March 2021, parliament passed the Law on Yazidi Female Survivors, which recognized crimes committed by Islamic State (IS) against women and girls from the Yezidi, Turkmen, Christian and Shabaks minorities during the Iraqi conflict (2003–) as genocide and crimes against humanity, but little progress was made toward the application of the law and no IS members had been convicted of war crimes, crimes against humanity or genocide. Moreover, despite IS's systematic rape, sexual slavery, and forced marriage, no members were prosecuted for these crimes. Instead, judges routinely prosecuted suspects only on the charge of IS affiliation.<sup>190</sup>

On 16 July 2021, Prime Minister Mustafa Al-Kadhimi announced that the authorities had arrested a man allegedly responsible for the murder of historian Hisham al-Hashimi [See NCH *Annual Report* 2020].<sup>191</sup>

<sup>&</sup>lt;sup>188</sup> International PEN, The PEN International Case List 2019 (London: PEN, 2020), 119; PEN International, "Iran: Three Writers Face Lengthy Prison Sentences" (3 May 2019; with an update on 17 May 2019); PEN International, "Iran: Writers Baktash Abtin, Reza Khandan-Mahabadi and Keyvan Bazhan Imprisoned" (Rapid Action Network, update 2: no. 02/2020) (30 October 2020); PEN International, PEN International Case List 2020 (London: PEN International, 2021), 142, 148–149; Freemuse, The State of Artistic Freedom 2021 (Copenhagen: Freemuse, 2021); "Baktash Abtin," Index on Censorship, 2022 (51 no. 1), 8; Maziar Motamedi, "Jailed Iranian Writer Baktash Abtin Dies after Contracting COVID," AlJazeera (8 January 2022).

<sup>&</sup>lt;sup>189</sup> "Iran Sends French-Iranian Academic Back to Jail at Key Point in Nuclear Talks," Guardian (12 January 2021); Committee of Concerned Scientists, "Anthropologist Fariba Adelkhah Still in Prison on Seemingly Fabricated Charges" (25 June 2022).

<sup>190</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 344,346.

Mustafa Salim & Louisa Loveluck, "Leading Iraqi Researcher Assassinated Outside His House in Baghdad," Washington Post (6 July 2020); "Hisham al-Hashimi," Wikipedia (9 July 2020); Scholars at Risk Academic Freedom Monitoring Project, "Hisham al-Hashemi" (6 July 2020); Gulf Centre for Human Rights, "Iraqi Journalist and Security Expert Dr. Hisham Al-Hashemi Assassinated in Front of His House in Baghdad" (7 July 2020); AP, "Iraqi Expert on Islamic State Shot Dead in Baghdad," The Guardian (6 July 2020); "Iraq

Throughout 2021 and 2022, water shortages caused by dams in Turkey and Iran, years of mismanagement of water resources, and the effects of climate change accumulated into damage to multiple cultural heritage sites. Rising salt concentrations significantly damaged the walls of Babylon, capital of the ancient Babylonian Empire (1895–539 BCE), and the Temple of Ishtar. In Samarra, capital of the Abbasid Caliphate (836–892 CE), sandstorms were causing erosion of the city, and in Umm al-Agarib desertification led to the slow disappearance of its White Temple, palace and cemetery. <sup>192</sup>

On 20 March 2022, Jim Fitton ([1955]–), a British retired geologist, was arrested by airport security after shards of broken pottery were found in his luggage. Fitton had participated in an archaeological expedition to Eridu, southern Iraq, where he had collected fragments about which he had allegedly been informed that they held no economic or historical value to Iraq. On 6 June, a Baghdad court sentenced him to fifteen years in prison under the 2002 Iraqi artifacts law. On 27 July, the Court of Cassation overturned the conviction, reportedly because of his age. 193

See also Australia, Morocco.

## **IRELAND**

Previous Annual Report entries: 2000, 2002, 2004, 2006, 2013, 2015–2016, 2021.

See United Kingdom.

Armed Groups Expert Hisham al-Hashemi Shot Dead in Baghdad," Al Jazeera (6 July 2020); Scholars at Risk, Free to Think 2020 (New York: SAR, 2020), 25, 28.

<sup>&</sup>lt;sup>192</sup> Hannah Lynch, "<u>Iraq's Ancient Buildings Are Being Destroyed by Climate Change</u>," *Guardian* (15 April 2022).

<sup>193</sup> Tom Ambrose, "Family of British Geologist Facing Death Penalty in Iraq Urge UK to Intervene," Guardian (30 April 2022); "British Geologist Jailed for 15 Years in Iraq for Smuggling Artefacts," Guardian (6 June 2022); "British Geologist Jailed in Iraq after Taking Artefacts," BBC News (6 June 2022); "Geologist Jim Fitton Jailed in Iraq 'Shell Shocked' over Verdict," BBC News (7 June 2022); "Jim Fitton: Iraqi Court Overturns Conviction of British Geologist," BBC News (27 July 2022).

#### **ISRAEL**

Previous Annual Report entries: 1996, 1998, 2000–2003, 2008–2014, 2016–2021.

In August 2021, the Israeli Supreme Court upheld the government policy of withholding the bodies of Palestinians killed in "security incidents," as leverage to secure Hamas's release of the bodies of two Israeli soldiers presumably killed in 2014 hostilities. The Haifa-based human rights group Adalah found that as of August 2021, authorities held the bodies of 81 Palestinians killed since 2015. 194

On 4 April 2022, a lawyer for the national intelligence agency Mossad told the High Court of Justice that it had difficulties locating historical documents in its archives relating to ties between the Mossad and Lebanese Christian militias that committed massacres in the Palestinian refugee camps of Sabra and Shatila in Lebanon in 1982. Dozens of human rights advocates had sought the disclosure of documents demonstrating Mossad's links to Lebanese Christian militias in the 1970s and 1980s. Supreme Court President Esther Hayut called the Mossad's claim "strange." She noted that the Mossad was legally required to preserve the documents, which were to be opened in 2072. 195

On 29 May 2022, known as Jerusalem Day in Israel to celebrate the capture of East Jerusalem during the Six Days War (1967), thousands of Israelis waved Israeli flags at Jerusalem's holy esplanade – also known as Har haBayīt (Temple Mount), the holiest site in Judaism, and Haram al-Sharif (Noble Sanctuary), containing the al Aqsa mosque, the third holiest place in Islam –despite a long-standing agreement forbidding non-Muslims to pray or display any religious or national symbols at the site. 196

On 2 June 2022, the Knesset (parliament) approved a provisional bill banning the display of "enemy flags," including the Palestinian one, at state-funded institutions. The bill was tabled after Palestinian flags had been waved throughout Israel, including at Ben Gurion University, Negev, on 15 May, known by Palestinians as Nakba Day (to commemorate the 1948 Declaration of Independence of Israel and the accompanying ethnic cleansing of Palestinians).

On 25 September 2021, the Jerusalem Magistrate's Court had ruled that the flying of Palestinian flags was not illegal. However, confiscation of Palestinian flags by Israeli forces continued throughout 2021 and 2022. On 11 May 2022, dozens of Israeli police attacked people carrying the Palestinian flag-

<sup>194</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2021), 358.

<sup>195</sup> Ofer Aderet, "Mossad Says Can't Find Files on 1982 Lebanon Massacre," Haaretz (5 April 2022).

<sup>&</sup>lt;sup>196</sup> Raffi Berg, "Jerusalem Flag March: Israeli Nationalists Stream Through Muslim Quarter," BBC News (29 May 2022).

draped coffin of Al Jazeera journalist Shireen Abu Aqla (1971–2022), who was reportedly shot by Israeli forces during an Israeli army raid on the Jenin refugee camp, north of the occupied West Bank.<sup>197</sup>

On 14 June 2022, the Education Ministry canceled an annual education trip to Poland (in which thousands of high school students travel to Poland to visit former extermination and concentration camps), citing alleged attempts by the Polish government to manipulate the trip's educational material about the Holocaust. Foreign Minister Yair Lapid claimed that the alleged revisions fitted within a widely criticized 2018 memory law (also known as the Holocaust Law) that outlawed reference to the collaboration or complicity of Poles in crimes committed in Poland during the Holocaust [See NCH *Annual Reports 2018–2019*], and a 2021 property restitution law that set a statute of limitations for the right of Shoah survivors and victim's families to claim restitution for wrongly seized properties [See NCH *Annual Report 2021*].<sup>198</sup>

See also Germany, Mexico, Netherlands, Palestine, Poland, United Nations, United States.

#### **ITALY**

Previous Annual Report entries: 1998, 2001, 2003, 2008, 2010, 2012, 2016–2019, 2021.

On 25 November 2021, in *Biancardi versus Italy*, the European Court of Human Rights obliged online news platforms and archives (and not only search engines) to de-index (but not delete) online news articles on request by persons invoking the "right to be forgotten," thus broadening the scope of this right to the detriment of the integrity and accessibility of online (news) archives. In *Biancardi*, the Court said that the article, related to an "ordinary person" rather than a public figure, was no longer current and, therefore, not of public interest anymore. On 22 June 2021, the Court, in *Hurbain versus Belgium*, had already upheld a Belgian court order to anonymize an archived online press article. On 11 October 2021, however, *Hurbain* was referred to the Grand Chamber. 199

<sup>&</sup>lt;sup>197</sup> Nir Hasson, "Flying Palestinian Flags in Israel Is Not Illegal, Court Confirms," Haaretz (27 September 2021); Arwa Ibrahim, "Palestinian Identity and Israel's Long Attempt to Suppress It," Al Jazeera (20 May 2022); Yolande Knell, "Israel and Palestinians in Flag Furor Amid Ban Move," BBC News (2 June 2022).

<sup>&</sup>lt;sup>198</sup> Zvika Klein & Lahav Harkov, "<u>Israel Cancels Poland Youth Trips, Lapid Cites Manipulations</u>," *Jerusalem Post* (15 June 2022); "<u>Israel Nixes Youth Trips to Poland over Holocaust Education Spat</u>," *Times of Israel* (16 June 2022).

European Court of Human Rights, <u>Hurbain versus Belgium: Judgment</u> (22 June 2021); European Court of Human Rights, <u>Biancardi versus Italy: Judgment</u> (25 November 2021); Andrea Monti, "<u>The European Court of Human Rights and the Right to Erase History</u>," *Inforrm* (9 December 2021).

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On 19 January 2022, the defamation trial against United States filmmaker Kelly Duda (1966–) in Rome was postponed until July. In 2005, Duda had made a documentary, entitled *Factor 8: The Arkansas Prison Blood Scandal*, which included cases of victims of contaminated blood transfers in Italy in the 1980s and 1990s. In December 2017, Duda was testifying in a manslaughter trial, related to the blood transfers, in Naples, during which he criticized prosecutor Lucio Giugliano, for what he believed was an attempt to discredit his testimony despite him being a prosecution witness. Duda was briefly detained for insulting Giugliano and in 2019 charges were filed against him under an offen se dating back to Italy's Fascist period for "offending the honor or prestige" of Giugliano.<sup>200</sup>

On 15 February 2022, a number of Catholic groups and sexual abuse survivors called on the Roman Catholic Church in Italy to create an independent commission to investigate the church's handling of clerical sexual abuse cases and to open the private church archives.<sup>201</sup>

See also Paraguay.

## IVORY COAST (Côte d'Ivoire)

Previous Annual Report entries: 2004, 2006–2021.

See Burkina Faso.

<sup>&</sup>lt;sup>200</sup> Angela Giuffrida, "<u>US Film-Maker Tried in Italy on Fascist-Era Charge over Tainted Blood Testimony</u>," *Guardian* (20 January 2022).

<sup>&</sup>lt;sup>201</sup> Elisabetta Povoledo, "<u>In Italy, a Call for a National Investigation into Clerical Sexual Abuse</u>," *New York Times* (15 February 2022).

#### **JAMAICA**

Previous Annual Report entries: 2017–2018.

See Grenada.

#### **JAPAN**

Previous Annual Report entries: 1995–2021.

On 17 March 2022, nine South Korean, Chinese, and Dutch survivors of the Japanese sexual slavery ("comfort women") system during the Pacific War (1931–1945) and a support group including historian Alexis Dudden sent a petition to the United Nations Special Rapporteurs and Working Groups on Human Rights to press Japan and South Korea to jointly refer their dispute about the system to the International Court of Justice which would then decide whether Japan violated the 1984 United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In case this would fail, the survivors would then press South Korea to submit a complaint to the United Nations Committee against Torture to the effect that Japan violated the Convention by denying or downplaying the system. With this initiative, the survivors wanted to buttress their demand since the early 1990s that the Japanese government fully accept culpability and offer an unequivocal apology. In 1996 a United Nations report had concluded that at the time sex slaves were taken through "violence and outright coercion."

See also Afghanistan, China, Korea, South.

<sup>&</sup>quot;Petition to United Nations Special Rapporteurs and Working Groups on Human Rights (with appendices)" (17 March 2022; 148 pages); Kim Tong-Hyung, "S. Korean Slavery Victim Seeks UN Justice as Time Runs Out," AP News (21 March 2022); Special Rapporteur on Violence against Women, Its Causes and Consequences, Radhika Coomaraswamy, Report on the Mission to the Democratic People's Republic of Korea, the Republic of Korea and Japan on the Issue of Military Sexual Slavery in Wartime (E/CN.4/1996/53/Add.1; 4 January 1996).

## **JORDAN**

Previous Annual Report entries: 2003–2004, 2015, 2018.

On 24 March 2021, the tenth anniversary of the 24 March Movement (a 2011 youth-led movement calling for political reform), security forces arrested dozens of individuals who were set to join commemorations in Amman and other cities, citing COVID-19 related health risks.<sup>203</sup>

<sup>&</sup>lt;sup>203</sup> Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 216.

#### KAZAKHSTAN

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

On [5] January 2022, demonstrators in Almaty pulled down a statue of Nursultan Nazarbayev (in office between 1990–2019), Kazakhstan's first president after it became independent from the USSR in 1991, amid political protests.<sup>204</sup>

Historians researching the governance of the Kazakh Soviet Socialist Republic (1936–1991) and Kazakhstan's independence in 1991 were unable to consult many archival documents, as they were located in Moscow and the Russian government refused most requests to access them.<sup>205</sup>

See also China.

## **KENYA**

Previous Annual Report entries: 1999–2000, 2002–2005, 2007, 2009–2018, 2020–2021.

In 2021, the Lamu Old Town, a UNESCO World Heritage site, was under threat of collapse, due to, among others, poor management of its historical buildings.<sup>206</sup>

In [June] 2022, a conference on Africa's stolen cultural heritage organized by the British Council in Nairobi pleaded for restitution for and repatriation of the large repository of African audio-visual materials, in addition to material heritage, taken during the colonial period and kept in European archives. Over ninety per cent of the material cultural legacy of sub-Saharan Africa was estimated to be preserved and housed outside of the African continent, with demands for repatriation dating as far back as 1944 when descendants of the Toucouleur Empire (1861–1893) called for the return of thousands of pieces of cultural heritage including the saber of their founder El Hadj Omar Tall (1794–1864).<sup>207</sup>

<sup>&</sup>lt;sup>204</sup> Agnieszka Pikulicka-Wilczewska, "What Is Behind the Protests Rocking Kazakhstan?," *AlJazeera* (5 January 2022).

<sup>&</sup>lt;sup>205</sup> Paul A. Globe, "<u>Stalin's Centralization of Archives Leaves Post-Soviet States Without Key Sources on Their Histories</u>," *Euromaidan Press* (3 February 2022).

<sup>&</sup>lt;sup>206</sup> World Heritage Watch, Report 2021 (Berlin: HWH, 2021), 83.

<sup>207</sup> Njeri Wangari, "Africa's Heritage Restitution Debate Extends to Audio and Visual Archives," Good Men Project (29 June 2022).

## **KOREA, NORTH**

Previous Annual Report entries: 2001, 2006–2007, 2009–2011, 2013–2015, 2017, 2019.

See United States.

## KOREA, SOUTH

Previous Annual Report entries: 1995, 1998–2001, 2003, 2006, 2008–2010, 2012–2013, 2016–2021.

In January 2021, a new law allowed prison sentences of up to five years for people who spread "falsehoods" about the 1980 Gwangju uprising. In May 2021, a bill was submitted calling for up to ten years in prison for those who praised Japan's colonial rule of Korea (1910–1945) and proposing the establishment of a panel of experts on "truthful history." They were part of a set of laws intended to combat false narratives about sensitive historical topics. In June 2021, the Korea History Society and twenty other historical research institutes issued a joint statement warning that the government of President Moon Jae-in was undermining democratic values by using the threat of criminal penalties to dictate history.<sup>208</sup>

On 7 June 2021, the Seoul Central District Court dismissed a collective suit for damages launched in 2015 by 85 South Korean victims of wartime forced labor in Japan and their families against 16 Japanese companies, saying that the plaintiffs did not have litigation rights. Referring to the 1965 agreement between South Korea and Japan on resolving colonial-era issues, the court said: "It cannot be said that individual claims are terminated or waived due to the Korea-Japan treaty. But it was decided that the individual rights cannot be exercised through lawsuits." The ruling stood in contrast to an October 2018 ruling from the Supreme Court, which upheld a 2013 appeals court ruling that ordered Nippon Steel to pay each of four Korean plaintiffs 100 million won (US\$ 87,720) in compensation for their wartime forced labor and unpaid work. <sup>209</sup>

In April 2020, Nguyen Thi Thanh, a survivor of the Phong Nhi and Phong Nhat massacre of 12 February 1968, filed a lawsuit against the South Korean government over the role of South Korean troops during

<sup>&</sup>lt;sup>208</sup> Choe Sang-Hun, "<u>Historical Distortions</u>' <u>Test South Korea's Commitment to Free Speech</u>," *New York Times* (18 July 2021); Ian Buruma, "<u>Uitingsvrijheid eindigt waar geweld begint</u>," *NRC Handelsblad* (11 August 2021).

<sup>&</sup>lt;sup>209</sup> "Court Rejects Damages Suit against Japanese Firms by Korean Forced Labor Victims," Yonhap News Agency (7 June 2021).

the Vietnam War (1954–1975), in the first lawsuit of its kind in a South Korean court. On 12 February 1968, a marine unit had swept through Phong Nhi and Phong Nhat, two villages in central Vietnam, after which more than seventy villagers were found dead. In 1969, South Korea's intelligence agency had begun questioning members of the marine unit on this war crime.

In June 2021, alongside the lawsuit, a series of general public hearings began as part of an attempt by lawmakers and civic groups to push for a special law calling for government-led investigations into crimes committed during the Vietnam war. Discussion about the role of South Korean troops had been a taboo until the 1990s. After the opening of diplomatic ties with Vietnam in 1992, a study based on interviews with survivors and witnesses reported that dozens of alleged mass killings carried out by South Korean troops had resulted in 8,000 to 9,000 civilian deaths. In April 2018, the People's Tribunal on War Crimes by South Korean Troops during the Vietnam War, a citizens' tribunal made up out of a number of social organizations, had issued a non-binding resolution that South Korea should compensate the survivors, launch an investigation into atrocities committed between 1964–1973, and amend all public memorials pertaining to South Korea's participation in the Vietnam War. In 2019, the "103 victims" petition, named after the 103 survivors of massacres at seventeen Vietnamese villages, including Phong Nhi and Phong Nhat, was launched, requesting to disclose intelligence agency reports, to investigate allegations of war crimes and to issue a public apology. However, the Defense Ministry said it could "neither confirm nor deny" whether an investigation had taken place, and that it could not look into the allegations because Vietnam was not ready to cooperate. 210

See also Japan.

## **KOSOVO**

Previous Annual Report entries: 2021. For previous entries: see Serbia.

After negotiations with Serbia on 7 and 8 September 2021, Deputy Minister Besnik Bislimi claimed that Serbia had agreed to open up its military archives, including those on the former Kosovo Liberation

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Hoang Do, "The Forgotten History of South Korean Massacres in Vietnam," The Diplomat (15 May 2020); "People's Tribunal on War Crimes by South Korean Troops during the Vietnam War," Wikipedia (17 September 2020); Choe Sang-Hun, "Vietnam War Victims Wanted Justice: They Were Given '30 Bags of Rice'," New York Times (21 August 2021); Park Chan-kyong, "Vietnam War Survivors Push Seoul to Compensate for Korean Troop Atrocities," South China Morning Post (30 August 2021).

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Army [See NCH *Annual Report 2021*]. In [May] 2022, the International Committee of the Red Cross stressed the importance of allowing access to the archives.<sup>211</sup>

On 30 December 2021, the Organization for Security and Co-operation in Europe (OSCE) Mission in Kosovo condemned the desecration of a number of tombstones in a Serbian Orthodox cemetery in Graçanicë / Gračanica around 27 December.<sup>212</sup>

See also Switzerland.

## **KUWAIT**

Previous Annual Report entries: 1999–2000, 2004–2005, 2018, 2021.

## **KYRGYZSTAN**

Previous *Annual Report* entries: 2010–2013, 2016–2017, 2021.

In July 2021, President Sadyr Japarov approved a new "concept on spiritual-moral development and physical education of individuals." The concept called on state bodies to promote traditional values and recommended that media outlets propagate the values of a traditional society [and] the ideals of the family.<sup>213</sup>

Milica Stojanovic, "Serbia, Kosovo Urged to Publish 'Deal to Open Up War Archives'," Balkan Insight (13 September 2021); Xhorxhina Bami, "Kosovo Seeks Satellite Images of Suspected War Grave in Serbia," Balkan Insight (31 May 2022).

<sup>&</sup>lt;sup>212</sup> "OSCE Condemns Desecration of Serb Gravestones in Kosovo," Balkan Insight (30 December 2021).

<sup>&</sup>lt;sup>213</sup> Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 227.

#### **LATVIA**

Previous Annual Report entries: 1998, 2006, 2008, 2015–2016, 2019.

In early December 2021, an independent international panel of fifteen historians published its recommendations on the "Latvian Beehive for Freedom," a monument set up in Zedelgem, Belgium, in September 2018 on the terrain of a former British prisoners of war camp, to honor the memory of approximately 12,000 Latvians who were interned there from September 1945 to May 1946. The large majority of these internees belonged to the Latvian Legion, a division of the Waffen-SS (the SS military branch) created in January 1943 and consisting of Latvian conscripts (the majority) and volunteers (the minority). The municipality of Zedelgem had asked the panel to reflect on the monument after an international controversy had erupted in late 2020 over the fact that before its creation "a sizeable part of the recruits" of the Latvian Legion had committed war crimes (when fighting on the side of Nazi-Germany at the Eastern Front) and crimes against humanity (when assisting in the Holocaust in Latvia), and that no reference had been made to their victims. The panel concluded that the site risked becoming "an inspiration for revisionist narratives of the legacy of the SS" and unanimously recommended to rename the memorial square, remove the current plaque, and redefine and relocate the monument itself. In a reaction on 3 December 2021, the municipality of Zedelgem expressed the intention to follow the panel's recommendations.

Following the recommendations, panel member Didzis Bērziņš, a lecturer at the Department of Social Sciences at the University of Latvia, Riga, specialized in the study of Nazi propaganda and the memory of the Holocaust, was intimidated and attacked in public. On 10 December 2021, the Latvijas Okupācijas muzejs (Museum of the Occupation of Latvia), which had co-funded the monument, questioned the panel's findings and stated that "not one historian from Latvia could take part [in it]," claiming that Bērziņš was not a historian but a "social scientist." The museum neglect the fact that the panel had members from the Latvian diaspora. The interpretation of the Legionnaires was highly controversial in Latvia, with the Veterans' League organizing an annual march in the capital Riga on 16 March commemorating the Legionnaires as patriots who fought against the USSR's Red Army. 214

<sup>&</sup>lt;sup>214</sup> "The Legacy of the British POW Camp on the Vloethemveld Site" (Workshop Zedelgem, Friday 26 & Saturday 27 November 2021), Belgium WWII [early December 2021]; Muncipality of Zedelgem, "Reactie gemeente op advies internationaal panel betreffende De Letse Bijenkorf en de erfenis van het Britse krijgsgevangenkamp op site Vloethemveld" (3 December 2021); Andris Auzāns & Alina Lastovska, "Spried ar Delfi' par latviešu karagūstekņiem veltītā pieminekļa iecerēto aizvākšanu Beļģijā. Pilns ieraksts," Delfī (7 December 2021); Andris Auzāns, "Strīdus raisījušais piemineklis latviešu leģionāriem Beļģijā: vai Latvijas viedoklis uzklausīts?," Delfī (8 December 2021); Latvian Ministry of Culture, "Zedelgeimā uzstādītā pieminekļa latviešu leģionāriem iespējamā pārvietošana būtu pārprasta politkorektuma piemērs," (9 December 2021); Museum of the Occupation of Latvia, "The Latvian Occupation Museum's Response to the Conclusions Reached by a Workshop Organized by the Municipality of Zedelgem, 26–27 November 2021," (press release; 10 December 2021); Latvian Ministry of Foreign Affairs, "The Latvian Foreign Minister Edgars Rinkēvičs Addresses the Belgian Foreign Minister on the Matter of the Zedelgem Monument," (10 December 2021);

#### **LEBANON**

Previous Annual Report entries: 2000–2003, 2006–2021.

Throughout 2021, the government insufficiently funded a number of investigative institutions. Operations of the Special Tribunal for Lebanon (STL), which in 2020 had convicted a senior member of Hezbollah for the bombing of former Prime Minister Rafik Hariri in 2005 [See NCH *Annual Reports* 2010–2011, 2013–2015, 2021], were uncertain due to funding constraints, while a 2018 independent national commission to investigate the fate of an estimated 17,000 people who were kidnapped or "disappeared" during the Civil War (1975–1990), had not yet received any governmental funding.

