

## *Affinity Group on Documents and Confronting the Past Conference Report*



*Symbolic cemetery near Halabja in Kurdistan, Iraq*

***May 3-8, 2006  
Sulaymaniyah, Kurdistan, Iraq***



## Introduction

The Affinity Group on Documents and Confronting the Past met for six days, May 3-8 2006, as part of a series of meetings to exchange ideas, information, and techniques to address the myriad strategic and technical challenges that member groups face. The following representatives from Affinity Group members were in attendance:

- Documentation Center – Cambodia ~ Youk Chhang and Wynne Cougill
- Guatemalan Forensic Anthropology Foundation ~ Fredy Peccerelli
- Human Rights Education Institute of Burma ~ Patrick Pierce and Khin Maung Shwe
- Humanitarian Law Center (Serbia) ~ Natasa Lambic
- International Center for Transitional Justice ~ Louis Bickford and Marijana Toma (resource person)
- Iraq Memory Foundation ~ Hassan Mneimneh

Previous meetings were held in Phnom Penh, Cambodia (March 2005); Belgrade, Serbia (June 2005); and Guatemala City, Guatemala (November 2005). The thematic focus of this conference in Kurdistan was on oral history and memorialization. While the conference was successful in bringing together the Affinity Group members, it also served to gather over 150 people, who came from various parts of Iraq.

The conference was held in three parts (two days each):

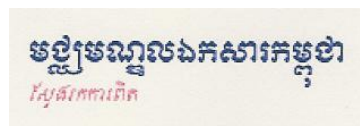
- *Kurdistan Case Study* – Affinity Group members learned about the Kurdistan and Saddam-era context through presentations by local officials and colleagues as well as a site visit to the Red Security compound and Halabja Memorial.
- *Transitional Justice, Oral History, and Memorials* – Affinity Group members and Iraqi conference participants held presentations and discussions on these themes.
- *Developing an Iraqi Network* – Iraqi participants held a series of discussions to establish a mechanism for collaboration on human rights documentation. Affinity Group members observed this portion of the conference and provided feedback and suggestions as appropriate.

In addition, the Affinity Group members fit in several meetings to cover organizational updates, ongoing project activities, and strategic planning.

## Kurdistan Case Study

As in the Guatemala meeting, the Affinity Group started by getting familiarized with the local and country context. Presentations by the Head of the Iraqi Commission for Civil Society Enterprise, the Director of the International Human Rights Law Institute's Iraq History Project, the former Minister of Culture for the Kurdistan Regional Government, and the Erbil Minister of Human Rights provided rich context on the state of civil society and human rights in Kurdistan.

A review of the development of civil society in Iraq led to a variety of insights that helped put in context the upcoming interaction with over 100 representatives from Iraqi civil society organizations. Three main points emerged from this overview:



- Civil society is not a new phenomenon in Iraq. Civil society pre-dates the regime and was a healthy and active aspect of Iraqi life prior to period of dictatorship. Therefore, dictatorship is an aberration in Iraqi society in its ability to have civil society in addition to state.
- Since the fall of the regime, there has been a top-down approach to development, with a heavy hand from the international community and particularly the U.S., especially with the role of money. Money given affects the role and format of civil society organizations. A bottom-up initiative to group together civil society organizations with grassroots function is aiming to develop a shadow parliament to monitor the functioning of the government
- Not only has money and a top-down approach caused deterioration of civil society but also of democracy itself. It is sectarian and tied to money.



**Figure 1** Kurdistan Deloy of the Iraq History Project, International Human Rights Law Institute (brown scarf, far side of table) and Dr. Muhammad Ihsan, Minister of Human Rights, Kurdish Regional Government – Erbil (near side of table, orange tie) brief the Affinity Group.

Arabization campaign aimed to change the demography of Kurdistan. The Affinity Group made site visits to the Red Security compound and to Halabja in order to more fully understand the situation in Kurdistan.

The Red Security compound in Sulaymaniyah, now a museum, housed the headquarters of internal security forces of the Saddam regime, the Directorate of General Security. It was known as “Red Security,” red representing the color of the building (now faded) as well as the blood of the people who were killed. The compound consists of six buildings, including an administrative block and cells.

