

Displaced Archives and Shared Archival Heritage: A Bibliography



Expert Group on Shared Archival Heritage, International Council on Archives
co-ordinated by Dr Mandy Banton
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Introduction

The Expert Group on Shared Archival Heritage (EGSAH) was established by the International Council on Archives at its Congress in Seoul in September 2016. EGSAH provides a forum for discussion and ultimately the resolution of issues related to archives pertaining to the history and cultural heritage of more than one community, country or region where custody, ownership and access is unclear or in dispute. This may arise from war, military occupation, colonisation, the succession of states, or other adverse events. For further information about the group follow this link.

In November 2018, EGSAH presented its aims and objectives, together with examples of longstanding archival disputes, at the annual ICA conference in Yaoundé, Cameroon. A report of the panel was published in the ICA journal (Comma 2019, issue 1). Subsequently, EGSAH members agreed to compile a bibliography focusing on displaced (or migrated) archives; formal and informal claims by governments and by archivists, historians and other professional groups for the return of disputed archival collections or the free provision of digital copies, together with examples of bilateral solutions. It was to include information about the various surveys instigated to identify the range of claims, and the work at an international level undertaken over many decades by organisations such as the ICA, and its regional branches, and UNESCO. Initial work on the bibliography has revealed a wealth of relevant examples, scholarly debate, and accounts of attempts to address longstanding claims. Conversely, we have found relatively few examples of successful methods of addressing existing problems and establishing ways of ensuring genuine 'sharing'. Furthermore, current geographical coverage is poor and requires expansion. Our initial plan was to annotate each entry with the names of the countries or regions involved, the causes of displacements, and whether or not solutions have been found. This has been done in a few cases but has proved difficult for a number of reasons. Many items are of a general rather than specific nature, causes can be difficult to identify, and the position may have changed since a particular article was written.

One or two items address the parallel topic of the return of museum artefacts to the countries from which they were acquired. Others concentrate on the comparatively new concern for the decolonisation of archives. There are two documentary films.

The bibliography as it stands has been put together by EGSAH members and their contacts, co-ordinated by Dr Mandy Banton. We are particularly grateful for the work done by Frank Jarman and Leila Ratcliff, MA students in the Centre for Archive Studies at the University of Liverpool, who were introduced to us by Dr James Lowry.

The bibliography is a 'work in progress' which will be added to as further titles are identified. EGSAH will be grateful for notification of additional books, articles and other relevant material. Please contact programme@ica.org for any addition you would like to make.

Displaced Archives and Shared Archival Heritage: A Bibliography

"A COLUSO." Conarq.Arquivonacional.Gov.Br.
<http://conarq.arquivonacional.gov.br/a-coluso.html>.

Summary: The purpose of the Luso-Brazilian Commission for the Safeguarding and Disclosure of Documentary Heritage is to promote the exchange of information contained in the archival collections of mutual interest of the Governments of Brazil and Portugal, encouraging the organisation and inventory of documentary archival holdings, as well as the development and the exchange of documentary research elements under the custody of both countries, particularly those that respect the common history of the two countries.

Agostinho, Daniela. "Archival encounters: rethinking access and care in digital colonial archives." *Archival Science* 19(2), May 2019. DOI: 10.1007/s10502-019-09312-0.

Abstract: The year of 2017 marked the centennial of Denmark's sale of the former Danish West Indies to the United States of America, today the US Virgin Islands (USVI). The colonial archives figured prominently during the year-long commemorations in Denmark, as the Danish National Archives digitized and publicly released the colonial records of the islands of St. Croix, St. Thomas and St. John. Drawing on cultural theories as well as debates in archival science, this article proposes the notion of 'archival encounter' to centre the ethical-epistemological challenges of digitization and to emphasize the intersected problematics raised by the encounter between the colonial, the archival and the digital. The article begins by revisiting the history of these archives in order to situate the digitization of these records within debates on provenance, custody and access. It then introduces some of the debates taking place within the field of Atlantic slavery, as well as feminist and critical race theories, to argue that the digitization of the USVI records recasts questions about the limitations and possibilities of colonial archives. Furthermore, the article contends that digitality and datafication are indebted to colonial histories of quantification that structure the technological encounter with the colonial archive. Finally, the article builds on these theorizations to amplify recent calls for a feminist ethics of care in archival praxis. Drawing on postcolonial critiques, the article problematizes