On 10 March 2022, the STL appeals chamber reversed the earlier acquittal of two defendants, Hassan Habib Merhi and Hussein Hassan Oneissi, and instead found them guilty on charges of terrorism and murder for their role in the murder of Hariri. <sup>215</sup>

On 30 September 2021, the Beirut-based Samir Kassir Eyes Center for Media and Cultural Freedom published a report entitled *A Social Media Analysis of the Hate Network Surrounding Lokman Slim's Assassination*, in which it concluded that between 4 January and 4 March 2021 a disinformation campaign involving influencers (mainly journalists), fake accounts, and fake news was acted out on Twitter with hundreds of thousands of tweets and retweets. The campaign aimed at pushing a hate narrative against publisher and archivist Lokman Slim and his family before and after his assassination, and of formulating a joint response after the killing against accusations that Hezbollah had played a part in the attack. On 4 February 2021, Slim (1962–2021), a Shiite publisher, archivist, and critic of Hezbollah, was found shot in a car in an area reportedly controlled by Hezbollah forces [See NCH *Annual Report 2021*] [On Samir Kassir: See NCH *Annual Report 2005*].<sup>216</sup>

In December 2021, Legal Action Worldwide (LAW) published a report on torture and sexual violence against women during the Civil War (1975–1990), finding that systematic violence against Lebanese and Palestinian women and girls by government forces and militias took place throughout the war. It

Didzim Bērziņam, "Latvijas Okupācijas muzeja direktores Solvitas Vības Atklātā vēstule par raidījumā "Spried ar Delfi" izteiktajiem atzinumiem," Latvijas Okupācijas muzejs (10 December 2021); Latvian Ministry of Defense, "In a Letter to Belgian Defence Minister, Pabriks Calls for Understanding of Latvia's Complex History and Respect for Latvian Prisoners of War," (12 December 2021); Koen Aerts, personal communications (15 & 19 & 26 December 2021); Marc Reynebeau, "Koude Oorlog laait op in Zedelgem," De Standaard (18 December 2021); Aivars Sinka, "An Honourable Monument to Freedom – Why the Zedelgem Beehive Should Stay," Latviesi (23 December 2021).

Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 421; Janet H. Anderson, "Special Tribunal for Lebanon's 'Second Best Justice'," Justiceinfo.net (17 March 2022).

Nasri Messarra, <u>A Social Media Analysis of the Hate Network Surrounding Lokman Slim's Assassination</u> (Beirut: Samir Kassir Foundation, September 2021; 32 pages); Nicholas Frakes, "<u>The Hate Network</u>," Now Lebanon (5 October 2021).

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further concluded that a 1991 Amnesty Law that granted immunity for crimes committed against

civilians had laid the "foundation for the impunity that has characterized the post-conflict era in

Lebanon." In 2018, parliament had passed a law setting up a national commission to investigate

disappearances during the war, enabling LAW to begin its investigation. <sup>217</sup>

See also Israel.

**LIBERIA** 

Previous Annual Report entries: 2000–2001, 2004–2015, 2018, 2021.

**LIBYA** 

Previous Annual Report entries: 2003, 2005–2021.

**LITHUANIA** 

Previous Annual Report entries: 2005, 2009, 2015, 2018, 2021.

On 21 September 2021, a report by the National Cyber Security Center concluded that phones made by

Chinese manufacturer Xiaomi had a built-in functionality that, if enabled (advertently or not), would

detect and censor phrases referring to the independence of Taiwan or Tibet.<sup>218</sup>

On 13 January 2022, six Lithuanian citizens filed a lawsuit against former Soviet leader Mikhail

Gorbachev (in office from 1985 to 1991) for failing to stop the January 1991 assault on independence

supporters that killed fourteen people and wounded more than 700. Lithuania had declared

independence from the USSR in March 1990 but it was only recognized by Moscow in September 1991.

<sup>217</sup> Legal Action Worldwide, "They Raped Us in Every Possible Way, in Ways You Can't Imagine: Gendered Crimes During the Lebanese Civil Wars," (December 2021), 41; Tessa Fox, "Rape Used 'Systematically' During Lebanon's Civil War, Report Finds," Guardian (9 June 2022).

<sup>218</sup> Tom Bateman, "<u>Throw Away Your Chinese Phone</u>' Says Lithuania, after New Report Reveals Built-In Censorship Tech," Euronews (22 September 2021).

In 2019, a Lithuanian court had convicted dozens of Soviet-era officials for war crimes, but refused to investigate Gorbachev.<sup>219</sup>

Following an order of Culture Minister Simonas Kairys that allowed municipalities to remove Soviet memorials, the city of Kaunas decided to remove all Soviet monuments. Other municipalities followed suit. In early April 2022, a monument in Bubiai in memory of Soviet soldiers killed during World War II was destroyed and painted in the colors of the Ukrainian flag.<sup>220</sup>

<sup>219</sup> "Lithuanians Sue Gorbachev Over Deadly Soviet Crackdown," Moscow Times (13 January 2022).

<sup>&</sup>lt;sup>220</sup> Linas Jegelevicius, "<u>Some Lithuanian Municipalities Hesitate to Remove Soviet Heritage after Minister's Backing</u>," *Baltic News Network* (12 May 2022).

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## **MACEDONIA**

Previous Annual Report entries: 1999, 2006–2008, 2010–2015, 2017–2018.

See North Macedonia.

## MADAGASCAR

Previous Annual Report entries: 2018.

#### **MALAWI**

Previous Annual Report entries: 2011–2012, 2019, 2021.

#### **MALAYSIA**

Previous Annual Report entries: 1996, 2002, 2007–2008, 2010–2011, 2016–2017, 2019–2021.

On 19 August 2021, 31 people were forcibly detained by police while they were holding an outdoor candlelight vigil for the victims of the COVID-19 pandemic (2019–). At least one participant filed a police report over physical injuries, allegedly caused by the police.<sup>221</sup>

## **MALDIVES**

Previous Annual Report entries: 2002–2004, 2006, 2009–2010, 2013, 2020–2021.

#### **MALI**

Previous Annual Report entries: 2011, 2013–2021.

<sup>&</sup>lt;sup>221</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 433.

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## **MALTA**

Previous Annual Report entries: 2012, 2021.

## MARSHALL ISLANDS

Previous Annual Report entries: 2013, 2015.

#### **MAURITANIA**

Previous *Annual Report* entries: 2001–2002, 2009, 2011, 2017, 2019–2020.

## **MAURITIUS**

Previous Annual Report entries: 2012.

## **MEXICO**

Previous *Annual Report* entries: 1997, 1999, 2001–2021.

On 8 March 2021, International Women's Day, police officials shot rubber bullets at crowds in Mexico City demonstrating for betterprotection of women's rights and commemorating the victims of femicide. The protesters were laying flowers and painting the names of femicide victims at the Zócalo (the capital's central square) when clashes erupted. In 2020, Mexico recorded the murder of 3,723 women, of which only 940 were investigated as femicide. In May 2021, a statue in memory of Karla Pontigo (?–2012) was installed in San Luis Potosí as part of the reparation for her killing. Her murder remained unpunished.<sup>222</sup>

<sup>&</sup>lt;sup>222</sup> Sarah Johnson, "<u>It Was Civil War</u>': <u>Photographing Mexico's Women's Rights Protests</u>," *Guardian* (30 December 2021); Amnesty International, *Report 2021/22: The State of the World's Human Rights* (London: AI, 2022), 251.

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June 2021 marked the fiftieth anniversary of the Corpus Christi Massacre (also known as Halconazo), with complete impunity for the perpetrators still in place. On 10 June 1971, a group of "Halcones" (hawks; pay-for-hire thugs) attacked some 10,000 student demonstrators in Mexico City.

In 2002, the Fiscalía Especial para movimientos sociales y políticos del pasado (FEMOSPP; Office of the Special Prosecutor for Social and Political Movements of the Past) had started a five-year investigation, among others into the role of then President Luis Echeverría Álvarez (1922–2022) [See NCH *Annual Report 2006*], and in 2006 published a report on the Guerra sucia (Dirty War; 1964–1982). However, no convictions followed and the FEMOSPP closed in the same year. In March 2021, Undersecretary of Human Rights Alejandro Encinas suggested to establish a new truth commission to investigate crimes committed during the Guerra sucia. <sup>223</sup>

In July 2021, President Andrés Manuel López Obrador urged the Israeli government to cooperate in the extradition of Tomás Zerón, who had headed the Criminal Investigation Agency that led the inquiry into the disappearance of 43 students in Iguala in 2014 [See NCH *Annual Reports 2015, 2021*]. Zerón was one of the architects of the so-called "historical truth" – the official version of the disappearances that was presented by the government of then President Peña Nieto in January 2015 and that had been rejected by the victims' families. In January 2021, Zerón, who was charged himself with kidnapping, torturing suspects, manipulating evidence, and embezzling around \$50m of public funds, had sought asylum in Israel.

On 28 March 2022, the Grupo Interdisciplinario de Expertos Independientes (Interdisciplinary Group of Independent Experts), created by the Inter-American Commission on Human Rights in 2014, released a report revealing that the armed forces had intentionally destroyed, falsified, and hidden information during and following the Iguala disappearances.<sup>224</sup>

On 5 September 2021, Mexico City mayor Claudia Sheinbaum said that a prominent statue of Christopher Columbus would be moved to a park [See NCH *Annual Report 2021*], adding that relocating the statue was not an attempt to "erase history" but to deliver "social justice." On 12 October,

<sup>&</sup>lt;sup>223</sup> Megan DeTura, "<u>Mexico's 1971 Corpus Christi Massacre, Fifty Years Later</u>," *National Security Archive* (10 June 2021).

<sup>224</sup> Scholars at Risk, Free to Think: Report of the Scholars at Risk Academic Freedom Monitoring Project (New York: Scholars at Risk, 2015), 18; "Mexico Students v. the State: Anniversary of 1968 Massacre Reopens Recent Wounds," BBC News (1 October 2018); "Mexico Urges Israel to Extradite Former Investigator in 43 Missing Students Case," Guardian (22 July 2021); "Mexico Missing Students: Parents Angry at Military's Obstruction," BBC News (30 March 2022); Kate Doyle & Claire Dorfman, "Mexican Military Archives Produce New Revelations in the Ayotzinapa Case," National Security Archive (1 April 2022); "Ayotzinapa Investigations Special Exhibit Page Launch," National Security Archive (26 April 2022).

city officials said a replica of a sculpture depicting what was believed to be member of the Huastec people, called "the young woman of Amajac," would replace the statue.<sup>225</sup>

On 7 October 2021, President Andrés Manuel López Obrador issued a decree establishing a Comisión para el Acceso a la Verdad, el Esclarecimiento Histórico y el Impulso a la Justicia (Commission for Access to Truth, Historical Clarification, and Promotion of Justice) to investigate the crimes, including disappearances, of the Guerra sucia (1964–1982; Dirty War) [See above]. The decree specified that all information available in the Archivo General de la Nación (General Archives of the Nation) from the Secretariat of Defensa Nacional (National Defense), the Estado Mayor Presidencial (Presidential Staff), the Dirección Federal de Seguridad (Federal Security Directorate), the Centro de Investigación y Seguridad Nacional (Center for Investigation and National Security), and all state intelligence agencies would be available for analysis and research. Civil society organizations praised the inclusion of victims in the process yet highlighted the need to guarantee collaboration from the army in making the archives available.<sup>226</sup>

In November 2021, Mexico became the first country to accept an official visit by the United Nations (UN) Committee on Enforced Disappearances, which held more than 150 meetings with authorities, victims' organizations and NGOs around the country. However, on 17 May 2022, UN High Commissioner for Human Rights Michelle Bachelet pointed out the "staggering rate of impunity" for enforced disappearances and urged the authorities to ensure justice and continue reforms. More than 100,000 people were officially registered as "disappeared" since 1964. In only 35 cases the perpetrators had been convicted.<sup>227</sup>

<sup>&</sup>quot;Mexico City to Swap Columbus Statue for One of Indigenous Woman," BBC News (6 September 2021); "Mexico City to Swap Columbus Statue For One of indigenous Woman," BBC News (13 October 2021); Sofia Menchú, "Guatemala Protesters Strain to Topple Columbus Statue, Protesting Colonizer Legacy," Reuters (13 October 2021).

<sup>&</sup>lt;sup>226</sup> Guadalupe Vallejo, "Nace Comisión de la Verdad que investigará guerra sucia en México," Expansión política (7 October 2021); Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 249.

<sup>227 &</sup>quot;Mexico's 100,000 'Disappeared' Is a Tragedy, Says UN Rights Chief Bachelet," United Nations News (17 May 2022).

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#### **MOLDOVA**

Previous Annual Report entries: 1999, 2003, 2010.

Throughout 2021, impunity for grave past abuses by law enforcement agencies remained endemic. In March 2020, the Committee of Ministers of the Council of Europe had reiterated the need to ensure accountability of the security services in relation to the abduction and forcible return of seven Turkish private high school teachers, who were reportedly connected to the movement led by Fethullah Gülen, in 2018, and to implement the 2019 European Court of Human Rights' decision *Özdil and Others v. Republic of Moldova* that had concluded the forcible return to have been illegal. <sup>228</sup>

## **MONGOLIA**

Previous Annual Report entries: 2007, 2013.

#### **MONTENEGRO**

Previous Annual Report entries: 2008–2009, 2011–2013, 2015–2017, 2021.

On 19 October 2021, the European Commission urged the Montenegrin authorities to more actively and effectively investigate and prosecute war crimes committed during the Yugoslav wars of succession (1991–1995). On 6 December 2021, coinciding with the 30th anniversary of the Yugoslav People's Army 1991 bombardment of Dubrovnik, Croatia, a joint statement by three NGOs – the Center for Civic Education, Human Rights Action, and Documenta – Center for Dealing with the Past – reiterated the call [See NCH *Annual Report* 2021].<sup>229</sup>

European Court of Human Rights, <u>Case of Ozdil and Others v. The Republic of Moldova (Application no. 42305/18): Final Judgement</u> (Strasbourg: ECHR, 2019); Madalin Necsutu, "<u>Turkish Court Jails Professor Deported from Moldova</u>," Balkan Insight (19 July 2019); Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 254.

<sup>&</sup>lt;sup>229</sup> Milica Stojanovic, Samir Kajosevic, Xhorxhina Bami & Semir Mujkic, "<u>European Commission Raps Serbia's</u> <u>'Weak' War Crimes Case Record</u>," *Balkan Insight* (19 October 2021); Samir Kajosevic, "<u>Montenegro Urged to Make War Crimes Prosecution Priority</u>," *Balkan Insight* (6 December 2021).

## MOROCCO / WESTERN SAHARA

Previous Annual Report entries: 2000–2013, 2015–2018, 2020–2021.

In October 2021, historian, journalist, and human rights activist Maâti Monjib (1962–) was prevented from traveling to France for a medical appointment and to see his family, due to an arbitrary travel ban imposed since October 2020 [See NCH *Annual Report 2016, 2020–2021*].<sup>230</sup>

On 10 January 2022, Jamaâ Baïda, director of l'Association marocain pour la recherche historique (Moroccan Association for Historical Research), expressed support for an initiative by the Archives du Maroc to return the "Ben Abdelkrim papers" from France, as they were of great scientific importance and constituted a "moral symbol for generations to come." As President of the Republic of the Rif (1921–1926), Muhammad ibn Abd al-Karim al-Khattabi (Ben Abdelkrim) (1880–1963) led a large-scale revolt against French and Spanish colonizer troops during the Rif War (1921–1926), after which he had to surrender to the French forces and his archives were seized and taken to France. On 16 January 2021, the Archives du Maroc had sent an official letter to the diplomatic archives of France requesting the return of the personal documents, but it had not received any response. <sup>231</sup>

When two organizers of the feminist platform Tanit were interviewed about their project *Tarikhona Hona* (Our History Is Here) to construct an archive of the LBGTQI+ community in Morocco, they announced that they would publish only one part of the archive online and keep secret the other part due to safety concerns. Archive volunteers who would conduct interviews were trained in cybersecurity in order for interviewees to be able to speak safely and for the interviews not to be hacked. Some of the volunteers withdrew from the project. One of the organizers preferred to be named by her initials only. In Morocco, same-sex relations were criminalized under Article 489 of the penal code and punishable by up to three years in prison.<sup>232</sup>

In June 2022, cinema authorities banned the British film *Lady of Heaven*, after it was condemned by the Supreme Ulema Council as a "flagrant falsification of the established facts" of Islam. The film, claiming to tell the story of Prophet Muhammad's daughter Fatima ([605]–632 CE) and written by Shia Muslim film-maker and cleric Yasser Al-Habib, was criticized for its depiction of prominent revered figures in early Sunni Islam implicitly comparing their actions to those of the Islamic State group in

<sup>&</sup>lt;sup>230</sup> Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 258.

<sup>&</sup>lt;sup>231</sup> Ghita Zine, "Archives du Maroc: Pour la restitution par la France des 'papiers de Ben Abdelkrim'," Yabiladi (11 January 2022).

<sup>&</sup>lt;sup>232</sup> Kristin Gee Hickman, "Our History Is Here: An Interview with Marwan Bensaid and L.A.," Africa Is a Country (without date [2022]).

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Iraq. The film also sparked protests in Egypt, Pakistan, Iran, Iraq, and the United Kingdom – where one of the biggest cinema chains, Cineworld, canceled many of its screenings.<sup>233</sup>

## **MOZAMBIQUE**

Previous Annual Report entries: 2018, 2020.

## **MYANMAR (BURMA)**

Previous Annual Report entries: 1997–2001, 2003, 2005–2006, 2008–2021.

At the beginning of the 1 February 2021 military coup, writer, history professor and PEN Myanmar member Maung Thar Cho (1958–) was blindfolded and taken by the military alongside other notable cultural figures. On 22 February 2022, after having been held under poor conditions for a year, a special court in North Okkalapa Township, Yangon, sentenced him and fellow author Htin Lin OO to two years' imprisonment with hard labor and three years' imprisonment respectively, for alleged incitement. Cho had been a satirical writer for the newspaper 7Day and had delivered popular speeches around Myanmar criticizing the Tatmadaw (Armed Forces). <sup>234</sup>

On 28 February 2021, Tin Nwe Yee (Tin Nwae Yee; Tin Nwet Yi) ([1962]–2021), a history and math teacher at the Basic Education High School Hlaing Thar Yar in Yangon, was tear-gassed and killed by security forces during a teachers' protest against the military coup of 1 February 2021 in front of an office of the Education Ministry in Yangon. During the protest, Tin Nwe Yee, who suffered from asthma, was hit under the shoulder after she went behind a fence, because she had difficulty breathing after having been suffocated by tear gas. She allegedly attempted to take her inhaler, which was then kicked away by a police officer. An hour later, police allowed a volunteer rescue team to take Tin Nwe Yee to the hospital, but she had already died of a heart attack. On her Facebook account, Tin Nwe Yee had called on the regime to stop harming Myanmar's precious youths. On 2 March, tens of thousands

<sup>&</sup>lt;sup>233</sup> "Cineworld's Cancellation of Lady of Heaven Screenings: An Unheavenly Response," Index on Censorship (8 June 2022); "The Lady of Heaven Film: Morocco Bans 'Blasphemous' British Film," BBC News (12 June 2022).

<sup>&</sup>lt;sup>234</sup> "Authors Maung Thar Cho and Htin Lin Oo Sentenced to Prison on Incitement Charges," Development Media Group (22 February 2022); "Maung Thar Cho," Wikipedia (last updated 7 May 2022); "Writers at Risk Database," PEN America (last updated 4 June 2022).

of mourners attended her funeral, with many bringing school uniforms to the protest site where she had died. The Basic Education Worker Union (BEWU) called for a country-wide strike on [7] March.<sup>235</sup>

On 27 April 2021, Felix Thang Muan Lian ([1998/9]–2021), a first-year history student at Kalay University, was shot dead by soldiers of the Light Infantry Battalion 269 of the Tatmadaw (Armed Forces) in Tedim Township, Chin State, while he was driving to his work at a gas station. Much of the violence occurred in Chin State, where some of the strongest resistance against the military junta took place.<sup>236</sup>

In June 2021, the Education Ministry under the exiled National Unity Government (NUG) announced an Interim Advanced Education initiative which began the same month. It started the first short courses for final-year master's degree students and final-year undergraduate students of history, among others. The courses came as a lecture series which were extended to the public with open live streams on Facebook, YouTube, and other social media.<sup>237</sup>

In the run-up to the first anniversary of the military coup of 1 February 2021 which ousted the democratically elected government of Aung San Suu Kyi, the junta arrested a number of shop owners who were planning to close their businesses as part of a "silent strike" to protest against the military rule and commemorate the coup victims. According to the Assistance Association for Political Prisoners, more than 1,500 people had been killed since the coup, with at least 11,838 having been arrested.<sup>238</sup>

<sup>&</sup>lt;sup>235</sup> Assistance Association for Political Prisons, Recent Fatality List (Last Updated on 18 August 2021); Kyaw Ye Lynn, "Myanmar: Honor Planned for Teacher Killed by Police," Anadolu Agency (7 March 2021); "Myanmar Protesters Honor Slain Teacher," Albawaba (7 March 2021); Sebastian Strangio, "Myanmar Post-Coup Death Toll Tops 1,000: Activist Group," Diplomat (19 August 2021); "Tin Nwe Yee," Memoirs of the Fallen ([between March and June] 2021); "Voices of Myanmar's Martyrs Will Not Be Silenced by the Junta," The Irrawaddy (11 May 2021).

<sup>&</sup>lt;sup>236</sup> "Thang Muan Lian," The Irrawaddy (Twitter; 28 April 2021); "CHRO Demands Accountability for Killing of Youth," Chin Human Rights Organization (press release; 29 April 2021); "Myanmar: Another Wave of Atrocity Crimes in Chin State," Human Rights Watch (4 November 2021); "Felix Thang Muan Lian," Memoirs of the Fallen ([no date]).

<sup>&</sup>lt;sup>237</sup> Nilar Aung Myint, "Exiled Government Establishes Alternative HE Programmes," World University News (24 July 2021).

Min Ye Kyaw & Rebecca Ratcliffe, "Myanmar's Junta Struggles to Prevent Protests Planned for Coup Anniversary," Guardian (31 January 2022); Min Ye Kyaw & Rebecca Ratcliffe, "Silent Strike Empties Streets in Myanmar on Anniversary of Coup," Guardian (1 February 2022).

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#### **NAMIBIA**

Previous Annual Report entries: 1995, 2006–2009, 2011, 2016–2018.

#### **NEPAL**

Previous Annual Report entries: 2007–2021.

#### **NETHERLANDS**

Previous Annual Report entries: 1995, 2004–2005, 2007–2021.

In October 2021, research by the newspaper *NRC Handelsblad* revealed that many educational publishers instructed primary-school textbook authors to avoid controversial topics, including evolutionism, in order not to lose the market of Reformed schools with hundreds of thousands of pupils.<sup>239</sup>

On 28 November 2021, Yitzhak Melamed, a professor of philosophy at Johns Hopkins University, Baltimore, United States, and an expert in the work of philosopher Baruch Spinoza (1632–1677), was denied a visit to the Portuguese synagogue complex in Amsterdam (where Spinoza himself presumably studied) with an Israeli crewthat planned to film Melamed conducting research in the library's archives. Rabbi Joseph Serfaty, a leader of Amsterdam's Sephardic community, wrote to Melamed that he was "persona non grata," barring him from the building while citing his "study of Spinoza's banned works and the development of his ideas." On 2 December, the ban was withdrawn but it was unclear whether filming would be allowed. In 1656, Spinoza had been excommunicated "for all time" from the Spanish-Portuguese Jewish community in Amsterdam for heresy. In 2015, a debate was held over whether to end the 1656 ban, but ultimately it was not lifted. 240

<sup>&</sup>lt;sup>239</sup> Maarten Dallinga, "Dino's en korte rokjes worden uit de schoolboeken geweerd," *NRC Handelsblad* (9–10 October 2021), 24–26.

<sup>&</sup>lt;sup>240</sup> Shira Hanau, "In Echo of Excommunication, Top Spinoza Scholar Banned from Amsterdam Synagogue," Times of Israel (30 November 2021); Juurd Eijsvogel, "365 jaar na dato blijkt Spinoza's banvloek nog steeds intact," NRC Handelsblad (30 November 2021), 2; "Spinoza-expert is toch welkom in Portugees synagogecomplex," NRC Handelsblad (2 December 2021), 2.

On 15 December 2021, far-right politician Thierry Baudet was ordered to delete social media posts in which he had textually and visually compared COVID-19 restrictions for unvaccinated people to the Holocaust. His remarks had prompted legal action from four Holocaust survivors and Jewish groups (including the Central Jewish Consultation and the Center for Information and Documentation on Israel). A judge ruled against him for "pointlessly offending Holocaust victims and their relatives," adding that the freedom of expression of politicians is not absolute. While removing the posts, Baudet, who claimed that historical comparisons cannot be defamatory, intended to appeal the judgment.<sup>241</sup>

On 13 January 2022, the Federatie Indische Nederlanders (FIN; Federation of Dutch-Indonesians) filed a complaint for group defamation with the Public Prosecutor about an opinion article in *NRC Handelsblad* three days prior, in which Bonnie Triyana, the Indonesian guest curator of the exhibition "Revolusi! Indonesia Independent" in the Rijksmuseum, Amsterdam, had made statements that according to FIN were insulting to Dutch-Indonesians. Triyana had allegedly downplayed and denied the responsibility of the Indonesian perpetrators for massive violence committed in a period called Bersiap (1945–1946) and, in so doing, distorted historical facts and one-sidedly presented the Indonesians as victims and the Dutch as perpetrators of the violence. On 9 February 2022, the Public Prosecutor dismissed the complaint, saying that Triyana's statements were protected by the right to free expression, did not contain negative conclusions about the group of Dutch-Indonesians as a whole, and were part of a public debate about historical events.

On 21 January 2022, the Komite Utang Kehormatan Belanda – Stichting Comité Nederlandse Ereschulden (KUKB; Foundation Dutch Debt of Honor Committee) also filed a complaint for group defamation against the Rijksmuseum (national museum), its director and a curator because they used the term Bersiap [See above] in the exhibition, which according to KUKB was racist and defamatory to Indonesians. On 9 February 2022, the Public Prosecutor dismissed the complaint, saying that using the term Bersiap was not criminal because the term referred to historical events and did not contain any negative conclusions about Indonesians as a group because of their race. The use of the word Bersiap was protected by the right to free expression and was part of a public debate about historical events.<sup>242</sup>

<sup>241</sup> Rechtbank Amsterdam, Centraal Joods Overleg, CIDI, and others versus Thierry Baudet (16 December 2021); "Baudet Should Be Ashamed of Covid, Holocaust Comparisons: Israel Group," NL-Times (15 November 2021); CIDI, "Baudet voor de rechter om zijn Holocaust vergelijkingen" (press release; 7 December 2021); "Jewish Groups Take Baudet to Court over Holocaust Covid Comparison," Dutch News (7 December 2021); "Jewish Groups File New Legal Case against Far Right Leader Baudet," NL-Times (7 December 2021); "Baudet moet tweets met Holocaustvergelijking verwijderen na kort geding," Nu.nl (15 December 2021); Marcel Haenen, "Baudet moet tweets met vergelijking coronaregels en Holocaust verwijderen," NRC Handelsblad (15 December 2021); "Dutch MP Ordered to Delete Covid Holocaust Social Media Posts," BBC News (16 December 2021); Wilmer Heck, "Het vonnis over de Holocaustvergelijkingen van Baudet is volgens experts 'stevig onderbouwd'," NRC Handelsblad (16 December 2021).