Now a museum, the various displays commemorate the victims of the Anfal campaign. In one hall, 182,000

Regarding the Kurdistan context, the limited independence that the region had after the 1991 withdrawal of Iraqi troops allowed for communities and the regional government to start addressing the violent past. Affinity Group members learned of transitional justice efforts that have been made, including the exhumation of mass graves, building of memorials, parliamentary debates on government policy, and a large number of books written on the Saddam-era human rights violations.

Some of the most severe violations in Kurdistan occurred in the late-1980s with the Anfal campaign that included the chemical attack on Halabja. In addition, an ongoing



**Figure 2** Red Security Compound

chards of glass, the estimated number of Anfal victims, form a mosaic. 5,000 light bulbs in the building represent the estimated number of villages destroyed. Other exhibits contain photos of the chemical attacks carried out in Halabja and other atrocities, as well as marking the Kurdish resistance to the Saddam regime. Additional exhibits demonstrate the equipment and methodology used to torture the victims.

Participants visited Halabja and the memorial built to commemorate the victims of the 1988 chemical attacks that instantly killed at least 5,000 people in the village. Many more villagers have endured ongoing injuries and long-term illnesses. In March 2006, demonstrators gathered in front of the memorial, protesting the government policies in the transition that did not prioritize local services and compensation for Halabja victims. They set the memorial on fire and, while the structure is still standing, much of it was destroyed. 95% of the artifacts and art pieces were burnt. A committee of experts and artists will be formed to develop a plan to repair the damage.



**Figure 3** Partially burnt Halabja Memorial

During the Affinity Group’s visit to the Halabja memorial, a number of issues related to memorialization were discussed, including:

- *Community involvement in the design of the memorial* – Representatives of the memorial committee and local officials consider the memorial as artistic and doubt that locals have the capacity to contribute to discussions about its design. Artists from Sulaymaniyah were consulted in the design. Affinity group members tended to support involvement of “stakeholders,” a broader category than “experts”.
- *Doubts about the identity of the demonstrators* – Local officials believe that the demonstrations turned violent because some non-local saboteurs incited the crowd. Some demonstrators tried to prevent the memorial from being torched.
- *Location* – The memorial is located not on the site of the killings but outside the city of Halabja, and there were some questions about the (dis)connection between the community and the memorial.

### Transitional Justice, Oral History, and Memorials

Following the two-day Kurdistan case study, the conference moved to its second phase on Transitional Justice, Oral History, and Memorials with over 150 people who traveled from all over Iraq to attend the conference. The following partial list illustrates the regional and interest diversity of Iraqi participants:

	Name	Name of Organization	Place of Residence
.1	Haeder Ra'ad Hadi	Iraq Memory Foundation	Baghdad
.2	Ayad Abdulghafur	Iraq Memory Foundation	Baghdad
.3	Sa'ad Mahmud	Iraq Memory Foundation	Baghdad
.4	Raji Zuhair	Iraq Memory Foundation	Baghdad
.5	Dhia' Muzhir	Iraq Memory Foundation	Baghdad
.6	Ammir Himud	Iraq Memory Foundation	Baghdad
.7	'Thai'r al-Badri	Iraq Memory Foundation	Sulaymaniyah
.8	Judge Rizgar Muhammad Amin	Iraq Special Tribunal, Former Chief Judge	Sulaymaniyah
.9	Basil Abdulwahab al-Azzawi	Iraqi Commission for Civil Society Organizations	Baghdad
.10	Salwa Chiu	-	Baghdad
.11	Kurdistan Daloye	Iraqi History Project	Sulaymaniyah
.12	Pakzad Taha Baban	Iraqi Special Tribunal	Sulaymaniyah
.13	Muhammad Husayn al-Musawi	Iraqi Center for Transitional Justice in the South	Basrah
.14	Karimah Hasan Husayn Kamil	Basrah Municipal Council	Basrah
.15	Jwad Jabbar Thamer	Iraqi Network of Political Prisoners	Samawah
.16	Zainab Badr Abd	Human Rights Organization-Babylon	Babil
.17	Murtadha Abdulkarim al-Ruba'i	Union of Political Prisoners	Basrah
.18	Abdulrazaq al-Musawi	Al-Shahid Foundation	Basrah
.19	Adil Ali al-Musawi	Foundation of the Supporters of Civil Society	Baghdad
.20	Amir Fadhil Karim	Human Rights Organization-Baghdad	Baghdad
.21	Muhannad al-Kinnani	Human Rights Watch of Karbala'	Karbala'
.22	Haydar Kadhim al-Awadi	Survey of Mass Graves and Missing Persons	Samawah
.23	Wa'di Sulaiman Ali	Duhuk University	Duhuk
.24	Jutyar Muhammad Rashid Saddiq	Duhuk University	Duhuk
.25	Su'd Mustafa Najm	Kurdistan Civil Rights Organization	Duhuk
.26	Salah Abdullah Zaru	Kurdistan Human Rights Organization-Duhuk-Bureau	Duhuk
.27	Ibrahim Hama Ways	Halabja Monument	Sulaymaniyah
.28	Wazirah Jalal	New Life Organization	Sulaymaniyah
.29	Namo Sharif	Civil Society Initiative	Sulaymaniyah
.30	Shurash Muhammad Amin	Civil Society Initiative	Sulaymaniyah
.31	Aminah Mahmud	Kurdish Elections Institute	Sulaymaniyah
.32	Hindarin Shaikh Uthman	Organization for the Development of Law and Civility	Sulaymaniyah
.33	Bakhtiar Abdullah	Badlisi Cultural Center	Sulaymaniyah
.34	Farhad Nuri Muhammad	Hataw Organization	Sulaymaniyah
.35	Banaz Umar Mahmud	Kurdish Human Rights Watch	Sulaymaniyah
.36	Hoshyar Salam Malu	Kurdish Human Rights Watch	Sulaymaniyah
.37	Ayad Kadhim al-Fatlawi	High Commission for Civil Society Organizations	Baghdad
.38	Mahdi Abdullah Sa'ad	High Commission for Civil Society Organizations	Baghdad
.39	Yahyyah Nasrallah Darwish	Organization for the Defense of Political Prisoners	Baghdad
.40	Abdulrazaq Majid Yassin	Political Prisoners Foundation of Iraq	Baghdad



.41	Suzan Ramadhan Muhammad	Peace Organization	Kirkuk
.42	Imad Majid	Human Rights Organization	Diyalah
.43	Azad Qaddir Rashid	Political Prisoners Organization	Kirkuk
.44	Thuraya al-Barzanji	Children Peace Organization	Kirkuk
.45	Silvana Gorani	Basic Human Rights Organization	Kirkuk
.46	Yaqub Yusif al-Amir	Capacity Building Institute	Kirkuk
.47	Fatah Fuad Muhammad	Iraqi Human Rights Institute	Kirkuk
.48	Zahrah Salih Jasim	Love and Peace Organization	Kirkuk
.49	Awat Umar Rasam	Foundation of Halabja Chemical Attack Victims	Halabja
.50	Ayid Muhsin al-Khaza'i	Middle Euphrates Union of Civil Society Organizations	Diwaniyyah
.51	Abdulmir Majid Abdulhusayn	Iraqi Human Rights Foundation of Diwaniyyah	Diwaniyyah
.52	Mudh-hir Ni'ma Hamud Abud	Iraqi Charity Foundation-Kut	Kut
.53	Khalid Sulayman Issa	-	Canada
Participants from Sulaymaniyah—Activists in the area of Documentation and Memorialization			
.54	Abdullah Karim	-	Sulaymaniyah
.55	Abbas "Video"	-	Sulaymaniyah
.56	Muhammad Hama Salih	-	Sulaymaniyah
.57	Fatih Latif Faraj	-	Sulaymaniyah
.58	Najibah Mahmud	-	Sulaymaniyah
.59	Amal Jalal Muhammad	-	Sulaymaniyah

Louis Bickford from the ICTJ and Marijana Toma (currently with the ICTJ, formerly with Affinity Group member Humanitarian Law Center) served as resource people, giving presentations on the three topics: transitional justice, oral history, and memorialization. Youk Chhang from DC-Cam and Fredy Peccerelli from FAFG also gave presentations about Cambodia and Guatemala, respectively, that touched on these themes.