and situates the notion of care within the colonial and non-innocent histories in which it is embedded, in order to align ethics of care with a critical reorientation of digital colonial archives. Marshalling a postcolonial feminist critique of care as a framework for thinking, the article suggests, can help us to realign archival encounters in ways that more pointedly confront the colonial legacies of our present.

Agostinho, Daniela, Katrine Dirckinck-Holmfeld and Karen Louse Grova Søjlen. "Archives that Matter: Infrastructures for Sharing Unshared Histories. An Introduction." Nordisk Tidsskrift for Informationsvidenskab og Kulturformidling. Vol 8, No. 2, 2019.
<https://tidsskrift.dk/ntik/article/view/118472/166423>.

Summary: In discussions about displaced colonial treasures, colonial archives are often neglected. Not so in Denmark. 2017 marked the centennial of the sale of the former colony the Danish West Indies to the United States, today the United States Virgin Islands. After the sale, most archives were relocated to Denmark, leaving the inhabitants of the islands without access to approximately 250 years of written and visual sources of history. At the occasion, the Danish National Archive, the Royal Danish Library's Photo and Map Collection, as well as other archives and collections in Denmark, undertook a mass digitisation of their archival records (1.2 km) from St. Croix, St. Thomas, St. John, Ghana and the transatlantic enslavement trade. And a seminar entitled "Archives that Matter. Digital Infrastructures for Sharing Unshared Histories" was organised in Copenhagen. Experts in digital heritage, artists, researchers and curators working in the field of colonial histories addressed the politics and ethics of mass digitization of colonial archives.

Anderson, David M. *Histories of the Hanged: The Dirty War in Kenya and the End of Empire*. New York, NY: W.W. Norton & Company, 2005.

*One of the two studies (the other is Caroline Elkins, *Imperial Reckoning*) that provided sufficient evidence to make possible the legal case brought by veterans of the Kenyan struggle for independence against the British government. It was that case that forced the Foreign and Commonwealth Office to admit its holding of displaced Commonwealth documentation.*

Anderson, David M. "Mau Mau in the High Court and the 'Lost' British Empire Archives: Colonial Conspiracy or Bureaucratic Bungle?" *The Journal of Imperial and Commonwealth History* 39, no. 5 (December 2011): 699-716.

Abstract: In April 2011, a landmark hearing before the High Court in London found that the British government had a case to answer concerning abuse and torture allegedly carried out by British officials in Kenya during the Mau Mau counter-insurgency. Prior to the hearing, it was revealed that the British government had removed some 1,500 'sensitive' government files from Kenya at independence, many of these relating to alleged abuses carried out during

the Emergency of the 1950s. This discovery then led directly to the revelation of a further tranche of 8,800 historical files relating to the decolonisation of 36 other former British colonies. This article explains the nature of the claims of torture and abuse made in the Kenya case in the High Court, and then describes the new evidence in the recently disclosed documents. The concluding section then discusses the Kenya case and the implications of the larger discovery of the 'lost' British Empire archive.

Places: United Kingdom, Kenya, British colonial empire.

Causes: decolonisation. Resolved? No.

Anderson, David M. "Guilty secrets: deceit, denial, and the discovery of Kenya's 'Migrated Archive.'" *History Workshop Journal* 80 (Autumn, 2015). Pp. 142–160,
<https://doi.org/10.1093/hwj/dbv027>

Abstract: In April 2011, the British Foreign and Commonwealth Office revealed that it was illegally holding a large archive of documents that had been removed from the former colonies at the point of independence. This included files taken from thirty-seven countries between the late 1940s and the 1970s. This revelation emerged as a consequence of a case mounted in the High Court to seek compensation for Kenyan victims of alleged abuse and torture during the Mau Mau rebellion of the 1950s. This article recounts how these 'migrated archives' were first removed from the colonies, and how their existence in Britain then came to light more than forty years later. Destruction and secrecy are the principal themes of this story, which raises wider questions about the censorship, control and ownership of archives.