<sup>&</sup>lt;sup>242</sup> Public Prosecutor, "Gebruik term 'Bersiap' bij tentoonstelling in Rijksmuseum niet strafbaar" (9 February 2022); Public Prosecutor (Amsterdam), <u>Dismissal of Complaint by Federation of Dutch-Indonesians</u> and <u>Dismissal of Complaint by Foundation Dutch Debt of Honor Committee</u> (in Dutch; 9 February 2022).

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On 3 May 2022, one day before the Remembrance of the dead, the annual 4 May commemoration for

all Dutch victims of war since the beginning of World War II, the Liberation Monument in Leiden was

daubed with graffiti, including a dagger and an anarchist symbol. 243

Saint Eustatius

On 28 July 2021, the special Dutch municipality of the island of Saint Eustatius suspended the

archaeological excavation of a mass grave of dozens of slaves which it had itself commissioned, after

Kenneth Cuvalay of the Ubuntu Connected Front (Saint Eustatius's largest political party, established

2017) had started an online petition to protest the fact that the archaeologists were all white. The

municipality said that a commission of independent Caribbean experts had to investigate the project

and that the international archaeological team led by Ruud Stelten had to seek advice from the local

community. Several islanders expressed support for the excavations.<sup>244</sup>

See also Japan, Yemen.

**NEW ZEALAND** 

Previous Annual Report entries: 1997, 2003, 2005, 2007, 2017, 2019–2021.

**NICARAGUA** 

Previous Annual Report entries: 1998, 2020–2021.

On 8 September 2021, President Daniel Ortega issued an arrest warrant for writer and former Vice

President Sergio Ramírez (1942–), with all copies of his new book being impounded upon publication.

Ramírez's latest novel, Tongolele no sabía bailar (Tongolele Did Not Know How To Dance), examined

the protests against Ortega in 2018, when tens of thousands of people took to the street and more than

300 people were killed. Ramírez had been residing in Costa Rica since June. <sup>245</sup>

<sup>243</sup> "Bevrijdingsmonument in Leiden beklad, gemeente doet aangifte," Nu.nl (3 May 2022).

<sup>244</sup> Kees Broere, "Witte archeologen leggen begraafplaats slaafgemaakten bloot, en dat valt slecht op Sint

Eustatius," Volkskrant (18 July 2021).

<sup>245</sup> Sam Jones, "'A Feeling of Deja Vu': Author Sergio Ramírez on ex-Comrade Ortega and Nicara guan History Repeating," Guardian (18 September 2021).

#### **NIGER**

Previous Annual Report entries: 2009, 2013, 2021.

#### **NIGERIA**

Previous Annual Report entries: 2000–2006, 2008, 2010–2013, 2016–2021.

Sharia laws in twelve northern states criminalized "blasphemy," resulting in harsh punishments. On 10 August 2020, Yahaya Sharif-Aminu, a Muslim gospel musician, was sentenced to death by hanging by a Sharia court in Kano for using blasphemous expressions against the Prophet Muhammad in one of his songs (circulated on Whatsapp).

On 5 April 2022, Mubarak Bala, President of the Humanist Association of Nigeria, was sentenced to twenty-four years in prison after pleading guilty to blasphemy charges. On 28 April 2020, the State Police Command had arrested Bala in Kano, following a petition filed by a law firm alleging that he had insulted the Prophet Muhammad in his Facebook posts. He was refused access to his lawyers until October 2020 and detained without charges until August 2021, when a court charged him with ten counts of causing a public disturbance in connection to "blasphemous" Facebook posts. In 2014, Bala had been drugged and committed to a psychiatric unit by his family members after he had told them that he was an atheist. He had been released shortly thereafter and became an outspoken advocate for atheists rights and freedoms.

On 12 May 2022, Deborah Samuel, a Christian second-year student of economics at the Shehu Sagari College of Education in Sokoto was stoned and beaten by an angry mob of Muslim students at the school premises before being set on fire for sending a voice note alleged to be blasphemous against the Prophet Muhammad on her class WhatsApp group. The act was recorded by the perpetrators and widely shared on social media.<sup>246</sup>

On 24 October 2020, police officials of the Lagos State Task Force (LSTF) killed Pelumi Onifade ([1999 or 2000]–2020), a second-year student at the history department of Tai Solarin University of

<sup>&</sup>lt;sup>246</sup> "Sharia Court in Nigeria Sentences Singer to Death for Blasphemy," Deutsche Welle (11 August 2020); Humanists International, <u>Freedom of Thought Report 2020</u> (New York: Humanists International, 2020), 103; United States Commission on International Religious Freedom, "<u>Mubarak Bala</u>" (no date); Emmanuel Akinwotu, "Nigerian Humanist Jailed for 24 Years After Pleading Guilty to Blasphemy," Guardian (5 April 2022); "<u>Mob Kills Student over 'Blasphemy' in Northern Nigerian College</u>," Al Jazeera (12 May 2022); "<u>Female Student in Nigeria Beaten to Death over 'Blasphemy'</u>," Guardian (12 May 2022); Olabisi Deji-Folutile, "<u>Female Student Killed after 'Blasphemy' on WhatsApp Group</u>," University World News (19 May 2022).

Education in Ijagun, Ogun State. Onifade was also a journalist intern at Gboah TV, an online television station, and had joined one of his colleagues in covering an attempted burglary at the Ministry of Agriculture in Ikeja, Lagos State. The burglary was part of a widespread wave of violence and looting that broke out after #EndSARS protesters – demanding the dissolution of the Special Anti-Robbery Squad (SARS), a police unit formed to combat armed robbery and other serious crimes set up in 1992 in Lagos, which had been implicated in human rights violations across Nigeria – had been attacked by police forces on 20 October 2020 at the Lekki tollgate. Despite wearing a press jacket, police attacked Onifade and dragged him into a police van together with others, after which he disappeared. Already on 20 October, Onifade had covered an #EndSARS protest at Abule Egba, Lagos State, that saw police forces shooting at unarmed protesters.

Following the disappearance of Onifade, his family and the television management searched for four days in hospitals, police stations, and prisons all over Lagos State. On the evening of 27 October, they posted a message about his disappearance on social media platforms, after which a LSTF officer reached out to them to schedule a meeting. On 28 October, officers told them that Onifade had died in police custody from the injuries he had sustained during the protest and that his body was sent to a mortuary in Ikorodu, north of Lagos State. On 30 October, the family identified Onifade's corpse. His death generated outrage throughout Nigeria, with people demanding justice on social media through the hashtag #JusticeforPelumi. However, after the identification of Onifade, police officials changed their statement and said that he had not been among those arrested on 24 October, but that his body had been found on the ground at an unspecified location. Moreover, his family was not allowed to take the corpse, because they needed to wait for a police report.

Meanwhile, on 6 November 2020, Onifade's family submitted a petition before the Lagos State Judicial Panel of Inquiry on the Restitution and Compensation of Victims of SARS-Related Abuse and Other Matters, a panel of inquiry investigating allegations of police brutality that had been set up on 19 October 2020. The Panel reportedly started an investigation around 11 November. On 18 November, UNESCO Director-General Audrey Azoulay called on the authorities to shed light on Onifade's death. On 10 April 2021, Abiodun Owonikok, the lead counsel to the Lagos State government, objected that the case did not fall within the panel's jurisdiction because the death was not caused by SARS forces, having been committed after SARS had officially been disbanded by the government. The LSTF had been repeatedly implicated in human rights abuses and extortion: on 15 October 2020, an anonymous group had issued a call for the disbandment of the LSTF, saying that it operated with impunity and had been as deadly as its "twin brother" SARS.

In February 2021, the Lagos State government asked Onifade's parents to do a DNA test, but they never received the results. On 12 May 2021, the family returned to the Ikorodu mortuary, but the

attendant said that the corpse had already been checked out. It was presumably still kept in government custody.<sup>247</sup>

#### NORTH MACEDONIA

Previous Annual Report entries: 2021. See also Macedonia.

In July 2022, as part of a bilateral agreement with Bulgaria, the government promised to fully open the archives of the state security services during the Communist period (1945–1991). The two countries further agreed to jointly celebrate historical events and figures that were agreed as part of a common historical heritage, such as Tsar of the First Bulgarian Empire (681–1018) King Samuel (d. 1014) for whom a seventh-grade example lesson would be prepared.<sup>248</sup>

See also Bulgaria, Greece.

## **NORWAY**

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

In December 2021, the Fritt Ord foundation, a freedom of speech organization, called for a state commission to investigate the murder attempt, on 11 October 1993, of William Nygaard (1943–), director of the Aschehoug publishing house, the second biggest of Norway, after new information about a prime suspect had become available. Nygaard was shot three times and left for dead outside of his home in Oslo. Although nobody claimed responsibility, the shooting was widely believed to be linked to Aschehoug's publication of the historical novel *The Satanic Verses* in Norwegian and Nygaard's support of its author, writer and historian Salman Rushdie (1947–). On 14 February 1989, Ayatollah

Sada Malumfashi, "Nigeria's SARS: A Brief History of the Special Anti-Robbery Squad," AlJazeera (22 October 2020); Mojeed Alabi, "#EndSARS: How Police Killed 20-Year-Old Nigerian Journalist," Premium Times (3 November 2020); Victor Oluwole, "Nigerians Mourn Pelumi Onifade, the Young Reporter Who Was Found Dead after Covering #EndSARS Protests," Business Insider Africa (4 November 2020); UNESCO, "Nigeria: UNESCO Director-General Calls for Investigation into the Death of Journalist Pelumi Onifade" (18 November 2020); "Onifade Emmanuel Pelumi," Committee to Protect Journalists ([after 19 November 2020]); "Justice Demanded for Death of 20-Year-Old Pelumi Onifade," IFEX (16 March 2021); Shola Soyele, "Pelumi Onifade: Lagos Govt. Challenges Jurisdiction of Panel to Hear Petition," Channels TV (11 May 2021); "#MySARSstory: Killed and Missing," International Centre for Investigative Reporting (3 November 2021).
 Krassen Nikolov, "Sofia, Skopje to Fight Propaganda on Both Sides of Border," Euractiv (19 July 2022).

Ruhollah Khomeini had issued a fatwa (religious edict) which called for the killing of Rushdie [See NCH *Annual Reports 1996, 1998–1999, 2013*].<sup>249</sup>

See also Russia.

<sup>&</sup>lt;sup>249</sup> Dominic Hinde, "<u>Call for Investigation into Historical Police Handling of Norwegian Publisher's Attempted Murder</u>," *Index on Censorship* (17 December 2021).

# **OMAN**

Previous Annual Report entries: 2010, 2017, 2019, 2021.

**PAKISTAN** 

Previous Annual Report entries: 1998, 2001, 2004, 2006, 2009–2012, 2014, 2016, 2018–2019, 2021.

See India, Morocco.

**PALESTINE** 

Previous Annual Report entries: 1996, 1998–2002, 2008–2010, 2013–2015, 2018, 2021.

In June 2021, the Georg Eckert Institute (GEI), a Germany-based research institute in Germany specialized in conducting and facilitating research into educational media, published a *Report on Palestinian Textbooks*, the result of a study announced in May 2019 by the European Commission (EC) to analyze how Palestinian textbooks, including for history education, that were published between 2017 – when the Palestinian Authority had introduced fundamental curriculum reforms – and 2020 addressed themes such as tolerance and human rights.

In July 2020, the GEI had completed an "interim report." The document, allegedly only intended for internal communication and to be spread among partners for discussion about the preliminary results and used methodology, was reviewed by the Institute for Monitoring Peace and Cultural Tolerance in School Education (IMPACT-SE), a Jerusalem-based organization specialized in researching intolerance in school textbooks, mainly in the Middle East, whose previous heavy criticism of the Palestinian textbooks had prompted the EC to launch its investigation. IMPACT-SE found that, among others, textbooks distributed and financed by the Israeli Ministry of Education for schools in occupied East Jerusalem had been "misleadingly included" in GEI's research, that GEI had ignored instances of anti-Semitism, and that GEI's research contained "significant omissions within the quantitative analysis" such as the absence of the term Holocaust.

On 10 October 2020, following IMPACT-SE's review, the GEI project's leader professor Riem Spielhaus claimed in an interview that the use of Israeli textbooks had been noticed during the GEI research. The GEI stated that these textbooks, issued by the Palestinian Authority, had to be approved and possibly amended by Israeli authorities for use in schools, and that they were part of a separate analysis that had been mandated by the EC. On 16 October, Peter Stano, the European Union's Lead Spokesperson for Foreign Affairs and Security Policy, released a statement in support of GEI, stressing that the report was intended for internal use only and reassuring that the final report would find any errors being properly addressed. In August 2021, IMPACT-SE criticized GEI's final report for allegedly

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"shield[ing] the P[alestinian] A[uthorities] textbooks from criticism for teaching violence and rejection

of peace."250

On 9 April 2022, Palestinians in Nablus vandalized the tomb where the biblical figure Joseph was said

to be buried as Israeli forces carried out raids in the occupied West Bank in the wake of a gun attack in

Tel Aviv by a Palestinian on 7 April, which left three Israelis dead and eleven others injured. Palestinian

security forces detained the perpetrators. The tomb had previously been a flashpoint for violence, having

been set alight by Palestinian rioters in 2015 and 2000.<sup>251</sup>

See also Israel, United States.

**PANAMA** 

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

PAPUA NEW GUINEA

Previous Annual Report entries: 2014.

**PARAGUAY** 

Previous Annual Report entries: 2002–2005, 2007, 2009–2010, 2012, 2015, 2020.

In May 2021, writer and teacher Nelson Aguilera (1961–) [See NCH Annual Reports 2015, 2020] was

given back his passport and had his rights restored after his case had expired on 3 February. 252

<sup>250</sup> Georg Eckert Institute, "Answers to Frequently Asked Questions." (no date [2020-2021]); IMPACT-se, <u>EU</u> Interim Report Results of the Palestinian Authority Curriculum: An IMPACT-se Review (20 September 2020; 25 pages); Muhamad Abdi & Sebastian Leber, "Wie Deutschland Antisemitismus mitfinanziert," Tagesspiegel (10 October 2020); Georg Eckert Institute, Report on Palestinian Textbooks (June 2021; 194 pages); IMPACTse, <u>IMPACT-se Review of the Georg Eckert Institute Report of Palestinian Authority Textbooks</u> (August 2021).

<sup>&</sup>lt;sup>251</sup> "Palestinians Attack Biblical Figure Joseph's Tomb in West Bank," BBC News (11 April 2022).

<sup>&</sup>lt;sup>252</sup> Lucina Kathmann, "Nelson Aguilera, Free at Last," PEN International (23 June 2021); "Nelson Aguilera," Escritores.org ([no date]).

On 22 October 2021, Bernard Raymond von Bredow (1959–2021), a self-taught paleontologist and experimental archaeologist, was tortured and killed in Areguá, Departamento Central, together with his 14-year old daughter. Three Germans were arrested. The murder was allegedly related to two of von Bredow's violins that were believed to be made by the Italian luthier Antonio Stradivari (1644–1737). The murderers were "looking for authentication certificates" which they could use to sell the violins. In 1975, the sixteen-year-old Bredow had found a large mammoth skeleton in Traunstein, Germany. Ten years later, he participated in the excavation of the skeleton under the auspices of the paleontologist Kurt Heißig. In 1991, Bredow set up the *Mammutheum*, a museum for experimental archaeology. He had migrated to Paraguay in [2016/7].<sup>253</sup>

## **PERU**

Previous Annual Report entries: 2001–2021.

On 29 July 2021, Guido Bellido from the Marxist Free Peru party was sworn in as prime minister at the site of a 1824 battle that sealed independence from Spain. At the moment of his inauguration Bellido was investigated for "apology for terrorism," a crime in Peru, after having defended members of the Maoist Shining Path in an interview with local media in April 2021. The 2003 Truth and Reconciliation Commission had estimated that almost 70,000 people had died or had been subject to enforced disappearance during the armed conflict (1980–2000), with many having become victims of atrocities by the Shining Path and other insurgent groups. <sup>254</sup>

In early January 2022, vandals smashed a hole in a replica statue of a ceramic vessel representing a fertility symbol of the Mochica culture in Moche, La Libertad, that had been on display there since the beginning of 2002. The Mochica (or Moche) lived in the region between 100 and 700 CE.<sup>255</sup>

<sup>253 &</sup>quot;Stradivarius Violin Link Suspected in Killing of Germans in Paraguay," Guardian (10 November 2021); "Bernard von Bredow," Wikipedia (10 November 2021); "Paraguay: Police Probe Stradivarius Violin Theft Motive in Double Murder," BBC News (10 November 2021).

<sup>&</sup>lt;sup>254</sup> Dan Collyns, "Peru: New President Appoints Marxist as Prime Minister," Guardian (30 July 2021).

<sup>255</sup> Dan Collyns, "Peruvian Statue's Giant Penis Thrills Tourists but Vandals Are Turned Off," Guardian (7 January 2022).

#### **PHILIPPINES**

Previous *Annual Report* entries: 2011–2015, 2019–2021.

In the lead-up to the 9 May 2022 presidential elections, campaigners for Ferdinand "Bongbong" Marcos Jr. alleged that the administration of his father Ferdinand Marcos (1965–1986) had brought glory and wealth to the Philippines and that no arrests had been made under martial law (1972–1986). Already on 10 January 2020, Marcos Jr. had declared that it was time to revise the content of history textbooks and blamed the opposition for their "political propaganda" which had depicted the Marcos family in a bad light. The Commission on Human Rights, however, called his statement a direct affront to the 11,000 victims of summary execution, torture, and other human rights violations under Marcos's dictatorship.

When Sara Duterte was appointed Minister of Education in the government of Marcos Jr., critics raised concerns that she would lead a campaign to rewrite the history of the administrations of Ferdinand Marcos and Rodrigo Duterte (2016–2022) in the history textbooks.

On 19 May 2022, around 1,700 scholars and educators signed a manifesto calling for the defense of historical truth and academic freedom, signaling an "intensified struggle over historical knowledge," and pledging to "combat all attempts at historical revisionism" related to the Marcos dictatorship, including the martial law period. The signatories also vowed to protect historical, educational and cultural institutions and to "preserve books, documents, records, artifacts, archives and other source materials pertaining to the martial law period." There was further concern about the future of the Human Rights Violations Victims' Memorial Commission (HRVVMC), a commission set up in 2012 to establish the facts and preserve the evidence about human rights violations committed during the Marcos dictatorship. The HRVVMC, set to start building a memorial museum featuring exhibitions on martial law, depended for its budget on the annual renewal by Congress.

In a 6 July 2022 webinar, more than two hundred educators and scholars attended the formal launch of the Network in Defense of Historical Truth and Academic Freedom, which previously vowed to promote academic initiatives "to protect the memories of a most violent and traumatic period" during the martial law period. At the webinar, Francis Gealogo, history professor at the Ateneo de Manila University and one of the authors of the manifesto, said that history, as a discipline, tended to become more vulnerable with organized troll networks distorting the way information was spread on social media. Michael Tan, former Chancellor of the University of the Philippines Diliman, suggested that Filipino scholars should not only counter historical revisionism but also document the history of minority groups.<sup>256</sup>

<sup>&</sup>lt;sup>256</sup> Glee Jalea, "Marcos Pushes for Revision of History Textbooks: 'You're Teaching the Children Lies'," CNN Philippines (10 January 2020); Krixia Subingsubing, "Revisionism, Denialism: Academics Explain Views on Marcos Era," Inquirer.net (22 September 2020); Regine Cabato & Shibani Mahtani, "How the Philippines'

#### **POLAND**

Previous Annual Report entries: 1995–1998, 2000–2001, 2004–2005, 2007–2011, 2014–2021.

On 16 August 2021, the court of appeals overturned the ruling against historians Jan Grabowski and Barbara Engelking [See NCH *Annual Reports 2020–2021*], saying that the litigation constituted an unacceptable violation of freedom of expression and of scientific research and that the "courtroom was not the right place for historical debate."<sup>257</sup>

On 5 October 2021, anti-Semitic graffiti were discovered at the Auschwitz II-Birkenau death camp site. Nine barracks were spray-painted with anti-Semitic phrases and slogans in German and English denying the Holocaust. Earlier in 2021, the wall of a Jewish cemetery near the camp was defaced with swastikas and other Nazi symbols.<sup>258</sup>

On 9 November 2021, Sławomir Poleszak, a historian specialized in contemporary history and the Polish Communist underground movement, was dismissed from the Instytut Pamięci Narodowej – Komisja Ścigania Zbrodni przeciwko Narodowi Polskiemu (IPN; Institute of National Remembrance – Commission for the Prosecution of Crimes against the Polish Nation) by IPN president Karol Nawrocki. In 2020, Poleszak had published a paper in which he suggested that Józef Franczak, considered by many as a national hero for his anti-Communist resistance, had been involved in the murder of Jews during the Holocaust. In the dismissal letter, Nawrocki had allegedly stated that Poleszak's dismissal was due to his research as well as to his work as an editor of the ohistorie website (ohistorie.eu), on which articles critical of the IPN were published.

One day before Poleszak's dismissal, on 8 November 2021, Sławomir Łukasiewicz, a professor of twentieth-century history and the history of historiography at the Katolicki Uniwersytet Lubelski (KUL; Catholic University of Lublin), had been forced to resign from the IPN, because Nawrocki had refused him permission to give classes at the KUL, despite the fact that these did not overlap with his IPN work. Łukasiewicz had been one of Poleszak's most outspoken defenders at the IPN. Both decisions were

Brutal History Is Being Whitewashed for Voters," Washington Post (12 April 2022); "Sara Duterte on DepEd Post: PH Needs New Generation of Advocates for Peace, Discipline," CNN Philippines (12 May 2022); "Concerns Mount over Duterte's Appointment as DepEd Chief," CNN Philippines (13 May 2022); "Manifesto in Defense of Historical Truth and Academic Freedom" (19 May 2022); Pola Lem, "Academics Warn Against Historical Revisionism in Philippines," Times Higher Education (6 June 2022); Rebecca Ratcliffe, "Archivists Rush to Preserve Records of Atrocities Under Ferdinand Marcos Sr.," Guardian (7 June 2022); Sui-Lee Wee, "The Museum Was Built So No One Would Forget – Now It's Falling Apart," New York Times (7 June 2022); Jan Cuyco, "Academia in Peril': Filipino Scholars Push Back against Disinformation, Red-Tagging," Interaksyon (7 July 2022).

<sup>&</sup>lt;sup>257</sup> "Polish Appeals Court Overturns Ruling against Holocaust Historians," Guardian (16 August 2021).

<sup>&</sup>lt;sup>258</sup> "Anti-Semitic Graffiti Discovered by Staff at Auschwitz Death Camp," BBC News (7 October 2021).

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criticized by Holocaust remembrance organizations in Israel and Germany, and in an open letter by

historians, who stated that they constituted censorship and intimidation attempts by the IPN leadership

and that it was no longer possible to cooperate with IPN under its current leadership.<sup>259</sup>

On 28 December 2021, Minister of Education and Science Przemysław Czarnek introduced a new

subject, "History and the Present," for the 2022-2023 high school and technical school curricula.

Czarnek said the aim was to protect young people from being manipulated so that "the youth will know

the truth." The new subject would, among others, instruct children about the "partial betrayal that

accompanied" the overthrow of the Communist regime in 1989 – a theory pushed by the government

that baselessly posits that Communists were still secretly in control of Poland.<sup>260</sup>

In May 2022, President Andrzej Duda was accused of having blocked for three years the promotion to

full professor of Michal Bilewicz, head of the Center for Research on Prejudice at the University of

Warsaw and an expert of the psychology of genocide. Critics saw this as a sign that the right-wing

government pressurized scholars who implicated Poles in the Holocaust [See NCH Annual Report

2018].261

See also Israel, Russia.

## **PORTUGAL**

Previous Annual Report entries: 2017, 2021.

See Netherlands.

<sup>&</sup>lt;sup>259</sup> Mirosław Filipowicz, personal communication (13 November 2021); Sam Sokol, "Top Polish Institute

Accused of Firing Historians over Holocaust-Era Research," Haaretz (21 November 2021).

260 "Przemysław Czarnek on a New Subject – History and Present: Students Will Learn about the Circumstances of the Round Table and 'Partial Betrayal'," Polish News (28 December 2021).

<sup>&</sup>lt;sup>261</sup> Ben Upton, "Polish President Stifles Genocide Researcher's Professorship Bid," Times Higher Education (26 May 2022).

# QATAR

Previous Annual Report entries: 2010.

### **ROMANIA**

Previous Annual Report entries: 1996, 1998, 2000, 2003, 2005, 2007–2008, 2010, 2019, 2021.

In 2021 and 2022, the Direcţia Generală de Protecţie Internă (General Directorate for Internal Security) of the Ministry of Internal Affairs started verifications of the Arhivele Naţionale ale României (ANR; Romanian National Archives) under Law no. 182/2002 on the protection of classified information and Government Decision no. 585/2002 establishing application standards for that law. Two researchers and two archivists came under investigation by the Service for Investigating Organized Crime and Terrorism, being accused of "organized crime and terrorism" because they had access or allowed others to have access to classified historical documents from the ANR. On 26 May 2022, the ANR issued an administrative measure to the effect that any requested file would be reviewed for classified information and that this might cause delays in answering the researchers' requests of documents. On 29 May 2022, sixteen historians and academics signed an open letter protesting against the ANR decision.