The introductory presentation on transitional justice led to rich discussions and provided a unique opportunity – the first for many of the Iraqi conference participants – to debate and connect with others from Iraq on issues of truth telling, reparations, and institutional reform. The “question and answer” session that followed provided nuance to the role (or non-role) of forgiveness and religion in the mandates and implementation of truth commissions, with Louis Bickford pointing out that truth commissions *may* be about forgiveness, but encouraging the participants not to equate the idea of a truth commission with forgiveness. By way of example, the South African Truth and Reconciliation Commission (TRC), with Archbishop Tutu as the chair, made a strong link to forgiveness; on the other hand, the Peruvian TRC had a direct channel to prosecutorial authorities.

Cambodia and Guatemala were of particular interest to the participants, so Youk Chhang of DC-Cam and Fredy Peccerelli of FAFG provided detailed country case studies.

Fredy Peccerelli’s case study on Guatemala looked at FAFG’s work with mass graves from the perspective of memorialization. The background on Guatemala – over 30 years of armed conflict, 160,000 killed, 40,000 disappeared, and ethnic discrimination as a component of the



military’s violence – struck a familiar chord with the Iraqi participants. Questions arose about the development of a domestic team to deal with mass graves, and Fredy held additional side meetings after his presentation to advise interested participants. An active team from Southern Iraq discussed with Fredy the particular difficulties they have encountered, underlining both their commitment to the recovery of mass grave victim remains and their awareness of the importance of the task. Fredy provided a comparative perspective while stressing the idiosyncratic nature of any local effort.

Youk Chhang’s personal account of life during Khmer Rouge rule prompted participants to compare the situation with Iraq, asking among other things, whether there were any efforts to hold forces outside of Cambodia accountable for their role in the atrocities, and how DC-Cam is able to bring perpetrators and victims together at the same table. With the trials of the Khmer Rouge leaders about to begin, Youk emphasized the importance of the prosecutions as a preliminary step toward dealing with the past atrocities. He also explained DC-Cam’s long term goal of becoming a permanent institution to preserve the memory of the genocide in order to guard against a recurrence.



**Figure 4** Iraqi conference participants

Marijana Toma’s presentations on oral history introduced the history of the field, placing it especially in the context of how communities that were under some foreign or oppressive rule, lacking the chance to develop independent ways of recording their histories, developed oral traditions as a means of transferring memory.



**Figure 5** Translator and Marijana Toma, responding to questions on oral history

In the modern era, the field gained respect following World War II as historians sought explanations for how the Holocaust became possible. The field also experienced a rapid development in the 1980s through the use of new digital technologies that revolutionized the methodologies and access to interviews. As a result, oral history as a discipline has spread outside of university buildings into museums and libraries, for example, and has shifted from focusing on those who “created” events to those who participated in or were influenced by history. Democratization throughout the world in the 1980s and 1990s added another element to oral history, providing a way for those who suffered under

oppressive regimes to record their memories of what happened, since they were those who were “erased” from official versions of the past.

Against this background, Marijana presented some key problems in the field of oral history gaining acceptance as a methodology to record the past. On the issue of reliability, she emphasized that while memory does change over time and people do deliberately lie, one should not romanticize paper documents as somehow fully reliable, as documents can be forged or simply untrue. Likewise, documents can also ignore events from the past, a gap that oral history is well positioned to fill. Another critique of the field is concerned about the independence or bias of the oral historian. Marijana promoted the view that the oral historian must engage in the interview as much as the interviewee, though in a very careful manner. Oral history is not plain story telling, and if in the desire to remain unbiased, the historian sacrifices by allowing things to be left unsaid, the process can be jeopardized.

In her presentation on oral history methodology, Marijana emphasized the importance of preliminary research to understand the context of the event or period of time that the interviewee would be discussing. While preparing questions is also an important aspect, flexibility in the interview based on familiarity with the context makes for the highest quality methodology.