Places: United Kingdom, Kenya, British colonial empire.

Causes: decolonisation. Resolved? No.

Archives-Libraries Committee Resolution on Migrated Archives (1977).
African Studies Newsletter, Vol. 10(6).

Available at:

<http://www.innovation.ukzn.ac.za/InnovationPdfs/No34p71Resolution.pdf>

Arquivos dos Dembos/Ndembu Archives/United Nations Educational, Scientific and Cultural Organization. (2019).

[http://www.unesco.org/new/en/communication-and-information/memory-of-the-world/register/full-list-of-registered-heritage/registered-heritage-page-1/arquivos-dos-dembos-ndembu-archives/;](http://www.unesco.org/new/en/communication-and-information/memory-of-the-world/register/full-list-of-registered-heritage/registered-heritage-page-1/arquivos-dos-dembos-ndembu-archives/)

http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/mow/nominations_forms/Portugal%20Angola%20Ndembu.pdf

Summary: Consisting of some 1,160 manuscript items on a variety of subjects from the late 17th century to the early 20th century, they were created and kept by African local authorities of Central Africa, in the north of Angola known as Dembos (Ndembu), of the Mbundu group, which organized state

archives. The documents were collected in Angola, in 1934, by António Almeida (1900-1994), a medical doctor and physical anthropologist. They were transferred to the AHU (Overseas Historical Archive) in three groups, from 2007 to 2009. Another part of the same holding is kept in the National Archives of Angola. Classified in 2011 as Memory of the World by UNESCO.

Arquivos dos Dembos/Ndembu Archives/United Nations Educational, Scientific and Cultural Organization. (2019). Unesco.org.
[http://www.unesco.org/new/en/communication-and-information/memory-of-the-world/register/full-list-of-registered-heritage/registered-heritage-page-1/arquivos-dos-dembos-ndembu-archives/;](http://www.unesco.org/new/en/communication-and-information/memory-of-the-world/register/full-list-of-registered-heritage/registered-heritage-page-1/arquivos-dos-dembos-ndembu-archives/)
http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/mow/nominations_forms/Portugal%20Angola%20Ndembu.pdf.

Summary: Consisting of some 1,160 manuscript items on a variety of subjects from the late 17th century to the early 20th century, they were created and kept by African local authorities of Central Africa, in the north of Angola known as Dembos (Ndembu), of the Mbundu group, which organized state archives. The documents were collected in Angola, in 1934, by António Almeida (1900-1994), a medical doctor and physical anthropologist. They were transferred to the AHU (Overseas Historical Archive) in three groups, from 2007 to 2009. Another part of the same holding is kept in the National Archives of Angola. Classified in 2011 as Memory of the World by UNESCO.

Artières, Philippe. "L'historien face aux archives." *Pouvoirs* 153:2 (2015): 85-93. DOI 10.3917/pouv.153.0085.

<https://www.cairn.info/revue-pouvoirs-2015-2-page-85.htm#>

Résumé: Quels rapports les historiens entretiennent-ils avec les archives ? Si chaque historien développe des pratiques singulières, on peut néanmoins dessiner une histoire sociale de cette relation du chercheur avec ces objets qu'il manipule, qui ne sont pas seulement la documentation de son travail. L'article retrace l'histoire très contemporaine de cette confrontation.

Abstract: What kind of relationship do historians maintain with the archives? While each historian develops singular practices, one may nevertheless write a social history of the relationship between researchers and the objects they use, which are not limited to the sources of their research. The article looks at the contemporary history of this confrontation.

Assembleia Legislativa da Região Autónoma da Madeira. (2005). Voto de protesto. Em Diário da Assembleia Legislativa, VIII Legislatura, II Sessão Legislativa (2005/2006), n.º10 de 2005-11-16(pp. 10–14). Assembleia Legislativa da Região Autónoma da Madeira.