Critics feared that the measure blocked access to historical records from any period (including World War II and the Communist era [1947–1989]) indefinitely, meaning that any historical document held by the ANR that was labeled classified by the creating agency (whether that agency was the Romanian Communist Party or the Austro-Hungarian Empire) would remain to be considered sensitive information that must be protected. In other words, access to such historical documents would de facto be blocked indefinitely. Many documents that had been made public in the past were reclassified. Critics also revealed that records from the National Archival Fund had been destroyed and continued to be destroyed at the request and under the supervision of the secret services. No law had ever declassified the historical records held by the ANR, regardless of the year of creation, the creating agency or their content. According to some whistleblowers, documents created after 1990 were no longer transferred to the ANR.<sup>262</sup>

On 2 December 2021, the High Court of Cassation and Justice ruled in favor of reopening the criminal investigation into the role of former President Ion Iliescu (in office 1989–1996 and 2000–2004) in the 1990 "Mineriada" events. Between 13 and 15 June 1990, thousands of demonstrators had protested against the election of ex-Communist Iliescu in the first multi-party elections since the overthrow of dictator Nicolae Ceausescu (1918–1989; in office as General Secretary of the Communist Party, 1965–1989) in December 1989. Iliescu had ordered security forces and miners to end the demonstrations,

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<sup>&</sup>lt;sup>262</sup> Elena Dragomir, "The End of Archive Research on Communist and Post-communist Romania?" H-Romania (8 June 2022); "Scrisoare deschisă privind accesul istoricilor la documente din Arhivele Naționale," Contributors.org (29 May 2022); Madalin Necsutu, "Romanian Historians Protest Curbs on Access to Archives," Balkan Insight (30 May 2022); Vera and Donald Blinken Open Society Archives, "Blinken OSA on the Restriction of Access to the National Archives of Romania" (press release; 7 July 2022).

resulting in the deaths of at least six people, with protest leaders claiming that up to a hundred people were killed. In 2009, Iliescu had been removed from prosecution.<sup>263</sup>

### RUSSIA

Previous Annual Report entries: 1996–1998, 2001, 2004–2006, 2008–2021.

On 22 December 2020, agents of the Federal'naya sluzhba bezopasnosti (FSB; Federal Security Service) seized part of the print run of *Neizvestnaja severnaja istorija* ("Unknown Northern History"), a work of popular history and ethnography by Agnes Haikara about Norwegian and Finnish communities of colonists who moved to the Kola Peninsula in the nineteenth century and were eradicated in 1938–1940. The book was based on official documents and stories of descendants and immigrants, including some of Haikara's family members. On 12 May 2021, the Deputy Prosecutor General of the Russian Federation reported that the FSB had found unspecified "signs of extremism" in Haikara's book and confiscated it. On 15 December 2021, the European Parliament condemned the confiscation as an example of the policy of historical revisionism and glorification of Stalinism promoted by the Russian government. <sup>264</sup>

In July 2021, Team 29, an association of lawyers and journalists aiming at counteracting the increasing governmental campaign against freedom of information, was forced to delete all its publications and web archives to prevent prosecution under the "foreign agents" law.<sup>265</sup>

In July 2021, a presidential decree ordered the creation of an interagency commission on historical education "in order to ensure a planned and aggressive approach to the matter of defending the national interests of the Russian Federation" [See NCH *Annual Report 2021*]. It would be chaired by Vladimir Medinsky – Culture Minister (2012–2020), head of the Military-Historical Society, and Putin's personal adviser – and would include representatives of the Federal Security Service (FSB), the Interior Ministry, the Investigative Committee of Russia, the presidential administration, the staff of the Security Council, the Prosecutor-General's Office, the foreign intelligence service (SVR), among others. The commission's brief covered both formal historical education and informal historical education through

<sup>263</sup> Madalin Necsutu, "<u>Romanian Ex-President Faces Probe Over 1990s Violence Against Protesters</u>," *Balkan Insight* (3 December 2021).

<sup>&</sup>lt;sup>264</sup> "Агнесса Хайкара добивается возвращения части тиража своей книги о репрессиях на Кольском полуострове," SOVA Center for Information and Analysis (27 August 2021); European Parliament Resolution on the Continuous Crackdown on Civil Society and Human Rights Defenders in Russia: The Case of Human Rights Organisation Memorial (2021/3018(RSP)) (15 December 2022), paragraph 9.

<sup>&</sup>lt;sup>265</sup> Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 311.

museums, culture, and entertainment. Medinsky had headed a similar commission in 2012 aimed at combating the purported falsification of history when he was culture minister under President Dmitry Medvedev [See NCH *Annual Reports 2009, 2013, 2016–2021*]. Russian historians were alarmed by the news.<sup>266</sup>

On 3 July 2021, President Vladimir Putin published a decree "On the National Security Strategy of the Russian Federation." It outlined "attempts deliberately to erode traditional values, distort global history ... [and] rehabilitate Fascism" as one of the threats to the federation and stated that "traditional Russian spiritual, moral and cultural-historical values are under active attack by the U.S. and its allies." The decree was seen as the main point of reference for Russia's national interests, strategic priorities, and threat perceptions. One of the main changes – as compared to the preceding 2015 Strategy – was its new focus on "the protection of traditional Russian spiritual and moral values, culture and historical memory" [See NCH *Annual Report 2021*]. On 24 January 2022, the Ministry of Culture published "Fundamentals of State Policy for the Preservation and Strengthening of Traditional Russian Spiritual and Moral Values," a proposal to strengthen "traditional Russian values" by "countering the spread of destructive ideology," such as denial of patriotism, in arts and culture. The proposal was criticized by some of Russia's most prominent theater directors. <sup>267</sup>

On 12 July 2021, President Vladimir Putin published an article on the presidential website, entitled "On the Historical Unity of Ukrainians and Russians." It contained an elaboration of the official state narrative that the Russian nation dates back to the adoption of Christianity by Prince Vladimir of Kyiv in 988. The Russian and Ukrainian peoples, Putin continued, had thereafter been artificially separated, first by the Mongols, the Turks, and the Polish-Lithuanian commonwealth, then by the Bolsheviks, who had "often imposed [Ukrainization] on those who did not see themselves as Ukrainians." Putin further stated that the Ukrainian language was nothing more than a "regional language peculiarity." Defense minister Sergei Shoigu signed an order requiring the armed forces to study the article. The article was seen as fitting within a broader government effort to distort history [See NCH *Annual Report 2021*]. <sup>268</sup>

On 31 July 2021, the European Court of Human Rights published its judgment on the murder of historian and journalist Natalia Estemirova (1958–2009). It ruled that the Russian State had violated its obligations to conduct a full and thorough investigation into the murder and found "certain

Mikhail Sokolov & Robert Coalson, "A Dangerous Commission': Russian Historians Alarmed As Putin Creates State Body On 'Historical Education'," RFE/RL News (10 August 2021).

Mark Galeotti, "New National Security Strategy Is a Paranoid's Charter," Moscow Times (5 July 2021); "Russian Theater Execs Protest Ministry's 'Traditional Values' Push," The Moscow Times (4 February 2022).

<sup>&</sup>lt;sup>268</sup> "Article by Vladimir Putin 'On the Historical Unity of Russians and Ukrainians'," Kremlin (12 July 2021); Peter Rutland, "In Putin's Hands, History Becomes a Weapon," Transitions (27 July 2021).

contradictions in the expert evidence" that remained unsolved. It further said that the government "undermined its [i.e., the Court's] ability to assess the quality of the investigation" by refusing to hand over its full case file to the Court. On 15 July 2009, Estemirova, a journalist for *Novaya Gazeta* and head of Memorial's Chechnyan desk in Grozny, was abducted and shot dead in the neighboring republic of Ingushetia. Her murder came amid a pattern of threats against Memorial staff members and the murder of other activists. None of the suspected killers had been brought to justice [See NCH *Annual Reports* 2010–2012, 2015, 2020].<sup>269</sup>

On 12 October 2021, Sergey Zuev (1954–), art historian and rector of the Moscow Higher School of Social and Economic Sciences (also known as Shaninka, named after its founder, sociologist Theodor Shanin), was allegedly taken from a hospital, where he had been admitted with a hypertensive crisis, and put in pre-trial detention, reportedly in relation to a large-scale investigation into alleged money laundering of former Deputy Minister of Education Marina Rakova. After his arrest, he was again hospitalized for heart surgery. On [24 or 25] November 2021, he was charged under the Criminal Code with "fraud committed by an organized group or on an especially large scale" for the fictitious employment of employees. The case showed the risks that non-state institutions faced, being almost entirely dependent on government funding, due to government's attempts to scare off foreign donors and forcing institutions that do receive funding to register as "Foreign Agents" [See *Memorial* below]. In an open letter published by *Novaya Gazeta*, 59 academicians, corresponding members and professors of the Russian Academy of Sciences called the charge absurd.<sup>270</sup>

On 14 October 2021, a screening of the Polish-British film *Mr. Jones* (also known as *Red Secrets*) by director Agnieszka Holland about the Holodomor (the famine that as a result of Stalin's farm collectivization program killed millions of people in Ukraine in 1932–1933) in Memorial's Moscow premises was interrupted by masked men who threatened the audience and yelled that "our history

<sup>&</sup>lt;sup>269</sup> European Court of Human Rights, <u>Case of Estemirova v. Russia</u> (Application no. 42705/11) (31 August 2021); "Russia Failed to Properly Investigate Activist Estemirova's Murder, ECHR Rules," Moscow Times (31 August 2021); "European Court's Judgment on Natalia Estemirova's Abduction and Killing Highlights Unabated Impunity in Russia," Amnesty International (31 August 2021).

<sup>&</sup>lt;sup>270</sup> "Ректор "Шанинки" Сергей Зуев задержан по делу Марины Раковой," *BBC News* (12 October 2021); Elena Gunkel, "СМИ: В Москве задержан ректор "Шанинки" Сергей Зуев," *Die Welt* (12 October 2021); "Outcry as Head of Top University Arrested in Fraud Case," *The Bell* (18 October 2021); Andrey Karev, "Ректору Шанинки Сергею Зуеву предъявили обвинение по делу о фиктивном трудоустройстве в РАНХиГС," *Novaya Gazeta* (25 November 2021); "The Investigation Brought Charges against Sergey Zuev, the Rector of the Moscow Higher School of Social and Economic Sciences (Shaninka)," *Times Higher Education* (29 November 2021); "Open Letter from Academicians in Defense of Sergei Zuev," *Times Higher Education* (29 November 2021).

should not be distorted." When they disappeared, police detained and interrogated the organizers and audience for hours and took away a video recording device.<sup>271</sup>

On 26 October 2021, law enforcement authorities started an investigation into rapper Alisher Tagirovich Morgenshtern (1998–) for criticism of Victory Day, the annual commemoration of World War II on 9 May. In a YouTube interview, Morgenshtern had said that he did not understand Victory Day and that the millions spent on it every year were because "[t]here's probably simply nothing else to be proud of." The investigation followed a request by a veterans' organization to verify whether the comments violated article 354.1 of the Criminal Code (which criminalizes "rehabilitation of Nazism") [See NCH *Annual Report 2021*].<sup>272</sup>

On [26] October 2021, authorities opened an inquiry into artist Kirill Miller, for his painting "The Living and the Dead," depicting people carrying portraits of decomposing bodies, after complaints that it was an offensive allusion to the "Immortal Regiment" – an annual commemorative event during Victory Day on 9 May, in which people carry pictures of those who served and died during World War II. On 26 September, the last day of an exhibition at the Pig's Snout Art gallery in St. Petersburg that featured the painting, someone had posted a critique of it in the "Memories of Veterans" group on social media platform VKontakt, after which its moderators had urged people to appeal to the St. Petersburg department of the Investigative Committee of Russia. Then, on 22 October, a video of lawyer Pavel Astakhov on the Facebook page of the Immortal Regiment of Russia, a non-profit organization, announced a complaint against Miller, stating that "evil, no matter how it disguises itself as alternative art, must be punished and destroyed." 273

On 11 November 2021, the Prosecutor-General's Office filed a lawsuit with the Supreme Court to liquidate Memorial, an international historical and human rights society founded in 1987, and all of its regional and structural units for alleged repeated violations of the "foreign agents" act – a controversial 2012 law that required NGOs to register as "foreign agents" if they engaged in political activity and received foreign funding [See NCH *Annual Report 2017*]. International Memorial was added to the "foreign agents" registry in 2014 and had since been fined at least 21 times, for a sum of more than 4.2

<sup>&</sup>lt;sup>271</sup> Inna Hartwich, "Menschenrechtler\*innen in Russland: Konzertierte Attacke in Moskau," taz (15 October 2021); Pjotr Sauer, "Masked Men Storm Moscow Screening of Film About Stalin-Era Famine," Guardian (15 October 2021); "Moscow Human Rights Group Stormed During Holodomor Film Screening," Moscow Times (15 October 2021).

<sup>&</sup>lt;sup>272</sup> "Russia to Probe Rapper's Criticism of WWII Victory Parade," Moscow Times (27 October 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 551.

<sup>&</sup>lt;sup>273</sup> "Петербургский художник написал картину, на которой толпа живых людей идет с портретами мертвых," *Meduza* (27 October 2021); Human Rights Watch, *World Report 2022: Events of 2021* (New York: Human Rights Watch, 2022), 564.

million rubles (£ 44,000) as of 2020 [See also NCH *Annual Report 2021*]. On 25 November 2021, the first hearing of the case took place. Memorial's acting director Yelena Zhemkova argued it would be wrong to shut an organization that "helps preserve shared memory" on a "technicality." On 23 November, a second trial against Memorial, accusing its Human Rights Center (MHRC) of "justifying the activities of terrorist and extremist organizations" for compiling a list of current political prisoners in Russia, had started before the Moscow City Court.

On 28 December 2021, the Supreme Court ordered International Memorial's liquidation for failing to mark a number of social media posts with its official status as a "foreign agent." The prosecutor accused Memorial of distorting historic memory, saying that "by cashing in on the subject of political reprisals of the twentieth century, Memorial is mendaciously portraying the USSR as a terrorist state and whitewashing and vindicating Nazi criminals having blood of Soviet citizens on their hands." The statements echoed earlier comments by President Vladimir Putin, who called Memorial "one of the most reputable organizations" during a meeting with his human rights council this month, but also accused it of glorifying Holocaust perpetrators. Police arrested several Memorial supporters at the court who held up signs with slogans such as "We are Memorial" and "Hands off Memorial." One of them, Aleksei Belenkin, served twenty-five days in prison. On 29 December 2021, the Moscow City Court authorized the dissolution of the MHCR.

Memorial appealed the ruling, including as an application before the European Court of Human Rights, which on 29 December ordered a stay of the decisions to shut down Memorial. On 28 February 2022, the Supreme Court turned down Memorial's appeal. It was unclear what would happen to Memorial's databases of three million victims and nearly 42,000 collaborators of the Soviet secret police between 1935 and 1939, its archive with personal files, and other physical items. In March 2022, the International Council on Archives expressed its deep concern for the future of the archives, library and museum of International Memorial, urging the Russian government to protect the archives and enable uninterrupted access to them.<sup>274</sup>

<sup>&</sup>lt;sup>274</sup> NCH Campaign 1 (2021); NCH Campaign 2 (2021); "On the Liquidation of International Memorial" (International Memorial Board Statement; 28 December 2021); Andrew Roth, "Russia Moves to Shut Down Country's Most Celebrated Civil Rights Group," Guardian (11 November 2021); "Memorial: Russia Moves to Close Major Human Rights Group," BBC News (11 November 2021); "Russian Prosecutor-General's Office Takes Aim at Memorial Rights Group," RFE/RL (11 November 2021); Deutsche Gesellschaft für Osteuropakunde, "Erklärung zur beantragten Auflösung von Memorial International" (petition; 14 November 2021); The Observatory for the Protection of Human Rights Defenders, "Appeal RUS 007/1121/OBS 117" (15 November 2021); Joint Statement by Russian and International Human Rights Groups in Support of Memorial, "Memorial: Russian Authorities Move to Shut Down a Human Rights Giant" (press release; 15 November 2021); Council of Europe Commissioner for Human Rights, "Statement: The Russian Authorities Should Discontinue the Liquidation of Memorial and Repeal the "Foreign Agents Law as a Matter of Priority" (press release; 17 November 2021); "Попытка ликвидировать «Мемориал" [An attempt to liquidate Memorial; Polish petition], Novaya Gazeta (19 November 2021); Andrew Roth, "Court Cases Threatening Human Rights Group Memorial Start in Russia," Guardian (24 November 2021); "Relatives of Stalin's Victims Fret about Possible Closure of Top Rights Group," Reuters (24 November 2021); Hands off "Memorial"! (Petition; November 2021); "Protest at Russian Court as Future of Rights Group "Memorial" Hangs in Balance" (Petition Update; 1 December 2021); European Parliament Resolution on the Continuous

In December 2021, the group Veterans of Russia accused Memorial of "denying, concealing and falsifying the crimes of Nazi accomplices by memorializing them as victims of political repression," claiming that nineteen victims of Soviet repression in Memorial's database of more than three million names were Nazi collaborators [See above]. On 5 February 2022, the Investigative Committee launched a criminal probe into "rehabilitation of Nazism" (punishable with imprisonment of up to five years). Memorial rejected the veterans' claims for sixteen individuals, admitting possible errors in the three

On 27 December 2021, a court in Petrozavodsk increased the prison term for Karelian historian Yuri Dmitriyev (1956–) from thirteen to fifteen years, On 10 January 2022, Dmitriyev lodged an appeal with the Supreme Court of Karelia [See NCH *Annual Reports 2018–2021*].<sup>276</sup>

remaining cases "due to the lack of documentation about their rehabilitation." 275

On 17 January 2022, an investigation for "grievances towards the dead and their burial site" was opened against Ivan Volkov, a painter who had created a snow sculpture in the shape and colors of giant excrements at the Field of Mars, a central square in St. Petersburg that also houses the graves of victims of the 1917 Revolution. If convicted, he would face up to five years in prison. <sup>277</sup>

On 22 February 2022, the State Duma (lower house of parliament) introduced a bill attaching fines and prison sentences to the 2021 memory law banning "any public attempt to equate the aims and actions of the Soviet Union and Nazi Germany during World War II, as well as to deny the decisive role of the Soviet people in the victory over Fascism" [See NCH *Annual Report 2021*]. One of the bill's co-authors,

Crackdown on Civil Society and Human Rights Defenders in Russia: The Case of Human Rights Organisation Memorial (2021/3018(RSP)) (15 December 2022); Sarah Rainsford, "Russian Court Orders Oldest Civil Rights Group Memorial to Shut," BBC News (28 December 2021); Andrew Roth, "Rights Group's Closure Is Part of Rapid Dismantling of Russian Civil Society," Guardian (28 December 2021); Council of Europe, "Secretary General: Liquidation of International Memorial Marks a Dark Day for Civil Society in the Russian Federation" (Press release; 28 December 2021); Ivan Nechepurenko & Andrew Kramer, "Russian Court Orders Prominent Human Rights Group to Shut," New York Times (28 December 2021); Robyn Dixon, "Russian Court Abolishes Country's Most Prominent Human Rights Group, Memorial," Washington Post (28 December 2021); Andrew Roth, "Russian Court Orders Closure of Another Human Rights Group," Guardian (29 December 2021); "Memorial: Russia's Civil Rights Group Uncovering an Uncomfortable Past," BBC News (2 January 2022); Masha Gessen, "The Russian Memory Project that Became an Enemy of the State," New Yorker (6 January 2022); "Russia's Top Court Upholds Decision To Shut Down Memorial Rights Group," RFE/RL (28 February 2022); Tom Blanton & Svetlana Savranskaya, "The 'Liquidation' of Memorial," National Security Archive (3 March 2022); Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 311; International Council on Archives, "Statement of the International Council on Archives on the Situation of the Archives of International Memorial" (Statement; no date [March 2022]).

<sup>275 &</sup>quot;Russia Investigates Veterans' Complaint Against Memorial Rights Group," RFE/RL (5 February 2022); "Russia Probes Shuttered Rights Group Memorial for 'Nazi Rehabilitation' - Reports," Moscow Times (7 February 2022).

<sup>&</sup>lt;sup>276</sup> "Russian Court Increases Jail Sentence for Gulag Historian," Guardian (27 December 2021).

<sup>&</sup>lt;sup>277</sup> "They Arrested a Painter in Russia for a Sculpture That Simulates Excrement Near a Monument," Today in 24 (17 January 2022); "Russian Artist Arrested For Giant Poop Snow Sculpture," RFE/RL (18 January 2022).

Alexei Pushkov, described the law as "a moral imperative." One of its stated aims was to prevent people from "insulting the memory of the defenders of the Fatherland." In the past year, the Foreign Ministry had accused scholars who discussed Soviet-German collaboration between August 1939 and June 1941 of smearing the memory of the war. <sup>278</sup>

On 24 February 2022, the day Russian troops invaded Ukraine, International Memorial and the Memorial Human Rights Center said that "[t]he war unleashed against Ukraine by Putin's regime is a crime against peace and humanity" and said that "[t]his war will remain a shameful chapter in Russian history.

On 25 February 2022, the Royal Historical Society in the United Kingdom condemned "the unprovoked act of aggression by the Russian government, justified by historical myths, distortions and lies, attacking the right to self-determination of a European nation.

On 27 February 2022, the European Association of History Educators EuroClio condemned the abuse of history which it said was committed by President Vladimir Putin in his justification of the invasion of Ukraine on 24 February as an effort to "de-nazify" the country which "had no tradition of statehood."

Also on 27 February 2022, a group of Scholars of Genocide, Nazism and World War II rejected the Russian government's abuse of the term genocide, the memory of World War II and the Holocaust, and the equation of the Ukrainian state with the Nazi regime to justify its unprovoked aggression.

On 28 February 2022, the American Historical Association condemned Russia's invasion of Ukraine and Russian President Vladimir Putin's abuse of history and "outlandish historical claims" as justification for the attack, saying that he was "distort[ing] Ukraine's history, essentially erasing its distinct past.

Also on 28 February 2022, the Association of German Historians (VHD) expressed full support "to all historians who oppose[d] the aggressive nationalist politics of history (Geschichtspolitik) of the Russian leadership and President Putin."

In March, the International Council on Archives (ICA) expressed its solidarity with Ukrainian archives and records professionals during the Russian invasion, calling on the Russian government not to harm any documentary or cultural heritage professionals remaining in Ukraine as well as to refrain from destroying documentary and cultural heritage protected by the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict. On 10 March 2022, the ICA Executive Council reportedly decided to suspend relations between ICA and all archival institutions of Russia and Belarus, which are ICA members, and impede them from taking part in events and conferences.

<sup>&</sup>lt;sup>278</sup> Francine Hirsch, "Putin's Memory Laws Set the Stage for His War in Ukraine," Lawfare (28 February 2022).

On 3 March 2022, more than thousand Russian historians published an open letter against the war with Ukraine, condemning the manipulation of history involved in its justification.

On 4 March 2022, the International Committee of Historical Sciences "condemn[ed] the abuse of history employed by President Putin in rationalizing Russia's aggression against Ukraine," saying that "[h]istory is not owned by states or rulers, and we deplore the use of history to foster enemy images and distorted myths." On 16 April 2022, the committee also decided to ban the official participation of the National Committee of Historians of the Russian Federation and the Russian universities at the twenty-third International Congress of Historical Sciences in Poznan, Poland, in August 2022. Russian historians could still attend the congress as unaffiliated scholars.

On 7 March 2022, the Historical Dialogues, Justice and Memory Network "condemn[ed] the Russian invasion of Ukraine," saying that "Putin's falsification of history is part of his attempt to reassert control over the past, and to politicize perceived historical injustices as a means to legitimize the atrocities he is committing today. In so doing, Putin exemplifies the ways in which historical myth is abused in international conflicts."

On 3 April 2022, Liberation Route Europe condemned the Russian government's aggression "and its misleading propaganda that tries to justify the war as a means to 'liberate' Ukraine from neo-Nazism. This narrative serves a great dishonor to the men and women, including millions of Soviet soldiers, who gave their lives to liberate Europe during World War II, as well as to the victims of the Nazi persecution."<sup>279</sup>

In [March 2022], Minister of Science and Higher Education Valery Falkov called on people to report professors who violated the norms set by the regime when it came to historical facts. <sup>280</sup>

<sup>&</sup>lt;sup>279</sup> Tom Blanton & Svetlana Savranskaya, "The 'Liquidation' of Memorial," National Security Archive (3 March 2022); Royal Historical Society, "Invasion of Ukraine: A Statement from the Royal Historical Society" (25 February 2022); EuroClio, "Statement against the Abuse of History and in Solidarity with the People of Ukraine" (press release; 27 February 2022); Izabella Tabarovsky & Eugene Finkel, "Statement on the War in Ukraine by Scholars of Genocide, Nazism and World War II," Jewish Journal (27 February 2022); American Historical Association, "Historians Condemn Russian Invasion of Ukraine" (statement; 28 February 2022); Verband der Historiker und Historikerinnen Deutschlands, "Stellungnahme: VHD verurteilt den russischen Krieg gegen die Ukraine" (28 February 2022); "Открытое письмо историков против войны с Украиной" (3 March 2022) [text taken off-line on 5 March 2022; on file with the Network of Concerned Historians]; International Committee of Historical Sciences, "ICHS Statement" (statement; 4 March 2022); Historical Dialogues, Justice and Memory Network, email circular (statement; 7 March 2022); International Council on Archives, "Solidarity with Ukrainian Archives and Records Professionals" (statement; no date [March 2022]); Liberation Route Europe, "Statement from the LRE Foundation's Supervisory Board on the Russian Invasion of Ukraine" (3 April 2022); "In Chernihiv Region, Russians Destroy Archived Documents on Soviet Repression against Ukrainians," Ukrinform (25 March 2022); International Committee of Historical Sciences, "CISH Board to Her Magnificence the President of the Adam Mickiewicz University in Poznań" (statement; 16 April 2022).

Philip Altbach & Hans de Wit, "In the Mad Rush to Disengage, We Join in Putin's Extremism," University World News (2 April 2022).

In [March or April] 2022, a monument to Mykhailo Hrushevsky (1866–1934), a Ukrainian historian and politician who was one of the most important figures in the Ukrainian national revival movement, was dismantled in Kazan. At the time, Hrushevsky was called the dean of Ukrainian historians. From March 1917 until April 1918, he had been President of the Central Rada (Central Council; parliament), the foremost leader of revolutionary Ukraine whose purpose was its independence.<sup>281</sup>

Following the invasion of Ukraine, authorities pushed a number of policies aimed at distorting the coverage and, by extension, the future historiography of the war:

On 1 March 2022, the Education Ministry provided school teachers with "information for a social studies session," a two-page text falsely claiming that the "fact" that the Ukrainian government was committing genocide in the Donbass region justified the 24 February invasion. The text was supposed to be read out loud by teachers in their classrooms. The text further provided guidance to answering possible student questions about the invasion.