Marijana's presentation prompted a spirited discussion among the conference participants, addressing issues of reliability, methodology, and the constraints of conducting oral history in post-conflict societies. Discussions dealt with the ethics of asking for information from people who have suffered trauma, interviewing children, taking into the account the fear that people



**Figure 6** Panel discussion on oral history

may have to talk about past atrocities, and the potential distortion of events or outright deception by an interviewee. Members of the Affinity Group also provided feedback in the form of a panel discussion, each detailing how oral history is used in their work on the documentation of human rights violations, including cultural constraints on recording interviews with the Maya of Guatemala, collaborative oral history efforts in Burma and the former Yugoslavia, and the use of oral history to document the genocide of Cham Muslims in Cambodia under the Khmer Rouge. An

interesting discussion emerged from this panel, with a conference participant challenging the panelists about the ethics of gathering information from victims when they have very real humanitarian needs that may not be met. The participant wanted to know, is it not more important to prioritize giving support to victims rather than extracting information from them? While panelists' responses varied, including explanation of some humanitarian assistance that their organizations provide in some cases, they reached a general consensus that every organization cannot meet every need of victims/survivors, and that through documentation and advocacy, the organizations aim to work at a societal level to improve people's lives. In addition, they frequently make referrals on individual cases to appropriate service providers.

Louis Bickford’s presentation on memorialization covered a variety of related topics and provided a number of examples of memorials from around the world. The presentation began with an exploration of why people choose to build memorials, including having a way to remember the past, providing a space for private reflection, encouraging reconciliation, and educating society. Reviewing examples such as Tuol Sleng in Cambodia and the Santiago Cemetery in Chile, participants considered how memorials are used for truth-telling, reclaiming sites of trauma, and as a form of symbolic reparations. In addition, Louis presented a number of examples of some controversies and problems with memorialization. These included some memorials that people may see as divisive, or memorials that glorified a past, oppressive regime. With such varied motivations for building memorials, Louis also asked whether interpretation of memorials should be part of their design. The presentation sparked a lot of interest among conference participants. Questions ranged from the appropriateness of changing street names that were imposed by the Saddam regime to whether using memorials to promote tourism is ethical. Several of the participants highlighted the extremity to which Saddam Hussein went to have his image displayed throughout Iraq, and participants debated what should be done with those types of memorials.



Figure 7 Collage of memorials from Louis Bickford's presentation

### Developing an Iraqi Network

To introduce the third phase of the conference, staff from the Iraq Memory Foundation gave presentations about their work, emphasizing that everyone gathered shared the common aim to document what happened under Saddam Hussein in order to prevent it from happening again, and documentation procedures are key to the effectiveness of those efforts. A wide-ranging discussion ensued, aptly moderated by Hassan Mneimneh who kept the focus on documentation efforts. The challenge was to concentrate on the technical aspects of documentation, avoiding



digressive discussions on the uses of documentation, given the wide range of interests and underlying political ideologies of the participants.

From the discussion it became apparent that, in general, document management approaches took little account of two main threats to an unguarded document pool: attrition and pollution. Valid documents are subject to deterioration, both spontaneous and induced, while additional invalid documents are added, inadvertently or deliberately, to document collections. Participants highlighted examples of each of these situations in the course of their descriptions of document processing methodologies.

The exercise raised awareness on the need for more stringent procedural systems, as well as on the need for an agreed-upon common ground in document processing. Such developments would allow the sharing of information without data loss. By the end of the session, participants agreed to share information on the origins, scope, and content of their documentary holdings, as well as a detailed description of the procedures currently in application for their management. Before the conference wrapped up, Affinity Group members provided feedback to the participants on the collaborative process, highlighting lessons learned from their own experience and offering encouragement.

Affinity Group Organizational Sessions

*Organizational Updates*

Iraq Memory Foundation

In addition to introducing the Iraq Memory Foundation staff from Baghdad, Hassan Mneimneh solicited advice regarding the mandate of the Iraq Memory Foundation as a mirror for Iraqi society to face its dark past. Upon its founding, it was hoped and believed that the dark chapters in Iraqi history would be closed with the fall of the Saddam Hussein regime. Unfortunately, the horrors of the post-regime period were a continuation as well as an exacerbation of the previous tragedy. The Iraq Memory Foundation was therefore often asked to modify its mandate to cover the period since 2003. Opinions on this possible extension varied, and on the first day of the meeting, we held a discussion on the issue with comparative perspectives from all Affinity Group members. In the end, the Iraq Memory Foundation made the decision not to modify the original mandate, i.e. to limit the focus of the IMF to the Ba’th era. DC-Cam, with its focus on the Pol Pot era at the exclusion of other tragic episodes of Cambodian history, served as a base model.