On 4 March 2022, the State Duma passed a law (the so-called "fake news law") criminalizing "false information" about the armed forces by a unanimous vote, with President Vladimir Putin signing it on the same day. Taking effect on 5 March, it punished anyone spreading "false information" about Ukraine invasion with fines and up to fifteen years in prison and made it a crime to call the war a "war" or an "invasion" rather than a "special military operation" on social media or in a news article or broadcast. The law pushed many Russian independent media outlets to shut down. For example, digital lifestyle magazine The Village said it was retroactively editing its articles to change any mention of the word "war" to "special operation." 282

On 6 March 2022 Oleg Orlov [See NCH *Annual Reports 2012, 2010*], former chairman of the now-banned Memorial Human Rights Center, was arrested on Moscow's Red Square after attending a peaceful protest against the war in Ukraine. Following a ten-hour detention, he was released but fined. On 10 April 2022, he staged a one-man anti-war protest; he was released the same day.<sup>283</sup>

In May 2022, Nikolai Patrushev, the chief of the Russian Security Council, demanded a major overhaul of the education system to develop a new "patriotic" generation, saying that teachers were at the

Eduard Andryushchenko, "In Russia's War on Ukraine, Historians Find Themselves on the Front Lines, Figuratively and Literally," RFL/RE (10 April 2022).

<sup>&</sup>lt;sup>282</sup> Bill van Esveld, "Russia Instructs Teachers to Spread Disinformation About Ukraine," Human Rights Watch (4 March 2022); Anton Troianovski, "Russia Takes Censorship to New Extremes, Stifling War Coverage," New York Times (4 March 2022); Victor Jack, "BBC Suspends Russian News Operation amid Free Speech Curbs," Politico (4 March 2022); Sarah Rainsford, "Ukraine War: Living in Fear or in Jail – Russia's Defiant Truth Tellers," BBC News (23 May 2022).

<sup>&</sup>lt;sup>283</sup> Index on Censorship, 2022 (51) no. 2, 8; "Prominent Russian Activist Detained after Moscow Anti-War Protest," Al Jazeera (10 April 2022).

forefront of a "hybrid war being waged against Russia." He complained that many teachers distorted history, criticizing the history curriculum, lamenting that textbooks did not cover Soviet heroism in World War II properly, and warning that authorities could target school heads whose students did not have books about World War II or could not name Russian war heroes from past centuries. On 9 June 2022, the parliament rejected as unsatisfactory the Education Ministry's plan on how it would review history textbooks, calling this a matter of "national security" and asking the Director of the Foreign Intelligence Service and chairman of the Russian Historical Society, Sergey Naryshkin (former chairman of the Historical Truth Commission from May 2009 to February 2012), to take charge of reviewing history textbooks, because "the current situation requires a special attitude" to teaching

Schools were ordered to conduct "patriotic" classes following closely the Kremlin line on the war with Ukraine [See above]. Publishers purged their textbooks of almost all references to Ukraine and its capital, Kyiv. After the invasion, management at Russia's main textbook publisher, Prosveshchenie (Enlightenment), ordered editors to delete references to Ukraine and Kyiv. Some teachers who refused to teach the patriotic lessons were dismissed. For example, Kamran Manfly ([1994]–), a geography teacher from Moscow, refused to hold the "patriotic" lessons. On 8 March 2022, he wrote on Instagram that he did not want to be the mirror of state propaganda. On 9 March, he was dismissed. 284

On 19 May 2022, the Central District Court in Tyumen, Siberia, sentenced Vladimir Fofanov to fourteen days in prison on charges of "Nazi propaganda." He had played the Ukrainian national anthem on a piano in Tyumen and posted the video online. <sup>285</sup>

In [early June] 2022, President Vladimir Putin compared the 24 February 2022 invasion of Ukraine to the Great Northern War (1700–1721), in which Tsar Peter the Great (1682–1725) seized land that until then had belonged to the Swedish Empire (1611–1721), in what was considered the strongest acknowledgement yet that the invasion was a land grab. He further stated that Peter "seized nothing he reclaimed it!" adding that '[i]t seems it has fallen to us, too, to reclaim." His comments fitted within a broader attempt to distort history in the war against Ukraine [See above]. <sup>286</sup>

Robyn Dixon, "Russia Seeks to Militarize Schoolchildren and Censor Textbooks amid War," Washington Post (11 June 2022); Mary Ilyushina, "Putin's War Propaganda Becomes 'Patriotic' Lessons in Russian Schools," Washington Post (20 March 2022).

<sup>&</sup>lt;sup>285</sup> "Siberian Pianist Jailed for 'Nazi Propaganda' after Playing Ukrainian Anthem," Moscow Times (20 May 2022).

<sup>&</sup>lt;sup>286</sup> Sarah Rainsford, "<u>Putin and Peter the Great: Russian Leader Likens Himself to 18th Century Tsar</u>," *BBC News* (10 June 2022); Andrei Zorin, "<u>Why Putin Needs Peter the Great</u>," *Russia Matters* (23 June 2022); Olivia Durand, "<u>Ukraine Invasion Suggests Putin Is More Vladimir the Reactionary than Peter the Great</u>," *The Conversation* (30 June 2022).

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On 24 June 2022, officials removed the Polish flag at the Katyń cemetery, commemorating the estimated 22,000 Polish military officers that were killed by Soviet forces during the April 1940 massacres at Katyń and elsewhere. After having blamed Nazi forces for the massacre for decades, in 1990 the USSR admitted that its own forces had been responsible. Mayor of Smolensk Andrei Borisov stated that the Ministry of Culture's decision to remove the flag was "correct," because "Katyń is a Russian memorial, it is Russian history." 287

See also Belarus, Canada, China, Czech Republic, Greece, Kazakhstan, Syria, Ukraine, United Kingdom.

### **RWANDA**

Previous Annual Report entries: 1998, 2000–2017, 2019–2021.

In February 2021, Yvonne Idamange ([1979]—), a Tutsi genocide survivor and online commentator who made videos about the 1994 genocide as well as crimes committed by the ruling Rwandan Patriotic Front (RPF) in its aftermath, was arrested after she had accused the government in YouTube videos of monetizing the genocide and said that the remains of the victims should not be on display at memorials. On 30 September, the High Court sentenced her to fifteen years in prison and a two million Rwandan Francs fine (US\$ 1,930) in a trial held behind closed doors, after finding her guilty of "inciting public disorder," "disposing of or degrading evidence or information relating to genocide," and "publication of rumours."

On 31 May 2021, Aimable Karasira, another online commentator and former professor of information communication technology at the University of Rwanda, was arrested and charged with denying and justifying the genocide, instigating divisions, and fraud. For several months, he had repeatedly been harassed and summoned by the authorities for posting critical videos on YouTube, speaking about his family's history, the 1994 genocide, and killings by RPF soldiers in it aftermath. On 14 August 2020, he had been dismissed from the university after Culture and Youth Minister Edouard Bamporiki had attacked him on social media saying that he should not be allowed to teach.

In March 2021, Human Rights Watch documented a growing crackdown on online commentators, with at least eight people having been threatened, prosecuted, or "disappeared" between March 2020 and March 2021. In March 2022, it further noticed that "speaking about crimes committed by the ruling

<sup>&</sup>lt;sup>287</sup> "Poland to Protest After Russia Removed Its Flag From War Memorial," Reuters (27 June 2022).

Rwandan Patriotic Front in the aftermath of the genocide or sometimes even simply commemorating Hutu who were killed during the genocide, is perceived as crossing a red line."<sup>288</sup>

On [19] June 2022, renewed calls were made to the newly appointed President of the International Residual Mechanism for Criminal Tribunals Graciela Gatti Santana to transfer the archives of the International Criminal Tribunal for Rwanda – kept in Arusha, Tanzania, and containing, among others, 26,000 hours of testimony by 3,200 witnesses – to Rwanda, since they were "the people's history. They should own it." The United Nations (UN) Security Council had suggested to digitalize the archives and make them accessible by everyone. According to the UN, the archives were not transferred because they contained full details of protected witnesses who testified during the trial.<sup>289</sup>

See also France, United Kingdom.

288 "Rwanda: Arrests, Prosecutions over YouTube Posts," Human Rights Watch (30 March 2021); Will Ross, "Rwandan YouTube Content Creator Sentenced to Jail," BBC News (30 September 2021); "Rwanda: Crackdown on Opposition, Media Intensifies," Human Rights Watch (19 October 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 564-565; "Rwanda: Wave of Free Speech Prosecutions," Human Rights Watch (16 March 2022); Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 315.

<sup>&</sup>lt;sup>289</sup> Edwin Musoni, "Activists Renew Call to Return UN Court Archives to Rwanda," New Times (29 June 2022).

Network of Concerned Historians, *Annual Report 2022* (August 2022)

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### SAINT VINCENT

Previous Annual Report entries: 2014.

### **SAUDI ARABIA**

Previous Annual Report entries: 1996, 2001, 2006, 2010–2011, 2013, 2017–2021.

See United States, Yemen.

### **SENEGAL**

Previous Annual Report entries: 2002–2004, 2006, 2009, 2013, 2017–2018, 2020.

#### **SERBIA**

Previous Annual Report entries: 2021. See also Serbia / Kosovo; Serbia / Montenegro.

In March 2021, Dinko Gruhonjić, a journalist and lecturer at the Faculty of Philosophy of the University of Novi Sad, received death threats on Facebook after he had criticized the involvement of convicted war criminals in popular culture in an online column. In the summer of 2021, a local assembly of Niš, the third largest city of Serbia, made Vladimir Lazarević, a former general who was sentenced to fourteen years in prison by the International Criminal Tribunal for the Former Yugoslavia for crimes against humanity committed during the Kosovo War (1998–1999), an honorary citizen.

On 19 October 2021, the European Commission criticized the Serbian authorities' failure to process cases of crimes committed during the Yugoslav wars of succession (1991–1995) and their continued public support for convicted war criminals. On the same day, parliament voted against a resolution to condemn the 1995 Srebrenica genocide and to ban its denial as well as the glorification of convicted war criminals [See NCH *Annual Report 2021*].

On 26 October 2021, the Humanitarian Law Center published a report entitled *Memory Politics of* the 1990s Wars in Serbia: Historical Revisionism and Challenges of Memory Activism, concluding that historical revision had become a state policy, through memorialization of Serbian forces, including

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convicted war criminals, and exclusively Serbian victims of the Yugoslav wars of succession and the Kosovo War (1998–1999) [See NCH Annual Report 2021].<sup>290</sup>

In April 2021, Croatian President Zoran Milanović cautioned that Serbia needed to clarify the fate of missing Croats before joining the European Union.<sup>291</sup>

Between 27–29 August 2021, the Udruženje za društvenu istoriju–EuroClio (UDI; Association for Social History – EuroClio) – the Serbian history teachers' association and a member of the European Association of History Educators EuroClio – was subjected to a slander campaign in tabloids and on social media over its work on the recent history of the region. Some UDI members were accused of manipulating history and had their photos published online without their permission. The slander campaign came after UDI had organized a teacher training seminar on the use of archival material, made available by the United Nations International Residual Mechanism for Criminal Tribunals (IRMCT). Serbian tabloids and social media then rumored that the material was actually imposed by the IRMCT. The slander campaign was condemned by EuroClio.<sup>292</sup>

See also Croatia, Kosovo.

### SERBIA/KOSOVO

Previous Annual Report entries: 2008–2020. See Serbia.

### **SERBIA/MONTENEGRO**

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

Milica Stojanovic, "Serbian Municipal Honour for War Criminal Dismissed as 'Political Game'," Balkan Insight (5 August 2021); Milica Stojanovic, Samir Kajosevic, Xhorxhina Bami & Semir Mujkic, "European Commission Raps Serbia's 'Weak' War Crimes Case Record," Balkan Insight (19 October 2021); Milica Stojanovic, "Serbian Parliament Refuses to Discuss Srebrenica Genocide Resolution," Balkan Insight (19 October 2021); Milica Stojanovic, "Historical Revisionism Is Serbian State Policy, Report Claims," Balkan Insight (27 October 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 581.

<sup>&</sup>lt;sup>291</sup> Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 322.

<sup>&</sup>lt;sup>292</sup> EuroClio, "<u>Press Release: Solidarity with Association for Social History UDI – Euroclio</u>" (1 September 2021); NCH Campaign (2021).

Network of Concerned Historians, *Annual Report 2022* (August 2022)

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**SEYCHELLES** 

Previous Annual Report entries: 2019.

On 9 August 2021, Gabrielle McIntyre, chairperson of the Commission vérité, réconciliation et unité

nationale (TRNUC; Truth, Reconciliation and National Unity Commission), requested more funding,

stating that the TRNUC had lacked sufficient resources from its origins. In 2018, the TRNUC was set

up to provide the public with the opportunity to settle past political divisions and grievances that began

with the 1977 coup d'état which made the Seychelles a one-party state until 1993. Its mandate was set

to end on 9 August 2022 [See NCH Annual Report 2019].<sup>293</sup>

**SIERRA LEONE** 

Previous Annual Report entries: 2000–2012, 2016, 2021.

**SINGAPORE** 

Previous Annual Report entries: 1998, 2009–2011, 2015–2016, 2018–2021.

A 2021 academic freedom survey suggested that the lack of access to government data and archives

was a serious setback to academic inquiry. 294

On 9 May 2022, the Infocomm Media Development Authority (IMDA), in a joint statement with the

ministries of culture and home affairs, banned the 170-minute Hindi-language film The Kashmir Files

for its "provocative and one-sided" (anti-Muslim) portrayal with the potential "to cause enmity between

different communities, and disrupt social cohesion and religious harmony in our multiracial and multi-

religious society." The film portrayed the exodus of Hindus from the disputed Muslim-majority

Kashmir region. Released in India in March 2022 to mixed reviews (with Prime Minister Modi praising

it), it told the fictional story of a university student who learns that his Kashmiri Hindu parents were

killed by Islamist militants during the violent uprising against Indian rule (1989–1990), in which

<sup>293</sup> Rita Joubert-Lawen & Betymie Bonnelame, "Seychelles' Truth and Reconciliation Commission to Set Coup d'Etat Reparations Policy," Seychelles News Agency (9 August 2021).
 <sup>294</sup> Academia SG, <u>Academic Freedom in Singapore: Survey Report</u> (Singapore: Academia SG, 2021), 17.

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hundreds of thousands of people, many of them Hindus, lost their homes and lives after being forced out of Kashmir.<sup>295</sup>

### **SLOVAKIA**

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

On 14 June 2022, a Bratislavaregional court rejected an appeal by former Czech Prime Minister Andrej Babiš against claims by the Ústav Pamäti Národa (UPN; Institute of the Nation's Memory) that he had collaborated with the Štátna bezpečnosť (StB; State Security), the Czechoslovak Communist-era secret police. In 2014, Babiš had filed the libel case against UPN, after it had claimed that StB files contained evidence that he had been an agent since 1982. The defamation case had already been rejected in 2018, but the Constitutional Court had ordered a retrial. <sup>296</sup>

### **SLOVENIA**

Previous *Annual Report* entries: 2007–2009, 2011–2013, 2015–2018, 2021.

### **SOMALIA**

Previous Annual Report entries: 2001–2003, 2006, 2012–2014, 2019.

On 25 November 2021, a bomb targeting a United Nations convoy detonated near Mocaasir Primary and Secondary School while classes were in session. At least thirteen students and four educators were injured during the attack and the school building and buses sustained significant damages. Abdisalan Omar Ibrahim (13 years) said the sound of the blast came as he was writing the heading of a history

Jalelah Abu Baker, "Provocative and One-Sided': The Kashmir Files Movie Banned in Singapore," Channel News Asia (9 May 2022); Francis Mascarenhas, "Singapore Bans Controversial Kashmir Film Praised by India's Modi," Reuters (10 May 2022); Shilpa Jamkhandikar, "Controversial Kashmir Movie Praised by India's Modi Is Box Office Hit," Reuters (16 March 2022).

<sup>&</sup>lt;sup>296</sup> Ian Willoughby, "<u>Testimony to Continue in Libel Case Taken by Finance Minister Babiš over StB Allegations</u>," *Radio Prague International* (14 April 2014); "<u>Andrej Babis: Former Czech PM Loses Secret Police Collaboration Case</u>," *Euronews* (14 June 2022); Ian Willoughby, "<u>Bratislava Court Rejects Babis Petition over Secret Police Record</u>," *Radio Prague International* (14 June 2022).

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lesson his teacher had begun at the chalkboard. A brick hit his head and he and the other injured students

were taken to hospital.<sup>297</sup>

**SOUTH AFRICA** 

Previous Annual Report entries: 1996–2004, 2006–2010, 2012–2021.

See India.

**SOUTH SUDAN** 

Previous Annual Report entries: 2013, 2015–2021.

**SPAIN** 

Previous *Annual Report* entries: 1997, 1999, 2002–2021.

On 26 August 2021, the United Nations Human Rights Committee (UNHCR) concluded that the criminal proceedings against Baltasar Garzón (1955–), a former judge at the Spanish National Court, in his role as the investigating judge in the Franco and Gürtel cases were "arbitrary" and "did not comply with the principles of judicial independence and impartiality." In 2012, Garzón had been criminally prosecuted and tried for alleged wilful abuse of power in two cases of major political significance. In the Franco case, he assumed jurisdiction to investigate enforced disappearances during the Civil War (1936–1939) and the dictatorship of General Francisco Franco (1939–1975). In the Gürtel case, a largescale investigation into political corruption, he had decided to monitor communications between defendants and their representatives to prevent the commission of crimes.

Garzón was acquitted in the Franco case, but convicted of willful abuse of power in the Gürtel case and disbarred from office for eleven years. In the Franco proceedings, the UNHRC specified that Garzón's decisions did not "constitute misconduct or incompetence that could justify his inability to perform his duties." In 2016, Garzón had filed a complaint against Spain before the UNHRC. It was the

<sup>&</sup>lt;sup>297</sup> Abdi Sheikh, "Islamist Bombing near School in Somalia Kills 8, Wounds 13 Children," Reuters (25 November 2022); Global Coalition to Protect Education from Attack, Education under Attack 2022 (New York 2022), 179, 260.

first time that the UNHRC ruled and condemned a state for the use of criminal law against a judge in the course of his or her duties, thus establishing new jurisprudence.<sup>298</sup>

In November 2021, the council of Madrid ordered the removal of a street art project by conceptual artist Mateo Maté, entitled *Fachada derecha – Fachada izquierda* (Right Façade- Left Façade). On the left wall, it showed 24 street signs commemorating poets and writers, such as Carmen Laforet (1921–2004) and Federico García Lorca (1898–1936), and on the right wall people like former dictator Francisco Franco (1892–1975) and former Francoist General José Millán-Astray (1879–1954). Each wall contained a QR code that would give detailed biographies of all those featured. The aim of the work was to spark dialogue and reflection and "to see whether our democracy was genuinely mature and whether we could talk about this," but the council said that the signs were confusing and that it alone could decide on street names.<sup>299</sup>

On 17 November 2021, the government filed an amendment to reinterpret Law 64/1977 (also known as the Amnesty Law) in accordance with international law, in particular "International Humanitarian Law, according to which war crimes, crimes against humanity, genocide and torture are considered to have no statute of limitation nor can be subject to amnesty." The 1977 Amnesty Law was approved during the transition to democracy after the death of Francisco Franco (1892–1975), who ruled as a dictator between 1939 and 1975. It initially served to secure the release of political prisoners, but was later used to block the prosecution of crimes committed under the Franco regime [See Baltasar Garzón case above]. The amendment would further prohibit the exhibition of portraits or other artistic representations of figures linked to the Franco-era repression in public areas.<sup>300</sup>

On 6 December 2021, anti-Semitic graffiti was found on the walls of the Sephardic memory center, and other buildings, in Castrillo Mota de Judíos, Burgos. The memory center was under construction to become a place to highlight the medieval persecution of the village's Jewish population.<sup>301</sup>

See also Cuba, India, Morocco, Netherlands, Peru, United States.

<sup>&</sup>lt;sup>298</sup> Comité de Derechos Humanos de las NNUU, <u>Garzón contra España</u> (25 August 2021); United Nations Human Rights Committee, "<u>Baltasar Garzón Trials Were Arbitrary and Failed to Comply with Principles of Judicial Independence and Impartiality – UN Committee</u>" (Press release; Geneva 26 August 2021); "<u>Trials of Former Spanish Judge Lack Independence, Impartiality: Landmark Case," UN News</u> (26 August 2021).

<sup>&</sup>lt;sup>299</sup> Sam Jones, "Sign of the Times: Row over Street Art Shines Light on Spain's Divisions," Guardian (18 November 2021).

<sup>&</sup>lt;sup>300</sup> Samuel Sánchez, "Spanish Government Makes Legal Move that Could See Franco-Era Crimes Prosecuted," El País (17 November 2021).

<sup>301</sup> Sam Jones, "Spanish Village That Dropped 'Kill Jews' Name Hit by Antisemitic Graffiti Attack," Guardian (8 December 2021).

### **SRI LANKA**

Previous Annual Report entries: 1998–2004, 2008–2021.

In 2019, President Gotabaya Rajapaksa, who was the top defense official during the Civil War (1983–2009), prohibited commemorating members of the Liberation Tigers of Tamil Eelam (LTTE), who fought the government attempting to create an independent Tamil state [See NCH *Annual Report 2021*]. Throughout 2021, law enforcement officers arrested participants in such commemorations under the guise of COVID-19 restrictions. On 23 September 2021, Tamil Member of Parliament Selvarajah Kajendran was arrested for commemorating a LTTE member. In late November 2021, relatives of deceased LTTE members were forced out of cemeteries by armed troops when they attended the graves. On 29 November, multiple Tamil journalists, covering a commemoration in the northeastern town of Mullaittivu, were assaulted by soldiers. 302

In 2021, the cabinet of ministers approved policies and guidelines produced by the Office for Reparations, which related to reparations for victims of the armed conflict (1983–2009) and civil or political unrest. The document had not been published by the end of 2021. Law enforcement officers brought court orders against war-related memorialization initiatives under the guise of COVID-19 restrictions, and arrested those taking part.<sup>303</sup>

On 5 August 2021, the United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence expressed concern over the unwillingness of the administration led by President Gotabaya Rajapaksa to ensure accountability for past human rights violations, the withdrawal of Sri Lanka's international commitments regarding transitional justice and the continued absence of a truth commission [See NCH *Annual Report 2021*]. It further condemned possible government interference in the working of the Office on Missing Persons.<sup>304</sup>

## ST. LUCIA

See Grenada.

302 "Sri Lanka Arrests Tamil MP for Commemorating Separatist Rebel," Al Jazeera (24 September 2021); "Sri Lankan Troops Break Up Tamil Remembrance of Civil War Dead," Al Jazeera (29 November 2021); Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 345.

<sup>&</sup>lt;sup>303</sup> Amnesty International, Report 2021/22: The State of the World's Human Rights (London: AI, 2022), 345.

<sup>&</sup>lt;sup>304</sup> United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, <u>Follow-Up On the Visits to Burundi, the United Kingdom of Great Britain and Northern Ireland and Sri Lanka</u> (5 August 2021).

### ST VINCENT & GRENADINES

See Grenada.

#### **SUDAN**

Previous Annual Report entries: 2002–2003, 2006–2021.

On 11 May 2021, the armed forces used excessive and lethal force against peaceful protesters gathered in Khartoum leading to two deaths. The protests commemorated the victims of the deadly crackdown against the 3 June 2019 sit-in in Khartoum. Ninety-nine army soldiers were reportedly arrested, of which at least seven were charged.<sup>305</sup>

On 11 August 2021, Foreign Minister Mariam al-Mahdi reiterated the government's commitment to hand former dictator Omar al-Bashir and other suspects to the International Criminal Court (ICC) [See NCH *Annual Report 2021*]. After the military coup of 25 October 2021, however, cooperation with the ICC was obstructed.

On 5 April 2022, the trial against Ali Muhammad Ali Abd-al-Rahman (also known as Ali Kushayb) began at the ICC. It was hailed as a landmark case, as for the first time a leader was held accountable for crimes committed during the War in Darfur (2003–present) [See NCH *Annual Reports 2008–2012*, 2021].<sup>306</sup>

On 19 December 2021, security forces fired teargas at a crowd in Khartoum commemorating the third anniversary of the protests that led to the removal of long-time dictator Omar al-Bashir (ruled between 1989–2019) on 11 April 2019. The protesters demanded General Abdel Fattah al-Burhan to step down as chairman of the Transitional Sovereignty Council after he had attempted a military coup on 25 October 2021. The commemoration coincided with the 66th anniversary of the declaration of independence from British colonial rule.<sup>307</sup>

<sup>&</sup>lt;sup>305</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: Human Rights Watch, 2022), 627.

<sup>&</sup>lt;sup>306</sup> "Sudan to Hand Bashir, Other Wanted Officials to ICC: Minister," France24 (11 August 2021); Jason Burke, "Darfur War Crimes Trial Opens as Army Cracks Down in Sudan," Guardian (3 April 2022).

<sup>&</sup>quot;Sudan Police Fire Teargas as Anti-Coup Protesters Stage Mass Rally," Guardian (19 December 2021); Zeinab Mohammed Salih & Peter Beaumont, "Sudan's Army Seizes Power in Coup and Detains Prime Minister," Guardian (25 October 2021); Peter Beaumont, "Sudanese PM's Release Is Only Small Step in Resolving Crisis," Guardian (21 November 2021); Zeinab Mohamed Salih & Peter Beaumont, "Sudan Military Agrees to Reinstate PM and Release Political Detainees," Guardian (21 November 2021).

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On 3 June 2022, security forces used excessive force, killing one, against protesters commemorating

the third anniversary of the 3 June 2019 military crackdown. In the 2019 crackdown protesters

demanded the resignation of dictator Omar al-Bashir (ruled 1989–2019); 128 people were killed.<sup>308</sup>

In [mid-June] 2022, museum officials pledged to officials in the United Kingdom to return historical

artifacts stolen by British colonizers during the Anglo-Egyptian occupation (1899–1956), including the

human remains of two Sudanese soldiers who were killed during the 1899 battle of Omdurman and

whose skulls were held at the Edinburgh Anatomical Museum. 309

**SURINAME** 

Previous *Annual Report* entries: 2001–2004, 2009–2010, 2012–2013, 2015–2016, 2018.

**SWAZILAND** 

Previous Annual Report entries: 2011, 2013, 2016–2018.

**SWEDEN** 

Previous Annual Report entries: 1998, 2017–2018, 2020.

On [16] November 2021, a person (name unknown) sued the video-sharing platform Netflix for posthumous defamation of insurance company employee Stig Engström (1934–2000) because in its

five-part drama series "Den osannolika mördaren" (The Improbable Killer), released on 5 November

2021 and based on a 2018 award-winning book by investigative reporter Thomas Pettersson, it

portrayed the latter as the person who shot dead Prime Minister Olof Palme (1927–1986) on 28 February

1986. The complaint, submitted to the Chancellor of Justice, accused Netflix of introducing "completely

unfounded" elements into its screenplay which were absent from Pettersson's book. Netflix argued that

308 "UN Expert Demands Accelerated Probe Into Sudan Post-Coup Killings," Al Jazeera (4 June 2022).

309 Jason Burke & Zeinab Mohammed Salih, "Sudanese Museums Seek Return of Artifacts Taken by British Colonizers," Guardian (20 June 2022).

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a text at the end of each episode noted that the series was a fictional dramatization inspired by

Pettersson's book and that Engström had not been proven to be the murderer. 310

See also Iran.

**SWITZERLAND** 

Previous Annual Report entries: 1997, 1999–2000, 2004, 2007–2009, 2014, 2016–2018.

Since December 2020, Dick Marty, author of a 2010 report for the Council of Europe that linked former

Kosovo President Hashim Thaçi [See NCH Annual Report 2021] to war crimes committed during the

Kosovo War (1998–1999), was under protection of the Federal Police, allegedly because members of

the Serbian secret service planned an assassination that would then be blamed on the Kosovo

government.311

**SYRIA** 

Previous Annual Report entries: 2001–2002, 2004–2021.

A number of archaeological sites that were part of the UNESCO World Heritage list, were severely damaged during the ongoing Syrian Civil War (2011 –). In the Jabal al-Zawiya region, northwestern Syria, the ancient village of Al-Bara (established in the fourth century) was damaged by vandalism, secret digging, and military use, and the Serjila site (established in the fifth century) was bombed by Russian warplanes in 2020. In the Jabal al-Ala region, northwestern Syria, the Rewiha village and the Qalb Lozeh Church were damaged by military presence, the breaking down of ancient stones, and

neglect.312

In 2021 the Commission for International Justice and Accountability, which gathered war crimes

evidence of ongoing conflicts, went undercover out of fear for the security of its people and operations

310 AFP/The Local, "Netflix Sued over Series on Murder of Swedish Prime Minister," The Local (16 November 2021).

311 Milica Stojanovic, "Serbian Spy Agency Denies Swiss Report of Assassination Plot," Balkan Insight (11 April

<sup>312</sup> World Heritage Watch, *Report 2021*, (Berlin: WHW, 2021), 31–41.

in Syria after disinformation about its activities became widespread. It kept secret the location of its archives.<sup>313</sup>

In February 2022, in a report published to mark the fortieth anniversary of the February 1982 massacre in Hama by the regime of Hafez al Assad (ruled 1971–2000), the Syrian Network for Human Rights (SNHR) urged the United Nations to finally acknowledge the massacre. In the massacre, targeting members of the Muslim Brotherhood, at least 3,762 civilians were abducted and 7,984 killed. Seventy-nine mosques (including the al-Nouri mosque), three churches, the al-Assi Clock Tower, and archaeological and historical areas (including the al-Keilaniya, al-Aseida, al-Shamaliya, al-Zanbaqi and Bein-al-Heirin neighborhoods) were destroyed in part or in full.<sup>314</sup>

313 Nerma Jelacic, "Spinning Bomb," Index on Censorship, 50 no. 2 (July 2021), 16–23.

<sup>314</sup> Syrian Network for Human Rights, *The Fortieth Anniversary of the 1982 Hama Massacre Coincides with Rifaat al Assad's Return to Bashar al Assad* ([London]: SNHR, 2022), 3, 7, 11, 14–16, 28.

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**TAIWAN** 

Previous Annual Report entries: 1998, 2001, 2008–2010, 2012, 2016–2020.

In October 2021, the Transitional Justice Commission (TJC) outlined the operations of the former state security apparatus and its role in the oppression of Taiwanese in an update on the commission's ongoing historical research. Its report said that Chiang Kai-shek (1887–1975), as the autocratic leader of the state, as well as military courts and the national security and espionage apparatus were the main agents of oppression during the White Terror era (1947–1987) [See NCH Annual Reports 2016–2017, 2019– 2020].315

See also China.

**TAJIKISTAN** 

Previous Annual Report entries: 2017–2018, 2020.

**TANZANIA** 

Previous Annual Report entries: 2010, 2016–2017.

**THAILAND** 

Previous Annual Report entries: 1995, 1999, 2001–2002, 2005, 2007–2021.

In November 2021, in the defamation case of Rangsit versus Nattapol [See NCH Annual Report 2021], a group of twenty-three Chulalongkorn University (CU) political science lecturers published a statement calling on CU administrators to take a clear stance to protect academic freedom, in particular of thesis advisor Kullada Kesboonchu-Mead. On 11 March 2022, the court reviewed the witness lists from both sides.316

<sup>315</sup> Chen Yu-fu & Jonathan Chin, "State Repression Framework Outlined," Taipei Times (3 October 2021).

<sup>316</sup> Sulakshana Lamubol, "Bid to Hold Thesis Advisor Legally Liable for PhD 'Errors'," University World News (12 April 2022).

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### **TIMOR-LESTE**

Previous Annual Report entries: 2003–2013, 2015–2018.

See Australia.

### **TOGO**

Previous Annual Report entries: 2002, 2008–2013, 2017–2018, 2021.

### TRINIDAD and TOBAGO

Previous Annual Report entries: 2018.

### **TUNISIA**

Previous Annual Report entries: 2001, 2011–2021.

On 25 July 2022, President Kais Saied, a former law professor in office since 2019, asked voters to approve a new draft Constitution which would give him greater powers. The draft's historical paragraph was much criticized because it suggested that the Revolution that overthrew the long-serving ruler Zine al-Abidine Ben Ali in 2011 and initiated the Arab Spring, had been "corrected" on 25 July 2021, when Saied dismissed the government, suspended the parliament, and embarked on a mission to redesign Tunisia's political future. Speaking in the name of the Tunisian people (who were not consulted in any significant way in the drafting), the paragraph said: "Out of a sense of profound historic responsibility to correct the path of the [2011] revolution and the path of history itself, that is what happened on 25 July 2021." Critics said that Saied was taking Tunisia back to where it was before 2011 – outright autocracy. On the other hand, the draft was hailed for not stipulating anymore that Islam was the religion of the state.<sup>317</sup>

<sup>317 &</sup>quot;Tunisia Referendum: President Kais Saied Seeks Mandate to Extend Powers," BBC News (24 July 2022).

### **TURKEY**

Previous Annual Report entries: 1995–1998, 2000–2021.

In 2019, Mehmet Baki Deniz received a Ph.D. in sociology from the State University of New York, Binghamton, with a thesis entitled "Who Ruled Turkey between 1980 and 2008? Business Power and the Rise of Authoritarian Populism." In May 2020, he submitted material for degree certification, including his thesis, to the Üniversitelerarası Kurul (ÜAK; interuniversity board), a higher education body certifying international education credentials. In June 2021, the ÜAK declined to certify Deniz's Ph.D. because of the "content and subject" of the thesis. No further explanation was given. Due to the decision, he was excluded from finding academic employment in Turkey.<sup>318</sup>

In April 2021, writer and journalist Ahmet Altan (1950–) was released after the Supreme Court overturned his prison sentence [See NCH *Annual Reports 1997, 2020*].<sup>319</sup>

On 8 November 2021, prosecutors launched an investigation into writer and Nobel Prize in Literature laureate Orhan Pamuk (1952–) after the lawyer Tarcan Ülük filed a criminal complaint against his book *Veba Geceleri* (Nights of Plague), a historical novel set in 1901 during a plague in Istanbul, on the grounds that it insulted Turkey's founder Mustafa Kemal Atatürk (1881–1938) and the national flag. "The Law Concerning Crimes Committed Against Atatürk" in the Penal Code protected "the memory of Atatürk" from insult, making it punishable by up to three years in prison. Pamuk had previously been accused of "anti-Turkish sentiments": in 2005 charges were filed against him for statements made about the 1915 Armenian genocide [See NCH *Annual Reports 2005–2006*] and in 2010 his name was allegedly on an ultra-national and state-sponsored terrorist organization's assassination list of "traitors to national security" [See NCH *Annual Report 2011*].<sup>320</sup>

On 7 February 2022, the Greek foreign ministry said that a band dancing to electronic music at the Sumela monastery in Eastern Turkey, a former Orthodox Christian monastery founded in the fourth century, constituted desecration of the historical monument. In 2010, authorities had allowed the monastery, which long ago had been stripped of its official religious status and operated as a museum, to hold its first Orthodox liturgy since ethnic Greeks had been expelled from the region in 1923 as part of a population exchange. The monastery was a candidate for UNESCO's list of world heritage sites.<sup>321</sup>

<sup>318</sup> Scholars at Risk, Free to Think 2021 (New York: SAR, 2021), 91.

<sup>319 &</sup>quot;Turkey Releases Writer Ahmet Altan After More Than Four Years in Prison," Guardian (14 April 2022).

<sup>&</sup>lt;sup>320</sup> "Nobel Laureate Pamuk Investigated on Charges of Insulting Atatürk, Flag," Stockholm Center for Freedom (8 November 2021).

<sup>&</sup>lt;sup>321</sup> "Greece Protests to Turkey over Disco Band at Sumela Monastery," Reuters (7 February 2022).

See also China, Cyprus, Greece, Iraq, Moldova.

# TURKMENISTAN

Previous *Annual Report* entries: 2001–2004, 2009, 2011–2012, 2015–2019.

### **UGANDA**

Previous Annual Report entries: 2005–2009, 2011–2013, 2015–2017, 2019–2021.

### **UKRAINE**

Previous Annual Report entries: 1996, 2009–2011, 2014–2021.

Russian forces left a trail of destruction during their invasion of Ukraine that started on 24 February 2022. Many historical sites were destroyed by Russian shelling or looted by Russian forces. On 1 March, a missile attack on a television tower in Kyiv damaged the adjacent memorial to the Babi Yar massacre. The memorial museum caught fire. (On 29 and 30 September 1941, Nazi German and some auxiliary forces had killed 33,771 Jews at the Babi Yar ravine in Kyiv; Jews, Roma, Ukrainian civilians and Soviet prisoners of war were also murdered there later [See below]) President Volodymyr Zelensky tweeted: "What is the point of saying 'never again' for 80 years, if the world stays silent when a bomb drops on the same site of Babyn Yar? At least 5 killed. History repeating ..."

Russian shelling further damaged the Dormition Cathedral in Kharkiv, originally built in the seventeenth century; severely damaged the dome on the Church of the Nativity of the Blessed Virgin in Yasnohorodka; a nineteenth-century wooden church in Viazivka, Western Zhytomyr; a yeshiva (an institute for Jewish religious education) in Kharkiv, which also functioned as a synagogue; the St. Michael's Cathedral, an Orthodox cathedral opened in 1997 in Mariupol; the Temple of the Orthodox Church of Ukraine in Volnovakha, which was built as a memorial for Ukrainian soldiers who died fighting pro-Russian militants in the Donbass region in 2014. On 4 June, Russian shelling destroyed the wooden Sviatohirsk Lavra Monastery that dated back at least to the seventeenth century, and on 23 June, Russian bombing destroyed the Stalin-era Diamant Palace of Culture in Lysychansk, Luhansk.

On 9 March 2022, head of the UNESCO World Heritage Center Lazara Eloundou, had expressed concern over "more and more reports of the destruction of cultural heritage in several cities." In addition, UNESCO director-general Audrey Azoulay called for the "protection of Ukrainian cultural heritage ... its national archives ... and its sites commemorating the tragedy of the Holocaust' and underlined the obligations of international humanitarian law, notably the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocols. As of 30 March, a UNESCO spokesperson stated that fifty-three historical sites, religious buildings and museums had been damaged since the Russian invasion. In April, the Cultural Heritage Monitoring Lab, an international cooperation of archaeologists, historians and technicians, found that at least 191 cultural landmarks had been damaged by Russian forces since the invasion. Among them was the destruction

of 111 memorial sites and nine public monuments, and one archaeological site. On 9 June, the Ministry of Culture and Information Policy claimed that 389 cultural heritage sited had been destroyed or damaged. A report by the New Lines Institute for Strategy and Policy and the Raoul Wallenberg Centre for Human Rights concluded that the "destruction of cultural and sacred sites" indicated a "very serious risk of genocide."

In addition to the destruction of historical sites, Russian forces damaged and destroyed archives. On 25 March 2022, the head of the State Archival Service Anatoliy Khromov reported that the Russian military had burned the archives of the Security Service (SBU) in the Chernihiv region, where documents had been stored on the Soviet repression of Ukrainians, destroying some 12,000 folders of documents. Several other archives were damaged in Kharkiv, Mykolayiv, and Lysychansk, but they survived. Russian forces also reportedly looted archives in Mariupol.

Moreover, in multiple cities, Russian forces looted historical and cultural artifacts. In [late February] Russian forces looted and destroyed the Ivankiv museum, near Kyiv, that housed Ukrainian folk art, including by folk art painter Maria Oksentiyivna Prymachenko (1909–1997). In the Museum for Local History in Melitopol at least 198 objects, including coins and weapons dating back some 2,300 years, were stolen. In Mariupol more than 2,000 artworks were reportedly taken. And in Antonivka, Kherson, Russian forces destroyed a memorial to Vyacheslav Chornovil (1937–1999), a Soviet-era dissident and candidate for the 1991 presidential elections who played a prominent role in the movement for Ukrainian independence. 322

<sup>322</sup> Harriet Sherwood, "'Cultural Catastrophe': Ukrainians Fear for Art and Monuments amid Onslaught," Guardian (1 March 2022); Sam Sokol, "History Repeating,' Zelenskyy Says After Russian Strike on Holocaust Massacre Site in Kyiv," Haaretz (1 March 2022); Tiffany Wertheimer, "Babyn Yar: Anger as Kyiv's Holocaust Memorial Is Damaged," BBC News (2 March 2022); UNESCO, "Ukraine: UNESCO Statement Following the Adoption of the UN General Assembly Resolution" (statement; 3 March 2022); Luke Harding & Harriet Sherwood, "Ukrainians in Race to Save Cultural Heritage," Guardian (9 March 2022); Anna Reid, "Ukrainian Heritage Is under Threat - and So Is the Truth about Soviet-era Russia," Guardian (15 March 2022); "In Chernihiv Region, Russians Destroy Archived Documents on Soviet Repression against Ukrainians," Ukrinform (25 March 2022); Jack Hunter, "In Pictures: The Ukrainian Religious Sites Ruined by Fighting," BBC News (31 March 2022); "At Least Fifty-three Culturally Important Sites Damaged in Ukraine - UNESCO," Guardian (1 April 2022); Eduard Andryushchenko, "In Russia's War on Ukraine, Historians Find Themselves on the Front Lines, Figuratively and Literally," RFL/RE (10 April 2022); Catherine Fiankan-Bokonga, "UNESCO: Deliberate Destruction of Ukraine's Cultural Heritage Could Be Considered a War Crime," Geneva Solutions (20 April 2022); Vanessa Thorpe, "Crimes Against History: Mapping the Destruction of Ukraine's Culture," Guardian (24 April 2022); Pjotr Sauer, "Ukraine Accuses Russian Forces of Seizing 2,000 Artworks in Mariupol," Guardian (29 April 2022); Jeffrey Gettleman & Oleksandr Chubko, "Ukraine Says Russia Looted Ancient Gold Artifacts from a Museum," New York Times (30 April 2022); New Lines Institute for Strategy and Policy & Raoul Wallenberg Centre for Human Rights, An Independent Legal Analysis of the Russian Federation's Breaches of the Genocide Convention in Ukraine and the Duty to Prevent (May 2022); "Ukraine Round-up: Defiance in Mykolaiv and a Wooden Monastery Ablaze," BBC News (4 June 2022); Tom Seymour & Sophia Kishkovsky, "Is Ukraine's Cultural Heritage under Coordinated Attack?," The Art Newspaper (10 June 2022); Orla Guerin, "Lysychansk: Russia Erasing History in Ukraine's 'Dead City,' BBC News (13 June 2022); "Deadly Air Strike Hits Ukraine Frontline City As It Readies for Street Battle," France 24 (17 June 2022).

On 10 March 2022, Leyla Ibragimova, deputy of the Zaporizhzhia Regional Council and Director of the Melitopol History Museum, was kidnapped by seven Russian soldiers who raided her home in Melitopol. She was interrogated and her and her family's phones and computers were confiscated; then she was released. The next morning, she was picked up for another interrogation. Ibragimova, an ethnic Crimean Tatar, was an advocate for her local constituency, including around 12,000 Crimean Tatars. During the interrogation, she was asked about Azad, a local Crimean Tatar organization, and pressed to give the names and addresses of activists and opinion leaders in the area, which she refused.

The kidnapping was seen as an extension of Russian policies in Crimea. Since 2014, when Russian forces illegally annexed Crimea, a Russification policy discouraged schools from teaching Crimean Tatar and Ukrainian (two of the official languages next to Russian), almost all independent Crimean Tatar media outlets were closed, activists' homes were being searched, and at least twenty people "disappeared." 323

On 24 March 2022, Russian forces reportedly confiscated books and other materials in occupied areas that the Russian government deemed "extremist." Primarily books about the 2014 Maidan Revolution, the ensuing war against Russia-backed separatists in Crimea and the Donbass region, and studies of Ukraine's struggle for independence were on a list that further included "names that cannot be mentioned," such as Cossack leader Ivan Mazepa (1687–1708) and the President of the Ukrainian People's Republic (1918–1921) and Ukrainian independence leader Symon Petliura (1879–1927). One of the books specifically mentioned was Ukrainian historian Vakhtang Kipiani's *The Caseof Vasyl Stus* (2019) about Vasyl Stus (1938–1985), a dissident poet, historian, archivist, and human rights activist who died in Soviet labor camp Perm 36 after many years of imprisonment [See NCH *Annual Report 2021*]. The Russian forces further banned a history of the People's Movement of Ukraine for Reconstruction (also known as Rukh), a national independence movement set up in 1989, and threatened to block the website of the National Academy of Sciences of Ukraine if it refused to remove an electronic version of this history.<sup>324</sup>

On 30 March 2022, Aleksandr Bastrykin, head of Russia's Investigative Committee, opened an investigation into textbooks in occupied areas to determine if they "distort[ed] history," among others. In the lead-up to the new academic year, Russian occupation authorities were threatening parents to

<sup>323</sup> Agnieszka Pikulicka-Wilczewska, "Russia's Crackdown on Crimean Tatars Foreshadows Wider Repression," AlJazeera (12 March 2022); "Andrei Kurkov on Russia's War against Ukrainian Culture," Index on Censorship (29 March 2022); Andrey Kurkov, "Culture in the Cross Hairs," Index on Censorship, 51 no. 2 (July 2022), 64.

<sup>&</sup>lt;sup>324</sup> Eduard Andryushchenko, "<u>In Russia's War on Ukraine, Historians Find Themselves on the Front Lines, Figuratively and Literally,</u>" *RFL/RE* (10 April 2022).

send their children to pro-Russian schools and teachers to follow a new curriculum, that reportedly

included a history lesson teaching that Ukraine had begun the war. 325

On 26 April 2022, the People's Friendship monument in Kyiv, a bronze statue depicting a Russian and a Ukrainian worker holding up the Soviet Order of Friendship of Peoples and erected in 1982 to commemorate the sixtieth Anniversary of the USSR and the celebration of the 1,500th Anniversary of Kyiv, was dismantled on orders of mayor Vitali Klitschko. It was part of a plan to demolish around sixty monuments and to rename dozens of streets throughout Ukraine associated with the USSR, Russia, and Russian figures.<sup>326</sup>

On 6–7 May 2022, the museum of Ukrainian philosopher and writer Grigory Skovoroda (1722–1794) ("the Ukrainian Socrates") near Kharkiv was destroyed by the Russian army. In Ukraine, 2022 had been declared the Year of Grigory Skovoroda and on his 300th anniversary on 3 December, national celebrations had been planned.<sup>327</sup>

As part of an apparent Russification campaign launched by Education Minister Sergei Kravtsov in late June 2022, teachers were hired in Russia to teach in the Russian-occupied territories and Russian-backed separatist regions of Ukraine (Luhansk and Donetsk, Zaporizhzhia and Kherson) from September 2022 in order to give students a "corrected" education — with Russia's take on Ukraine's history. Batches of Russian history textbooks were also imported.<sup>328</sup>

In July 2022, a campaign was started to give Ukrainian writer Anatoly Kuznetsov (1929–1979), buried in an unmarked grave in London, a memorial. In 1966, Kuznetsov's novel *Babi Yar* had been published censored (it was cut down to a quarter of its original length), first in the magazine *Iunost* (Youth) with a press run of two million, later as a book by Molodaya Gvardia publishing house with a press run of 150,000. Kuznetsov protested against the cuts and the publications occurred against his will. The book was banned from libraries and not reprinted. Only after Kuznetsov defected to the United Kingdom in 1969, photographic films with the complete text of the novel wrapped around his body, did an uncensored and expanded version of the novel appear in English under the title *Babi Yar: A Document* 

Eduard Andryushchenko, "In Russia's War on Ukraine, Historians Find Themselves on the Front Lines, Figuratively and Literally," RFL/RE (10 April 2022); Oleksandr Yankovskiy, "Teaching Children To Hate': Russian Occupation Officials Preparing To 'Russify' Ukrainian Schools," RFL/RE (9 July 2022).
 \*\*Ukraine War: Statue Symbolic of Ukraine-Russia Friendship Destroyed," BBC News (27 April 2022);

<sup>326 &</sup>quot;Ukraine War: Statue Symbolic of Ukraine-Russia Friendship Destroyed," BBC News (27 April 2022); Lorenzo Tondo & Isobel Koshiw, "Friends No Longer, Ukraine Removes Russian Statues and Street Names," Guardian (28 April 2022).

<sup>&</sup>lt;sup>327</sup> Andrey Kurkov, "Culture in the Cross Hairs," *Index on Censorship*, 51 no. 2 (July 2022), 66.

Robyn Dixon, "Russia Sending Teachers to Ukraine to Control What Students Learn," Washington Post (18 July 2022).

in the Form of a Novel (New York: Posiv, 1970). The September 1991 commemoration of the fiftieth

anniversary of the massacre was the first official recognition of the event.

On 29 and 30 September 1941, more than 33,000 Jews were murdered by a German Einsatzkommando unit assisted by Ukrainian militiamen at the ravine Babi Yar, near Kyiv [See above]. A further 70,000 bodies were added between 1941 and 1943, including victims from other ethnic groups such as Russians, Ukrainians, and Romani. Successive Soviet governments sought to censor all references to Babi Yar. Official Soviet media attacked the epic poem Babi Yar (1961) by the Siberian poet Yevgeny Yevtushenko (1933–2017) and the Thirteenth Symphony (1962; opus 113), by composer Dmitry Shostakovich (1906–1975), partly based on it. The poem implied that some Ukrainians, Russians and other Soviet citizens had collaborated with the Germans in the genocide of Soviet Jews and that anti-Semitism was still prevalent in the USSR. Yevtushenko was accused of defiling the soldiers who had defended the nation and of "stirring up national hatred." Although the poem was published, it was not included in collections of Yevtushenko's work during the Soviet era. Public performances of the poem or the symphony were obstructed. At the occasion of the premiere of the symphony in December 1962, the most "offensive" lines of the poem were altered. Yevtushenko's poetry collection, Nasledniki Stalina (1962; Stalin's Heirs), was also attacked. Yevtushenko was nominated for the Nobel Literature Prize in 1963. In 1991, he moved to the United States, where he taught at the University of Tulsa, Oklahoma.<sup>329</sup>

See also Belarus, Canada, China, Germany, Iran, Lithuania, Russia.

### UNITED ARAB EMIRATES

Previous Annual Report entries: 2013, 2016.

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<sup>&</sup>lt;sup>329</sup> Tim Smith, Robert Perks, & Graham Smith, Ukraine's Forbidden History (Stockport 1998), 21–22; Index on Censorship (1999 no. 1), 157, 162, (2001 no. 4), 153; Derek Jones, ed., Censorship: A World Encyclopedia (Londen/Chicago 2001), 162–164, 1303, 2233; Yury Shapoval, "The Defection of Anatoly Kuznetsov" (18 January 2005); "Soviet-era Poet Yevgeny Yevtushenko Dies Aged 84," BBC News (1 April 2017); Martin Bright, "Anatoly Kuznetsov Is the Ukrainian Writer Who Documented the Horrors of Ukraine's Worst Atrocity; He Deserves To Be Remembered," Index on Censorship (13 July 2022).

### UNITED KINGDOM

Previous Annual Report entries: 1996, 1998–2001, 2003–2004, 2006–2021.

In 2021, the Partition Education Group campaigned to include the 1947 withdrawal of colonial power and the Partition of British India in the national history curriculum. The campaign followed a petition in July 2020, signed by more than 260,000 people, to make the national curriculum more inclusive of BAME (Black, Asian, and minority ethnic) history. The petition was rejected by the Department of Education on the grounds that the national curriculum already had the flexibility to include BAME history: it served as a guiding map, with teachers and schools having the autonomy to include or exclude preferred content. However, some worried that this flexibility allowed schools to not teach BAME history at all. 330

In [February] 2021, Culture Secretary Oliver Dowden vetoed the reappointment of Aminul Hoque, a trustee at the Royal Museums Greenwich board. Hoque, an academic at the Educational Studies Department at Goldsmiths College, London, had led the Royal Museum's response to the Black Lives Matter movement and repeatedly called for "decolonizing" the school curriculum. In 2020, amid the Black Lives Matter protests, Dowden had threatened to cut funding to museums and galleries that removed statues associated with British colonialism. Then in October, Dowden warned institutions not to take part in "actions motivated by activism or politics." In early 2021, the government warned heritage bodies against taking significant steps in reevaluating British history. The government did not give an explanation for the veto.<sup>331</sup>

In March 2021, Russian businessman Roman Abramovich and Russian state energy company Rosneft filed separate defamation lawsuits against journalist Catherine Belton and her publisher HarperCollins for Belton's book *Putin's People: How the KGB Took Back Russia and Then Took on the West* (published in April 2020). The book described Putin's past as a KGB agent and his rise to power together with a small group of KGB men, culminating in his 2000 presidency. Abramovich and Rosneft filed separate suits for passages suggesting that Abramovich's purchase of Chelsea Football Club in 2003 was ordered by Putin and that Rosneft had participated in the expropriation of Yukos Oil Company from businessman Mikhail Khodorovsky. The lawsuits were condemned as SLAPPs (Strategic Lawsuits against Political Participation) by nineteen organizations including Index on Censorship and

<sup>330</sup> Shaistha Khan, "<u>UK South Asians Push for Partition History in School Curriculum</u>," *Al Jazeera* (6 August 2021).