Documentation Center – Cambodia

Much of DC-Cam’s work is focused on the upcoming trails of Khmer Rouge leaders, anticipated for 2007. With the focus on leaders, there is still a big debate about what to do about the rank and file. While DC-Cam supported the creation of the tribunal, its role now is to work with both defense and prosecutor teams and to monitor the tribunal’s implementation. One initial concern was that the tribunal has only one staff person and no budget for its protection program, and





they expect to use government programs to fill the gap. For the long-term, DC-Cam is evolving into a permanent research institute that will include a museum, a school, and a research function.

#### Human Rights Education Institute of Burma

HREIB's work continues on trainings and documentation. They conduct transitional justice trainings with various Burmese groups and facilitate a network of Burmese groups involved in human rights documentation. An update on the situation in Burma includes two major recent events. The government recently moved the capital from Rangoon to Pyinmana. Many theories are circulating for why they did this – astrology, military strategy, and/or concern about an alliance between civil servants and the pro-democracy movement, especially students and the National League for Democracy. The second major recent development was the recent attack in the Karen area. Karen are a large ethnic nationality in Burma with whom the Burmese military has been fighting for decades. The Burmese military launched its largest offensive in a decade in late April, resulting in 11,000 displaced. 1,000 of the displaced have fled to Thailand; 10,000 are internally displaced.

#### Humanitarian Law Center

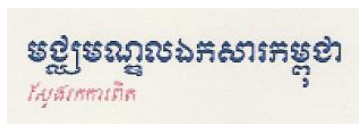
In HLC's work on documentation, they have continued adding to their database with film holdings as well as Bosnian-Croatian-Serb (BCS)-language documents and trial transcripts, and have made this material more accessible to people. With a strong commitment to regional cooperation, HLC conducts activities to educate the public about what happened from 1991-99. In response to the effect of Slobodan Milosevic's death on their work, Natasa responded that they have one less trial to monitor.

#### Guatemalan Forensic Anthropology Foundation

Just before the last meeting in Guatemala, Fredy Peccerelli and his family had received another series of death threats. He developed a case to bring to the Inter-American Court because the Guatemalan government has failed to adequately investigate the case or improve security. That move prompted the Guatemalan government to act, particularly in beefing up security. Fredy also reported that FAFG's work is expanding to include not only the exhumation of mass graves, but also a human identification project (using documents, fingerprints, DNA, and other sources). Additional projects include work on disappearances and involvement in the National Police Archives. Fredy also brought a message from the Guatemalan Human Rights Ombudsman's office inviting the Affinity Group to contribute to the formation of an international advisory board for the Archives, scheduled to launch in January 2007.

#### International Center for Transitional Justice

The ICTJ's Networks and Capacity Building Unit is developing a French-language fellowship program in Rabat. On knowledge management, the ICTJ is beginning to work with a management consulting firm to think through the creation, sharing, dissemination, and archiving of knowledge which will result in a re-imagined documentation center. On memorialization, the ICTJ is in the process of conducting a survey of memorials around the world and of international resources available for memorials, monuments, museums, etc.. The ICTJ has been part of the "sites of conscience" effort for looking at this.



*Work Plan*

The Affinity Group took the opportunity to further discuss the Documentation Handbook that will be developed and divide up the planned work on it. As a result, each Affinity Group member agreed to write short country case studies, including an introduction to the country, transitional justice status, and the role of the organization in the country setting. The country case studies will become the basis for a growing document, and when new groups join, they will be asked to add their country case study to the document. Next, to capture the thematic expertise among the group, each organization will develop a chapter (15-30 pages) on a specific theme, as follows:

- Documentation systems / knowledge management: *Iraq Memory Foundation*
- Security: *Human Rights Education Institute of Burma*
- Forensics: *Guatemalan Forensic Anthropology Foundation*
- Oral history: *Humanitarian Law Center*
- Memorialization: *International Center for Transitional Justice*
- Management of Documentation Efforts: *Documentation Center - Cambodia*

The handbook is scheduled to be completed at the next meeting in Guatemala, January 2007.



**Figure 8** (L to R) Affinity Group members Youk Chhang (DC-Cam), Khin Maung Shwe (HREIB), Hassan Mneimneh (IMF), Marijana Toma (ICTJ), Fredy Peccerelli (FAFG), Patrick Pierce (HREIB), Natasa Lambic (HLC), Louis Bickford (ICTJ), Wynne Cougill (DC-Cam)