<sup>&</sup>lt;sup>331</sup> Clea Skopeliti, "<u>Academic Who Backed 'Decolonising' Curriculum Dropped from Museum Board</u>," Guardian (1 May 2021); "<u>Government Veto on Trustee's Reappointment Marks Aggressive Tactic in 'Cultural Cleansing' Campaign</u>," Return Heritage (2 May 2021).

Article 19. On 24 November 2021, the judge ruled that all nine statements in the Abramovich case were defamatory. Rosneft's claim was partly rejected and the company discontinued its case. On 22 December 2021, HarperCollins issued an apology over the defamatory allegations and confirmed that it had reached a settlement with Abramovich. 332

In April 2021, the Overseas Operations Act, creating a "presumption against prosecution" for members of the armed forces accused of crimes committed overseas more than five years ago, became law, after the government had removed provisions that would have created impunity for genocide, crimes against humanity and war crimes [See NCH *Annual Report 2021*].<sup>333</sup>

On 31 May 2021, six United Nations Special Rapporteurs sent a letter to the government concerning the alleged lack of effective remedies for the Kipsigis and Talai indigenous peoples who were subjected to human rights violations during the precolonial and colonial period in Western Kenya (1895–1963), associated primarily with the expropriation of land on Kericho County. The violations affected an estimated half a million people and included unlawful killings and sexual violence. The letter also criticized the government for failing to "adopt measures to establish the facts and know the truth about the circumstances surrounding these violations." Because the government did not react, the letter was published on 2 August 2021; the rapporteurs were disappointed that there was no apology and no move for compensation.<sup>334</sup>

In [October] 2021, publisher Hodder Education withdrew the A-level textbook *USA 1865–1975: The Making of a Superpower*, after a history teacher criticized an exercise asking students to what extent they believed "the treatment of Native Americans had been exaggerated" in the late nineteenth century (a period that saw some massacres of Native American tribes by the United States government). Hodder Education removed the book from sale until a review was conducted. In May, the publisher had been

November 2021); "Law and Media Round Up," Inform's Blog (International Forum for Responsible Media Blog) (29 November 2021); High Court of Justice, Roman Abramovich versus HarperCollins and Catherine Belton (2021); High Court of Justice, Rosneft Oil Company versus HarperCollins and Catherine Belton (2021); Luke Harding, "Roman Abramovich Settles Libel Claim over Putin Biography," Guardian (22 December 2021); "Chelsea FC Owner Roman Abramovich Gets Apology over Putin Claim," BBC News (22 December 2021); "Putin's People Author SLAPPed," Index on Censorship, 50 no. 4 (2021), 7; "Catherine Belton: 'Binnen twee jaarkan Poetin afgezet zijn'" (interview), NRC Handelsblad (3 June 2022).

<sup>333</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 706.

<sup>334</sup> Six United Nations Rapporteurs, Letter of Allegation (regarding human rights violations during the precolonial and colonial period in Western Kenya) (UN Doc. AL GBR 5/2021) (31 May 2021); "UK's Failure to Apologise for Kenya Land Grabs Criticised," BBC News (2 August 2021); "UK Regrets Colonial Abuses in Kenya," BBC News (3 August 2021); Nazia Parveen, "UN Criticises UK for Failure to Redress Colonial-Era Landgrab in Kenya," Guardian (3 August 2021).

criticized by a student for an exercise that entailed a question whether slavery in the southern states before 1961 could have been justified.<sup>335</sup>

On [9 or 10] October 2021, Priyamvada Gopal, a fellow at Churchill College, Cambridge University, and author on British colonial history, had an invitation to speak to Home Office officials on the links between the department's policies and recent colonial history withdrawn, just days before the meeting would take place. The reason for the withdrawal was ostensibly related to a February 2021 tweet in which Gopal had criticized Home Secretary Priti Patel and to which the right-wing politics blog Guido Fawkes had drawn attention.<sup>336</sup>

On 6 November 2021, Keir Bradwell, the president of the Cambridge Union, a Cambridge University debating society promoting free speech through discussion, would publish a "blacklist" of guest speakers who were banned from returning because they were deemed to have caused offence. The announcement followed a debate about "good taste" on 4 November in which art historian Andrew Graham-Dixon had impersonated a speech by Adolf Hitler on art with the aim of showing that "bad taste and a deficient moral compass often go hand in hand." According to Bradwell's letter, Graham-Dixon would be the first speaker on the blacklist. On 10 November, actor John Cleese tweeted that he was "blacklisting himself" for a debate on 12 November for which he was invited, because "after he heard that someone had been blacklisted for impersonating Hitler" he had to "acknowledge to have done something similar in a *Monty Python*-sketch." Following Cleese's announcement, Bradwell stated that Cambridge Union did not have a blacklist and that he had misspoken previously. He added that he still thought that Graham-Dixon should not be re-invited, but that speakers were allowed to say whatever they wanted during the debates.<sup>337</sup>

On 9 November 2021, lawyers requested the release of official documents by the Ministry of Defense (MoD) in relation to an allegedly covered-up series of extrajudicial killings of 33 Afghan men by the Special Air Service in Afghanistan in 2011. A MoD spokesperson said that 1800 pages had already been released and that "there is not a duty to provide any document that might look embarrassing." 338

<sup>335</sup> Aamna Mohdin, "A-Level Textbook Withdrawn Over 'Inappropriate' Native American Question," Guardian (24 October 2021); Harry Farley, "A-Level Textbook Withdrawn Over 'Shocking' Native American Question," BBC News (24 October 2021).

<sup>&</sup>lt;sup>336</sup> Richard Adams, "<u>Academic Calls on Universities Minister to Defend Her Freedom of Speech</u>," *Guardian* (14 October 2021).

<sup>&</sup>lt;sup>337</sup> Patrick van IJzendoorn, "John Cleese zet zichzelf op zwarte lijst vanwege vrijheid van meningsuiting," Volkskrant (11 November 2021); "Cambridge University Debating Society Drops Speaker Blacklist," BBC News (12 November 2021).

<sup>&</sup>lt;sup>338</sup> Dan Sabbagh, "Alleged Massacres of Afghans by SAS Not Properly Investigated, Court Told," Guardian (9 November 2021).

When submitting a Freedom of Information request to the Foreign Office in [2022], historian Grace Livingstone discovered that more than three hundred folders of Foreign Office papers relating to Britain's relations with Argentina in the six years before the 1982 Falklands war had been shredded, including a folder entitled "Military visits to and from Argentina, 1978," folders concerning British and Argentinian military visits in 1979–1981, and more than twenty folders relating to British arms sales to Argentina.<sup>339</sup>

On 5 January 2022, the four persons who took the lead in toppling the statue of slave trader Edward Colston (1636–1721) in Bristol and threw it into the harbor [See NCH *Annual Report 2021*] were found not guilty of criminal damage by a jury (11 to 1) at Bristol Crown Court. In closing statements following a nine-day trial, the defense had urged jurors to "be on the right side of history," saying that the statue, which had stood over the city from 1895 to 2020, was so offensive that it constituted a hate crime itself.<sup>340</sup>

In [early January 2022], critics accused Reading University of censoring "Types of Women," a poem by Semonides of Amorgos written in the seventh century BCE, because it contained a reference to domestic violence which could upset students. In earlier readers for first-year Classics students, the poem had been reproduced in its entirety and preceded by a trigger warning saying that the poem was an example of "extreme misogyny in archaic Greece." In response, Reading University argued that "This is not censorship, nor is it mollycoddling over-sensitive students," saying that the full text was available in printed copies and online for students.<sup>341</sup>

In March 2022, Wendy Williams, the independent inspector advising the Home Office on policy changes after the 2018 Windrush scandal (exposing how between 1950 and 1981 immigrants, particularly from Caribbean countries, had been wrongfully detained, denied legal rights and threatened with deportation), expressed disappointment that the Home Office had repeatedly refused to publish *The Historical Roots of the Windrush Scandal*, a Home Office commissioned report on the historical causes of the scandal. The 52-page analysis by an unnamed historian had found that the "deep-rooted racism of the Windrush scandal" originated in the fact that "during the period 1950–1981, every single piece of immigration or citizenship legislation was designed at least in part to reduce the number of people with black or brown skin who were permitted to live and work in the U[nited] K[ingdom]." A

<sup>339</sup> Grace Livingstone, "Search and Destroy," London Review of Books (10 February 2022).

<sup>&</sup>lt;sup>340</sup> "BLM Protesters Cleared over Toppling of Edward Colston Statue," Guardian (5 January 2022).

<sup>&</sup>lt;sup>341</sup> Nicola Woolcock, "Greek Poem 'Censored' to Avoid Upset for Students," The Times (3 January 2022).

freedom of information request to release the report had been refused on the grounds that it included "sensitive issues involving the development of policies."<sup>342</sup>

On 14 April 2022, Rector Debora Kayembe of the University of Edinburgh sparked outrage after alleging in a tweet on 14 April 2022 that the 1994 genocide in Rwanda was orchestrated by Rwandan President Paul Kagame. Critics pointed to overwhelming evidence to the contrary and accused Kayembe of knowingly spreading genocide denial ideas against the Tutsi and promoting "double genocide." The university distanced itself from her opinion. Kayembe later apologized. On 23 December 2003, the United Nations General Assembly had designated 7 April (the day the genocide perpetrated by radical Hutus had started in 1994) as the International Day of Reflection on the Genocide in Rwanda.<sup>343</sup>

In June 2022, a year after the Home Office was supposed to launch a mandatory course on British history for the department's 36,000 employees, civil servants had reportedly attempted to "sanitize" a module on race, empire, and colonialism, because they worried it would be "too controversial." After an independent review had concluded that the 2018 Windrush scandal was partly caused by "institutional ignorance and thoughtlessness" regarding race and history [See above], the Home Office had contracted staff researchers from Coventry University to create the teaching module.<sup>344</sup>

### Northern Ireland

In April 2021, historians advising the government on how to mark the centenary of the creation of Northern Ireland in 1921 after Ireland's partition, requested access to secret official files from the early 1920s, including documents relating to the so-called B Specials, an auxiliary police force known officially as the Ulster Special Constabulary (1920–1970).<sup>345</sup>

On 10 August 2021, United Nations (UN) experts expressed concern about the United Kingdom (UK) government's proposal – entitled "Addressing the Legacy of Northern Ireland's Past" and announced in a statement by the UK Secretary of State for Northern Ireland before parliament in July 2021 – to

<sup>&</sup>lt;sup>342</sup> Amelia Gentleman, "Windrush Scandal Caused by '30 Years of Racist Immigration Laws' – Report," *Guardian* (29 May 2022).

Jean d'Amour Mbonyinshuti, "Edinburgh Distances Itself from Rector's Genocide Views, Apologises," University World News (28 April 2022); United Nations General Assembly, <u>International Day of Reflection</u> on the 1994 Genocide in Rwanda (UN Doc. A/RES/58/234) (23 December 2003).

Amelia Gentleman, "Home Office Tried to 'Sanitise' Staff Education Module on Colonialism," Guardian (10 June 2022).

<sup>345</sup> Mark Simpson, "NI 100: Centenary Historians Request Access to Secret Government Files," BBC News (21 April 2021).

introduce a statute of limitations for all new conflict-related prosecutions, investigations, and victims' civil claims in connection with "The Troubles" in Northern Ireland (1969–1998), which would effectively institute a de facto amnesty and blanket impunity for the grave human rights violations committed during that period [See NCH *Annual Report 2021*]. The proposal also foresaw the establishment of a new independent body to enable individuals and family members to seek and receive information about Troubles-related deaths and injuries, and the adoption of an oral history initiative. The experts expressed concern, among others, at "the lack of clarity concerning the role that victims would play in the design, implementation and monitoring of the proposed transitional justice institutions and measures, including those relating to memorialization, archiving and truth recovery." In September 2021, Commissioner for Human Rights of the Council of Europe Dunja Mijatović similarly criticized the proposal. The Troubles in Northern Ireland lasted three decades until the adoption of the Good Friday Agreement in 1998 (also known as the "Belfast Agreement") and resulted in the death of more than 3,500 individuals and the injury of another 40,000.<sup>346</sup>

See also China, Grenada, Iraq, Kenya, Latvia, Morocco, Russia, Sudan, Ukraine.

#### **UNITED NATIONS**

Previous Annual Report entries: —.

On 13 January 2022, the United Nations General Assembly adopted a resolution about Holocaust denial, noting that it referred to discourse and propaganda that denied the historical reality and the extent of the extermination of the Jews by the Nazis and their accomplices during World War II, and that this included publicly denying or calling into doubt the use of principal mechanisms of destruction (such as gas chambers, mass shooting, starvation, and torture) or the intentionality of the genocide of the Jewish people. The resolution also noted with concern the growing prevalence of Holocaust denial or distortion through the use of information and communications technologies. It rejected and condemned without any reservation any denial of the Holocaust as a historical event, either in full or in part. Put forward by Israel and Germany, it was passed without a vote by the 193-member General Assembly, although Iran said it dissociated itself from the text.<sup>347</sup>

<sup>&</sup>lt;sup>346</sup> United Nations Experts, "<u>UK: UN Experts Voice Concern at Proposed Blanket Impunity to Address Legacy of 'The Troubles' in Northern Ireland</u>" (press release; 10 August 2021); Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 706.

<sup>&</sup>lt;sup>347</sup> United Nations General Assembly, "Holocaust Remembrance" (UN Doc. A/RES/60/7) (21 November 2005); United Nations General Assembly, "Holocaust Denial" (UN Doc. A/RES/61/255) (22 March 2007); United Nations General Assembly, "Holocaust Denial," UN Doc. A/RES/76/250 (13 January 2022); "UN Defines Holocaust Denial in New Resolution," BBC News (20 January 2022).

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On 3 May 2022, the International Mechanisms for Free Expression issued their 24th Joint Declaration on Freedom of Expression, dedicated to gender justice. They recommended, among others, that "States, the private sector and civil society should work together to address... interpretations of culture, religion and tradition that subordinate and disempower women"; that "States should not use the aim of protecting public morals to restrict gender, sexual, cultural or artistic expression of women and gender non-conforming people based on principles derived exclusively from a single tradition" and that "States, as well as public and private academic institutions, should respect academic freedom of expression and refrain from censoring, restricting or discriminating against gender studies and feminist scholarship or public debate on these issues." 348

### **UNITED STATES**

Previous Annual Report entries: 1995–2021.

During the academic year 2020–2021, a number of Zoom meetings were disrupted (also known as Zoom-bombing). In November 2020, a panel discussion entitled "Cultural Genocide: An Overview of Uyghurs in Xinjiang, China" at Brandeis University, Waltham, Massachusetts, was disrupted by attendees playing the Chinese National Anthem and writing diminishing messages over the presenters' slides. In February 2021, a virtual event celebrating Black History Month, entitled "Diversity Through Hair," at the City University of New York was forced to shut down when as many as twenty people began playing racist music and writing and chanting racist slurs. Several other events celebrating Black History Month were similarly targeted.<sup>349</sup>

Throughout 2021 and 2022, PEN America published a number of reports on educational gag orders – state level bills introduced with the intent to restrict teaching and discussion of race, racism, gender and United States (US) history in K-12 schools (schools from Kindergarten to twelfth grade), higher education, and state agencies and institutions. PEN America stated that between January 2021 and April 2022 183 educational gag order bills (often referencing critical race theory) had been introduced in forty different states, with nineteen of them having become law in fifteen states. Other states enacted educational gag orders via policies or executive orders. Of the 183 orders, 88 educational gag orders were still under consideration as of April 2022 and 47 of them included an avenue for punishment for those found in violation.

<sup>348 &</sup>quot;Joint Declaration on Freedom of Expression and Gender Justice" (3 May 2022).

<sup>&</sup>lt;sup>349</sup> Scholars at Risk, *Free to Think 2021* (New York: SAR, 2021), 30, 93–94.

Many, like order S.2035 (also known as the Saving American History Act) that was introduced in Arkansas in June 2020 and quickly withdrawn, aimed at blocking federal funds to any elementary and secondary school using the *New York Times 1619 Project* – a project, founded in August 2019 by historian and journalist Nikole Hannah-Jones [See NCH *Annual Report 2021*], named after the year that slavery began in the colonies that would become the US, that explored the impact of slavery on US history and modern life and had ignited debate about the legacy of slavery [See NCH *Annual Report 2020*]. Of the 54 educational gag orders that were introduced between January and September 2021, 53 could be used to block the *1619 Project* – the only exception being a Tennessee law, branded the "Don't Say Gay" law, which forbade the teaching of LGBTQ+ history in K-12 schools [See NCH *Annual Report 2021*].

PEN America criticized three features of these state level bills: they were drafted sloppily (with vague terminology for forbidden conduct that could be arbitrarily interpreted and applied); they explicitly targeted teachers' speech and required direct punishment of speech that was deemed a violation; and they came with a "private right of action," allowing parents and citizens to seek to levy their own punishments against teachers, such as suing them in court. PEN America further concluded that the bills would have chilling effects on the teaching of the history of slavery, the emancipation of women, and the treatment of Native Americans, had led to the effective banning of a wide swath of historical and other educational materials and resulted in the effective self-censoring of educators and educational institutions on these topics, leading to the erosion of academic freedom.

On 19 October 2021, several non-governmental associations filed a lawsuit challenging Oklahoma's controversial ban on critical race theory, arguing that HB 1775 bill (first approved in April 2021) prevented Black, female, LGBTQ+ and indigenous students from being taught their history as well as the history of white supremacy and that it infringed the academic freedom to teach topics like African American history and gender studies. The lawsuit asked the court for a permanent preliminary injunction to prevent the law from being enforced in public schools and universities. It was the first lawsuit of its kind to directly challenge a ban on critical race theory.<sup>350</sup>

ACLED, "Fact Sheet: Demonstrations over Critical Race Theory in Schools," The Hill (17 June 2021); ACLED, "Fact Sheet: Demonstrations over Critical Race Theory in the United States" (14 July 2021); District Court for the Western District of Oklahoma, Black Emergency Response Team, AAAP, NAACP, AIM and Others versus Oklahoma Attorney General and Others: Complaint (19 October 2021); Zoe Christen Jones, "Oklahoma ACLU Files Lawsuit against Ban on Critical Race Theory," CBS News (19 October 2021); Cassidy Fallik, "ACLU, ACLU of Oklahoma, Lawyers Committee File Lawsuit Challenging Oklahoma Classroom Censorship Bill Banning Race and Gender Discourse" (19 October 2021); Jonathan Friedman & James Tager, "Educational Gag Orders," PEN America (19 New Hampshire, "House Bill 1255," (19 January 2022); Maya Yang, "Florida: Republican Panel Advances Bill to Ban LGBTQ+ Discussion in Schools," Guardian (24 January 2022); Jeffrey Sachs, "Steep Rise in Gag Orders, Many Sloppily Drafted," PEN America (24 January 2022); Greg Sargent, "Opinion: Behind the Latest GOP Restrictions on Race Teaching: A Hidden, Toxic Goal," Washington Post (24 January 2022); Greg Sargent, "A GOP Proposal Targeting 'Negative' U.S. History Is Cause for Renewed Alarm," Washington Post (31 January 2022); Terry Gross, "From Slavery to Socialism, New Legislation Restricts What Teachers Can Discuss," NPR (3 February 2022); Laura Meckler & Hannah Natanson, "New

In June 2021, the Tulsa City Council passed an apology resolution, but failed to acknowledge the city's documented culpability in, or provide reparations for, the victims of the 1921 Tulsa Race Massacre. During the massacre, a white mob invaded the Black community of Greenwood in Tulsa, Oklahoma, killing as many as 300 people according to some historians' estimates [See NCH *Annual Report* 2021].<sup>351</sup>

A summer 2021 report, entitled *Failure to Protect*, from the Center for Countering Digital Hate found that of the 714 posts on five of the big social media platforms (Facebook, Twitter, Instagram, YouTube, and TikTok) reportedly spreading anti-Jewish hatred and propaganda, the platforms failed to act on 84%, including on 80% of the posts on Holocaust denial [See NCH *Annual Report 2021*].<sup>352</sup>

On 29 July 2021, Garrett Felber, a tenure-track assistant professor in the Arch Dalrymple III Department of History at the University of Mississippi (UM), reached a settlement and left UM [See NCH *Annual Report 2021*]. He accepted a faculty fellowship in American Studies at the Center for the Study of Race, Indigeneity, and Transnational Migration of Yale University.<sup>353</sup>

In August 2021, Anat Sultan-Dadon, the Israeli Consul General to the Southeastern United States, in a meeting with a dean at the University of North Carolina (UNC) at Chapel Hill, allegedly accused Ph.D. student Kylie Broderick, who was teaching a class called "The Conflict over Israel and Palestine" at the UNC history department, of being unfit to teach the course in question, due to anti-Semitic comments she had made in her Twitter posts. It was also alleged that (Democrat) Representative Kathy Manning

Critical Race Theory Laws Have Teachers Scared, Confused and Self-Censoring," Washington Post (14 February 2022); Kate McGee, "Lt. Gov. Dan Patrick Proposes Ending University Tenure to Combat Critical Race Theory Teachings," Texas Tribune (18 February 2022); Keisha Blain, "To Fight Attacks on 'Critical Race Theory,' Look to Black History," The Nation (18 February 2022); Nick Anderson & Susan Svrluga, "College Faculty Are Fighting Back Against State Bills on Critical Race Theory," Washington Post (19 February 2022); "Don't Say Gay' Bill: Florida Senate Passes Law Marginalizing LGBTQ+ People," Guardian (8 March 2022); PEN America, "For Educational Gag Orders, The Vagueness Is The Point" (28 April 2022); Sarah Schwartz, "Map: Where Critical Race Theory Is Under Attack," Education Week (updated 18 May 2022); Wyatt Myskow, "Legislation to Limit Critical Race Theory at Colleges Has Reached Fever Pitch," Chronicle of Higher Education (8 June 2022); PEN America (Jeffrey Sachs, Jeremy Young, and Jonathan Friedman), "5 Myths about Educational Gag Orders," (10 June 2022); Sonia Rao, "Virginia Was Primed to Teach Black History - Then the Nation's First Anti-Critical Race Theory Governor Took Office," Scalawag Magazine (14 June 2022); PEN America, PEN America Index of Educational Gag Orders (ongoing database).

<sup>351</sup> Human Rights Watch, World Report 2022: Events of 2021 (New York: HRW, 2022), 711.

<sup>352</sup> Center for Countering Digital Hate, Failure to Protect: How Tech Giants Fail to Act on User Reports of Antisemitism (London/Washington: CCDH, 2021); Maya Wolfe-Robinson, "A 'Safe Space for Racists': Antisemitism Report Criticises Social Media Giants," Guardian (1 August 2021).

<sup>353</sup> Ashton Pittman, "Emails Show UM Officials' Concern Over Fired Historian Criticizing Private Prison Ties," Mississippi Free Press (30 July 2021).

met with the dean of arts and sciences regarding Broderick's teachings. Broderick rejected the accusations of anti-Semitism.<sup>354</sup>

On 3 August 2021, a seven-foot bronze statue of an Osage woman was stolen in Kansas City, Missouri. The statue was part of the François Chouteau & Native American Heritage Fountain, depicting two Osage Indians trading with fur trader François Chouteau (1797–1838). The theft came ten days after the fountain had been fully finished, marking the bicentennial anniversary of Missouri.

On 14 September 2021, a Missouri cave, which was the burial ground for ancestors of the Osage Nation People and a site for sacred rituals, and which contained more 290 prehistoric hieroglyphic symbols, some over 1,000 years old, was sold at an auction. The sale was opposed by researchers and the Osage Nation people, who called the sale "heartbreaking."<sup>355</sup>

On 6 August 2021, nearly 1,800 people signed a letter calling on President Joe Biden to release documents that they believed implicated Saudi Arabian officials in the 11 September 2001 ("9/11") attacks. The signatories included families of the 9/11 victims, first responders, and survivors. The families had sued the government of Saudi Arabia, which denied any involvement. In June 2021, the lawsuit saw several former top Saudi officials questioned under oath, but the depositions remained sealed. The families said that since the conclusion of the 9/11 Commission in 2004 much evidence had been uncovered but that through multiple administrations the Department of Justice (DOJ) and the FBI had actively sought to keep relevant information secret, citing national security concerns. The September 11th Transparency Act required the DOJ, the CIA and the director of national intelligence to justify to Congress any decision not to declassify particular records. On 9 August, the FBI offered to release some documents from its investigation, saying that they would disclose appropriate information "on a rolling basis." The offer was criticized for not doing enough. On 3 September 2021, Biden signed an executive order "directing the Department of Justice and other relevant agencies to oversee a declassification review" and to "release the declassified documents publicly over the next six months."

<sup>&</sup>lt;sup>354</sup> Jonah Kaplan, "Antisemitism Has Mutated': Jewish Students, Leaders Worry Over UNC-CH Instructor's Comments," ABC11 (28 August 2021); Murtaza Hussain, "Israeli Diplomat Pressured UNC to Remove Teacher Who Criticized Israel," The Intercept (28 September 2021); Colleen Flaherty, "Israeli Diplomat Accused Grad Instructor of Anti-Semitism," Inside HigherEd (20 September 2021).

<sup>355</sup> Laura Ziegler, "Organizers 'Devastated' after Statue of Native American Woman Stolen from Park in Kansas City North," KCUR (5 August 2021); "Heartbroken' Osage Nation Leaders Decry Sale of Sacred Missouri Cave with Ancient Artwork," Guardian (15 September 2021); Cynthia Prescott, "The Monument Controversy Nobody Is Talking About," Washington Post (26 May 2022).

<sup>356 &</sup>quot;Executive Order on Declassification Review of Certain Documents Concerning the Terrorist Attacks of September 11, 2001" (3 September 2021); "Declassify Saudi Files or Stay Away From 9/11 Memorials, Families Tell Biden," Guardian (6 August 2021); "Families of 9/11 Victims Tell Biden Not To Attend Memorial Events," BBC News (7 August 2021); Julian Borger, "FBI Offer to Release Some Saudi Files Not

In August and September 2021, the organizers and speakers of the online conference "Dismantling Global Hindutva [a Hindu-supremacist ideology]" (10–12 September 2021), were massively harassed and intimidated by Hindu right-wing groups in the United States and India who called the event "Hinduphobic." Those attacked included historians Audrey Truschke [See above and NCH *Annual Report 2021*], David Ludden, Gyanendra Pandey and Purnima Dhavan, and sociologist Nandini Sundar

[See NCH Annual Report 2017].357

In September 2021, all records of historian Benjamin Park's fellowship and involvement with the Brigham Young University (BYU), Utah, were erased from the BYU website. In 2018, Park had been a summer fellowat the BYU Neal A. Maxwell Institute, researching and authoring a book on the history of Mormons living in Illinois in the 1840s. In the weeks before BYU erased his records, Park had written critically about a speech by former BYU President and Elder of the Church of Jesus Christ of Latterday Saints (LDS) Jeffrey R. Holland, which he said had been harmful to the LGBTQ+-community. In August, he had published an article in the *Washington Post* about the stance of LDS leaders on COVID-19. BYU did not give a reason for erasing his records.<sup>358</sup>

In October 2021, a Virginia community college announced that it would drop from its name John Tyler (1790–1862), the tenth president of the United States who backed the Confederate rebellion before he died. Another college would ditch Thomas Nelson Jr. (1738–1789), a signer of the Declaration of Independence and prominent military and political leader, who historians said had enslaved hundreds of people of African descent.<sup>359</sup>

In October 2021, Matt Krause, a Republican in the Texas House of Representatives, distributed a watch list of 850 books that might generate "discomfort, guilt, anguish, or any other form of psychological distress because of [a student's] race or sex." In response, a San Antonio school district took out 414 books from its libraries in December. Among the books pulled and/or on Krause's list were Isabel Wilkerson's *Caste: The Origins of Our Discontents*, which traced a variety of caste systems throughout history and across civilizations. It further included *How To Be an Antiracist* by former assistant

Enough, 9/11 Families Say," Guardian (10 August 2021); Oliver O'Connell, "Biden Signs Order to Declassify 9/11 Attack Investigation Documents," Independent (3 September 2021).

<sup>357 &</sup>quot;Dismantling Global Hindutva: Multidisciplinary Perspectives" (conference website); Kritika Sharma, "Hinduphobia or Battle against Bigotry? 'Dismantling Global Hindutva' Seminar Sparks Controversy," ThePrint (30 August 2021); Raqib Hameed Naik, "US Academic Conference on 'Hindutva' Targeted by Hindu Groups," Al Jazeera (7 September 2021); Ramesh Rao, "Dismantling Global Hindutva': The Malefic Rakshasas and Their Demonic Agenda," First Post (27 August 2021); American Historical Association, Statement on Threats to Academic Conferences (September 2021).

<sup>&</sup>lt;sup>358</sup> Jana Riess, "Blocklisting at Brigham Young University," Washington Post (13 September 2021).

Nick Anderson, "Virginia Community Colleges Are Dropping President John Tyler and Others from Their Names amid Racial Reckoning," Washington Post (10 October 2021).

professor of African-American history at the University of Florida Ibram X. Kendi, and *We Were Eight Years in Power: An American Tragedy*, containing essays on the presidency of Barack Obama (in office 2009–2017) by Ta-Nehisi Coates and his *Between the World and Me*, a recapitulation of racist violence in the United States written as a letter to his son.

In [November] 2021, four high schools in Canyons school district, Utah, removed at least nine books, including *Out of Darkness* by Ashley Hope Pérez about a love affair amid racial division in 1930s Texas. Between September and December 2021, records requests to nearly 100 school districts in Texas – a small sample of the state's 1,250 public school systems – revealed 75 formal requests to ban books from libraries, including some picture books about Black historical figures. <sup>360</sup>

In early October 2021, historian Beverly Gage, resigned as director (2017–2021) of Yale University's Brady-Johnson Program in Grand Strategy, effective in December 2021. Gage said that in November 2020 she had faced sudden demands from the program's conservative funders – former treasury secretary Nicholas Brady and investment management billionaire Charles Johnson – for external oversight of its curriculum and faculty hiring. The demands reportedly stemmed from the donors' displeasure over a *New York Times* op-ed in which a program instructor had called President Donald Trump a demagogue who threatened the Constitution. Gage sought support from Yale administrators, but instead they pressed her to grant the donors' wish that she form a board of overseers that included former Secretary of State (and historian) Henry Kissinger.<sup>361</sup>

On 3 October 2021, a sculpture honoring George Floyd (1973–2020) (an African-American man killed in 2020 by a police officer in Minneapolis, Minnesota) at Union Square in New York was defaced with grey paint. The sculpture had previously been on display in Brooklyn, where it similarly had been vandalized.<sup>362</sup>

On 26 October 2021, Lora Burnett, a dismissed history professor at Collin College, a community college in McKinney, Texas, sued Collin College, Texas [See NCH *Annual Report 2021*], arguing that the dismissal violated her First Amendment rights. The complaint came after Burnett won a legal battle obliging Collin College to release relevant text messages about her case. Burnett's nonrenewal notification cited her "insubordination, making private personnel issues public that impair the college's

<sup>360</sup> Emma Sarappo, "This Is a Shakedown," The Atlantic (8 December 2021); Adam Gabbatt, "US Conservatives Linked to Rich Donors Wage Campaign to Ban Books from Schools," Guardian (24 January 2022); Mike Hixenbaugh, "Banned: Books on Race and Sexuality Are Disappearing from Texas Schools in Record Numbers," NBC News (1 February 2022).

Daniel Drezner, "A Pyrrhic Victory for Plutocrats at Yale: Nicholas Brady and Charles Johnson Display Some Poor Strategic Thinking," Washington Post (5 October 2021); Aaron Jakes, "Never Mind Donor Influence: The Problem with "Grand Strategy" Was Always Warmongering," Washington Post (11 October 2021).

<sup>&</sup>lt;sup>362</sup> "George Floyd Sculpture in New York City Defaced For a Second Time," BBC News (5 October 2021).

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operations, and personal criticisms of co-workers, supervisors, and/or those who merely disagree with you." On 25 January 2022, Collin College agreed to pay Burnett \$70,000 plus legal fees to settle the case. College leaders did not admit fault.<sup>363</sup>

On 3 November 2021, historian Xiyue Wang (1980–) and his wife Hua Qu filed a lawsuit against Princeton University in the Superior Court of New Jersey in Mercer County, alleging that the university had caused them "severe personal injuries and other irreparable harm" through "grossly negligent acts" before and during his imprisonment in Iran on an espionage charge (2016–2019) [See *NCH Annual Reports 2018–2020*]. The lawsuit accused Princeton of "wanton" misconduct and blamed it for encouraging Wang to study for his Ph.D. in history in Iran, not taking his safety concerns seriously, and failing to adequately lobby for his release because it was more concerned with its reputation and that of the Princeton Iran Center. 364

On 9 November 2021, judge Tanya Chutkan ruled that Congress had the right to see 700 pages of White House records of former President Donald Trump that could shed light on the events leading up to the attack on Congress on 6 January 2021. In August 2021, a congressional committee investigating the so-called Capitol Riot had demanded access to the documents in order to find out whether Trumphad prior knowledge of the riot. The judge ruled that the National Archives and Records Administration (NARA), the federal agency that holds the records, should comply with the committee's request. On 9 October 2021, President Joe Biden rejected Trump's bid to keep the documents secret under executive privilege. However, on 11 November a federal appeals court granted Trump's request to temporarily block the NARA from releasing the documents. On 19 January 2022, the Supreme Court rejected Trump's request to stop the congressional committee from obtaining the records.

In mid-January 2022, the NARA retrieved fifteen boxes of documents and other items from Trump's Florida resort, including letters from Barack Obama and Kim Jong-Un, because the material should have been turned over to the NARA when he left the White House. Two former Trump advisers described a frenzied packing process in the final days of the administration because Trump did not want to pack or accept defeat for much of the transition.

On [1 February] 2022, the NARA declared that some of the records that were turned over to them at the end of the Trump administration had been torn up, allegedly by Trump himself, confirming fears that were expressed in a December 2020 lawsuit by the National Security Archive and the American

<sup>363</sup> District Court for the Eastern District of Texas, Lora Burnett versus Collin County Community College District (complaint) (26 October 2021); Colleen Flaherty, "Former Professors Sue Collin College over Free Speech," Inside HigherEd (27 October 2021); Michael Vasquez, "Collin College Will Pay Ousted Professor \$70,000 Plus Fees in Free-Speech Case," Chronicle of Higher Education (25 January 2022).

Superior Court of New Jersey in Mercer County, Xiyue Wang & Hua Qu versus Princeton University (2021); Sam Kagan & Andrew Somerville, "Graduate Student Xiyue Wang Sues Princeton over Actions during His Iranian Imprisonment," The Daily Princetonian (28 January 2022).

Historical Association [See NCH *Annual Report 2021*]. On 10 February 2022, the NARA asked the Justice Department to investigate Trump for his handling of official papers [See NCH *Annual Report 2021*].<sup>365</sup>

On 15 December 2021, Ron DeSantis, governor of Florida, announced his "Stop the Wrongs to Our Kids and Employees (WOKE) Act," which would give parents the power to sue local school districts that teach lessons, including history lessons, rooted in critical race theory (already banned in Florida public schools since June 2021 [See above]). Critics feared that this initiative would create a witch-hunt atmosphere complete with financial incentives for nuisance lawsuits. The act went into effect on 1 July 2022. A lawsuit against the act argued that it violated constitutional rights and would have a dangerous chilling effect on academic freedom. Associate professor and president of the United Faculty of Florida at the University of Central Florida Robert Cassanello requested a judge to block the law. Cassanello, who taught classes in Reconstruction (1865–1877), Jim Crow America (1865–1965), and civil rights movements, argued that the law "restrict[ed] his ability to accurately and fully teach these subjects." 366

Before 1965, the Edward Perry Warren collection of ancient erotica of the Museum of Fine Arts (MFA) in Boston, purchased between 1885 and 1910, was either stored away or neutered with paint. After 1965, the MFA fully displayed the collection. However, when on 18 December 2021, the museum reopened its galleries of ancient Greece and Rome, some critics opined that a certain censorship had again befallen the queer erotica from the collection because they were either not displayed or not well explained on the labels.<sup>367</sup>

Beginning in early January 2022 and spiking during Black History Month, dozens of anonymous bomb threats were made against Historically Black Colleges and Universities (HBCUs), disrupting campus life. Historically Black churches, synagogues and other institutions were also targeted. On 16 March,

Give Documents to Capitol Riot Probe — Biden," BBC News (9 October 2021); "Capitol Riot: Judge Rejects Trump Bid to Withhold Records," BBC News (10 November 2021); David Smith & Joan Greve, "Trump Wins Temporary Victory in Effort to Keep White House Records Secret," Guardian (11 November 2021); "Capitol Riot: Court Temporarily Blocks Release of Trump Files," BBC News (13 November 2021); Hugo Lowell, "Supreme Court Rejects Trump Bid to Shield Documents from January 6 Panel," Guardian (20 January 2022); Martin Pengelly, "Trump Tore Up Records Turned Over to House Capitol Attack Committee," Guardian (1 February 2022); Jacqueline Alemany, Josh Dawsey, Tom Hamburger & Ashley Parker, "National Archives Had To Retrieve Trump White House Records from Mar-a-Lago," Washington Post (7 February 2022); "US National Archives Requests Legal Probe of Trump over Handling of Documents," BBC News (10 February 2022); Hugo Lowell, "US House to Investigate whether Trump Broke Law in Handling of Documents," Guardian (10 February 2022).

<sup>&</sup>lt;sup>366</sup> Ed Kilgore, "<u>DeSantis Enlists Litigious Parents for Anti-Woke Crusade</u>," *Intelligencer* (15 December 2021); Susan Svrluga & Lori Rozsa, "<u>In Florida</u>, <u>DeSantis's Plans for Colleges Rattle Some Academics</u>," *Washington Post* (1 July 2022).

<sup>&</sup>lt;sup>367</sup> Erin Thompson, "The MFA's Complicated History with Censoring Queer Desire Pervades New Exhibit," GBH News (4 January 2022).

Vice President Kamala Harris announced that HBCUs could apply for grants under the Project School Emergency Response to Violence program (Project SERV) for needs such as improvements to campus security or targeted mental health counseling. Some HBCUs called the threats "domestic terrorism." As of mid-April 2022, the Armed Conflict Location and Event Data Project recorded 72 bomb or shooting threats against HBCUs in at least sixteen states. 368

On 5 January 2022, administrator Keith Veverka of the Pennridge School District in Bucks County, Pennsylvania, explicitly instructed social studies teachers and school principals not to "wade into" discussions with students about the Capitol Riot in Washington D.C on 6 January 2021 [See above] "due to the current polarization and strong emotions." Teachers should "simply state that the investigation is ongoing and as historians we must wait until there is some distance from the event for us to accurately interpret it." Faculty worried about the precedent set by the directive regarding the teaching of history and current events. On 6 January 2021, violent riots saw supporters of former President Donald Trump storm the U.S. Capitol in hopes of stopping a vote to certify the 2020 election.<sup>369</sup>

Between 18–20 January 2022, the statue of President Theodore Roosevelt (1858–1919) was removed and readied for transport to the Theodore Roosevelt Presidential Library in North Dakota [See NCH *Annual Report 2020*].<sup>370</sup>

On 22 January 2022, J. Michael Butler, a historian at Flagler College in St. Augustine, Florida, was scheduled to give a presentation to Osceola County School District teachers entitled "The Long Civil Rights Movement," which postulated that the civil rights movement preceded and post-dated Martin Luther King (1929–1968) by decades. However, on 19 January 2022, the school district canceled Butler's presentation, saying that it wanted to review it and citing concerns over "critical race theory" – even though the lecture had nothing to do with the topic. One day before, a state Senate committee had advanced legislation at the behest of Republican Governor Ron DeSantis to block public schools

<sup>&</sup>lt;sup>368</sup> Scholars at Risk, <u>Factsheet 1</u> (1 February 2022); <u>Factsheet 2</u> (14 March 2022); American Historical Association, "<u>Bomb Threats against HBCUs: A History of Domestic Terrorism (February 2022)</u>" (statement; 22 February 2022); Erin Logan, "<u>Harris Announces Grants for HBCUs that Received Bomb Threats</u>," *Los Angeles Times* (16 March 2022); Sara Weissman, "<u>Federal Funds Announced for HBCUs after Bomb Threats</u>," *Inside HigherEd* (17 March 2022); ACLED, "<u>Fact Sheet: Threats Against HBCUs and Black-Majority Schools in the United States</u>" (20 April 2022).

Emily Rizzo & Katie Meyer, "Don't Discuss the Jan. 6 Insurrection with Students, a Bucks School District Tells Teachers," Whyy (5 January 2022).

<sup>370</sup> Rachel Treisman, "New York City's Natural History Museum Has Removed a Theodore Roosevelt Statue," NPR (20 January 2022).

and private businesses from making people feel "discomfort" when they were taught about race. Butler accused DeSantis of creating "a climate of fear." <sup>371</sup>

On 24 January 2022, the statue of Juan Ponce de Léon (1474–1521), a Spanish traveler who colonized the island of Puerto Rico in 1508 and became its first governor, was toppled in the capital San Juan hours before a visit of the Spanish King Felipe VI to mark the 500th anniversary of San Juan's founding in 1521.<sup>372</sup>

On 25 January 2022, the McMinn County Board of Education, Tennessee, decided to ban *Maus* – a 1972 Pulitzer prize-winning graphic novel by Art Spiegelman narrating how his parents survived the Holocaust – which had been taught to grade eight students (13–14 years), from the curriculum, citing as reasons profanity (swear words) and nudity (a scene where the prisoners in Auschwitz are stripped naked and beaten). After the ban, the novel topped the bestseller list. <sup>373</sup>

On 31 January 2022, Michael Phillips, a history professor at Collin College, a community college in McKinney, Texas, announced that his contract would not be renewed, despite reportedly highly positive evaluations. The non-renewal was allegedly related to an assignment Phillips had given to his students in the fall of 2021, when they had to write a paper on the history of pandemics and epidemics in North America. As preparation for the assignment, he gave a lecture on the 1918 Spanish Flu and the negative impact of anti-mask sentiments in the United States at the time – implicitly referring to Republican politicians in Texas who had forbidden public colleges to require face masks during the COVID-19 pandemic. Already in 2017, Phillips had come into conflict with his supervisors, after he had led a campaign to pressure the city of Dallas to take down its Confederate monuments.

Following the news about Phillips's dismissal, Benjamin Johnson, a history professor at Loyola University, Chicago, circulated a petition calling for an investigation into Collin College's academic freedom standards [See NCH *Annual Report 2021*]. Then, in late May 2022, Johnson was called in a meeting at his university, following an email of Collin College's President Neil Matkin in which he

Marc Caputo & Teaganne Finn, "Florida School District Cancels Professor's Civil Rights Lecture over Critical Race Theory Concerns," NBC News (24 January 2022); Laura Meckler & Hannah Natanson, "New Critical Race Theory Laws Have Teachers Scared, Confused and Self-Censoring," Washington Post (14 February 2022).

<sup>&</sup>lt;sup>372</sup> "Puerto Rico: Statue of Spanish Explorer Toppled Before King Felipe's Visit," Guardian (24 January 2022).

<sup>373</sup> Jeet Heer, "Maus in Tennessee: Censoring Spiegelman's Masterpiece Is Fear of Honest History," The Time of Monsters (27 January 2022); Ruth Smeeth, "You Cannot Tell the Story of the Holocaust without Challenging Imagery," Index on Censorship (27 January 2022); "Tennessee School Board Defends Ban of Holocaust Novel Maus," BBC News (28 January 2022); "Maus: Graphic Novel Tops Amazon Best-Sellers after School Ban," BBC News (31 January 2022); "Whoopi Goldberg Slammed for Saying Holocaust Not about Race," BBC News (1 February 2022).

pressed Loyola University's President on whether Johnson had been "speaking for the institution" when circulating the petition.<sup>374</sup>

On 18 February 2022, Lieutenant Governor Dan Patrick said that he would propose to end professor tenure for all new hires at Texas public universities and colleges in an effort to combat faculty members who allegedly "indoctrinated" students with teachings about critical race theory [See above]. His declaration came after the Faculty Council at the University of Texas at Austin on 14 February 2022 approved a measure reaffirming instructors' right to teach about racial justice and critical race theory in the classroom. The American Association of University Professors condemned Patrick's plan. 375

In [late April] 2022, the statue of Marjorie Tallchief (1926–2021), the most famous Native American ballerina, was vandalized, stolen, and sold for scrap. The statue, erected in 2007, was part of the "Five Moons" installation honoring Native ballerinas from Oklahoma in front of the Tulsa Historical Society & Museum.<sup>376</sup>

On 7 May 2022, the Hindu American Foundation (HAF) filed a lawsuit in District Court for the District of Columbia against the leaders of Hindus for Human Rights, the Indian American Muslim Council, the Federation of Indian American Christian Organizations of North America, and Rutgers University historian Audrey Truschke, for defamation and conspiracy to defame HAF. In early April 2021, they were quoted in two Al Jazeera articles presenting claims that HAF misappropriated funds to support violence and "slow genocide" against Christians and Muslims in India. According to the complaint, Truschke republished the statements, while accusing HAF of organizing violent threats against her. 377

On 11 May 2022, the Federal Indian Boarding Schools Initiative – an investigation unit set up in June 2021 by Interior Secretary Deb Haaland (following the news of mass graves found on the terrain of former residential schools in Canada [See NCH *Annual Report 2021*]) to investigate the amount of indigenous children that died at Native American boarding schools – published its first report. It outlined that the Native American boarding schools were part of a countrywide assimilation system that

<sup>&</sup>lt;sup>374</sup> Michael Vasquez, "<u>Days After Settling a Lawsuit, a Texas College Ousts Another Outspoken Professor</u>," Chronicle of Higher Education (31 January 2022); Simone Carter, "<u>Chicago Professor Claims Collin College Attempted to Crack Down on His Free Speech, Too</u>," *Dallas Observer* (31 May 2022).

Attempted to Crack Down on His Free Speech, Too," Dallas Observer (31 May 2022).

375 Kate McGee, "Lt. Gov. Dan Patrick Proposes Ending University Tenure to Combat Critical Race Theory Teachings," Texas Tribune (18 February 2022); Colleen Flaherty, "Texas Lt. Governor Slams 'Looney Marxist' Professors, CRT," Inside HigherEd (18 February 2022).

<sup>&</sup>lt;sup>376</sup> Jonathan Edwards, "<u>Statue of Famed Native American Ballerina Stolen and Sold for Scrap</u>," Washington Post (3 May 2022); Cynthia Prescott, "<u>The Monument Controversy Nobody Is Talking About</u>," Washington Post (26 May 2022).

<sup>&</sup>lt;sup>377</sup> Hindu American Foundation, "<u>Hindus for Human Rights & Indian American Muslim Council Leaders</u>, Rutgers Professor Audrey Truschke Sued for Defamation and Conspiracy against HAF" (7 May 2022).

Network of Concerned Historians, *Annual Report 2022* (August 2022)

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was part of a broader policy to take land from indigenous people. Additionally, it found at least 53 separate burial sites at federal Native American boarding schools, arguing that further investigation

would likely see the total number of children having died climb to thousands or tens of thousands.

Following the report, the National Native American Boarding School Healing Coalition called on Pope

Francis to open the Catholic Church's records related to the boarding school system. <sup>378</sup>

See also China, Colombia, Cuba, Honduras, India, Italy, Netherlands, Russia, Turkey, Ukraine, United

Kingdom, Vietnam.

**URUGUAY** 

Previous *Annual Report* entries: 2001–2013, 2015–2018, 2021.

**UZBEKISTAN** 

Previous Annual Report entries: 2005–2014, 2016, 2020.

<sup>&</sup>lt;sup>378</sup> Hilary Beaumont, "US Gov't: At Least 53 Burial Sites at Indigenous Boarding Schools," Al Jazeera (11 May 2022).

Network of Concerned Historians, *Annual Report 2022* (August 2022)

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**VATICAN** 

Previous Annual Report entries: 1996, 1998, 2000, 2004, 2009, 2011, 2015, 2019–2020.

On [23] June 2022, Pope Francis ordered the online and openly accessible publication of 170 volumes of files from the archives of Pope Pius XII (1876–1958). The documents had already been available for consultation by scholars since March 2020, with the purpose to shed light on the role of Pope Pius XII in connection with the Holocaust, among others [See NCH Annual Reports 1998, 2000, 2004, 2011, 2015, 2020].379

See also Canada, United States.

**VENEZUELA** 

Previous Annual Report entries: 2001, 2003–2004, 2006, 2009–2010, 2012, 2014, 2017–2021.

**VIETNAM** 

Previous Annual Report entries: 1996–2006, 2009–2013, 2016–2017, 2019–2020.

Fifty years after the publication of the Pentagon Papers in 1971, outlining the secret political and military involvement of the United States in Vietnam, the ruling Communist Party of Vietnam remained steadfast in its refusal to declassify national historical records about the Vietnam War (1955–1975).<sup>380</sup>

In February 2022, Human Rights Watch reported that house arrests of human rights activists often coincided with key events or dates on the national calendar, such as national and religious holidays, or commemorative events. Particularly sensitive commemoration days included 30 April (commemoration of the end of the 1954–1975 war); 26 June (United Nations International Day in Support of Victims of Torture); 2 September (Vietnam National Independence Day); and 10 December (International Human Rights Day).

<sup>&</sup>lt;sup>379</sup> "Pope Francis Orders Online Release of Second World War-Era 'Jewish' Files," Guardian (23 June 2022).

<sup>&</sup>lt;sup>380</sup> Lien-Hang Nguyen, "In Vietnam, the Pentagon Papers Are History Written by the Defeated," New York Times (9 June 2021).

Due to the historical relationship between Vietnam and China, many Vietnamese activists were anti-China protesters. Hence, many of the "sensitive" days during the year when activists were put under house arrest were related to China, including: 19 January (commemoration of the 1974 Battle of Paracel Islands between naval forces of South Vietnam and China); 17 February (commemoration of the 1979 Sino-Vietnamese border war); 14 March (commemoration of the 1988 Gac Ma battle (also known as the Johnson South Reef Skirmish between Vietnam and China) [See *NCH Annual Report 2016*]; and 1 October (China Independence Day).

Hòa Hảo Buddhist practitioners who refused to join state-sanctioned churches were subject to house arrest at least four times a year: the founding day of the Hòa Hảo religion (4 July 1939) and the anniversaries of the birth (15 January 1920), the disappearance (18 March 1947), and the death (16 April 1947) of its founder Huỳnh Phú Sổ [See *NCH Annual Report 2016*].<sup>381</sup>

See also Cambodia, Korea, South.

<sup>&</sup>lt;sup>381</sup> Human Rights Watch, "Locked Inside Our Home": Movement Restrictions on Rights Activists in Vietnam (New York: HRW, 2022), 3–4, 17–19, 25–26, 43–44, 46–47, 49, 52, 70–75.

# WESTERN SAHARA

See Morocco / Western Sahara

### YEMEN

Previous *Annual Report* entries: 2001, 2003, 2010, 2013–2016, 2018–2021.

On 7 October 2021, the United Nations Human Rights Council shut down its investigation into war crimes committed during the Civil War (2014–), after Saudi Arabia lobbied heavily against a Netherlands-led resolution to give the independent investigators another two years to monitor atrocities. More than 100,000 people were killed and 4 million had been displaced in the conflict. 382

<sup>382 &</sup>quot;We Have Failed Yemen': UN Human Rights Council Ends War Crime Probe," Guardian (7 October 2021).

### ZAMBIA

Previous Annual Report entries: 2009, 2015, 2021.

# ZIMBABWE

Previous Annual Report entries: 1998–2001, 2004, 2006, 2008–2015, 2018, 2021.