Obtido de

http://www.alam.pt/images/stories/diarios_das_sesoes/legislaturas.antigas/diario_ii.sessao.2005.06/Diario.n.10.16.11.2005.pdf

Summary: This issue is an intra-national claim for the restitution of Madeiran archives owned by the National Archives "Torre do Tombo" to the Regional Government of Madeira. The archival holdings were transferred to the "Torre

do Tombo” in the late 19th century. The first request for the restitution was in 1932. No agreement between the regional government and the National Archives.

Places: Madeira, Portugal.

Assembleia Legislativa da Região Autónoma da Madeira. Resolução n.º3/2017/M, de 12 de janeiro, Pub. L. No. 3/2017/M, de 12 de janeiro (2017). Portugal.

Obtido de <http://data.dre.pt/eli/resolalram/3/2017/01/12/m/dre/pt/htm>.

Summary: This issue is an intra-national claim for the restitution of Madeiran archives owned by the National Archives “Torre do Tombo” to the Regional Government of Madeira. The archival holdings were transferred to the “Torre do Tombo” in the late 19th century. The first request for the restitution was in 1932. No agreement between the regional government and the National Archives.

Places: Madeira, Portugal.

Association of Commonwealth Archivists and Records Managers, position paper on the UK Foreign and Commonwealth Office “Migrated Archives,” 2017.

Available at: <https://acarmblog.files.wordpress.com/2018/10/acarm-position-paper-migrated-archives-adopted-20171125.pdf>.

Places: United Kingdom, British colonial empire.

Causes: decolonisation. Resolved? No.

Auer, Leopold. *Disputed Archival Claims: Analysis of an International Survey; A RAMP Study (CII 98/WS/9)* Paris, France: UNESCO, 1998.

Auer, Leopold. “Displaced Archives in the Wake of Wars.” In *Displaced Archives*, edited by James Lowry, 114-29. Abingdon: Routledge, 2017.

Abstract: In the event of armed conflicts, archives have been displaced for a variety of reasons ranging from their cultural value to purposes of intelligence. In view of the ongoing controversies over the restitution of Russian “trophy archives” or the repatriation of captured Iraqi intelligence documents, the issue of archives displaced through remains of importance up to the present day. The chapter focuses on the Napoleonic wars and on the two World Wars and their aftermaths, to provide historical context and inform the analysis of the development of international law with regard to the protection of cultural property.

Bader, Raëd, Akihito Kudo and Didier Guignard. “Des lieux pour la recherche en Algérie.” *Bulletin de l’institut d’Histoire du temps présent* 83, June 2004: 158–168.

Accessed Jun 1, 2020. <https://hal.archives-ouvertes.fr/hal-01400576/document>.

Badger, Anthony. "Historians, a legacy of suspicion and the 'migrated archives'." *Small Wars and Insurgencies* 23 (4-5) (2012): 799-80.

Abstract: The Foreign and Commonwealth Office charged the author of this article with the review and transfer of a large archive of colonial-era records, stored for many years at a government site at Hanslope Park near Milton Keynes, into the public domain by way of the National Archives at Kew. The discovery of this archive has raised considerable controversy in the press and bears on current court cases underway by alleged victims of violence meted out by colonial governments in places such as Kenya. This short essay examines the history of the unveiling and ongoing transfer of the treasure trove of colonial-era archival material.

Places: United Kingdom, British colonial empire.

Causes: decolonisation. Resolved? No.

Bailkin, Jordanna. *The Afterlife of Empire*. Berkeley, CA: University of California Press, 2012.

Bailkin, Jordanna. "Where Did the Empire Go? Archives and Decolonization in Britain." *The American Historical Review* 120:2 (2015): 884–899.

<https://doi.org/10.1093/ahr/120.3.884>.

Banton, Mandy. "Destroy? 'Migrate'? Conceal? British Strategies for the Disposal of Sensitive Records of Colonial Administrations at Independence." *The Journal of Imperial and Commonwealth History* 40, no. 2 (June 2012): 321-35.

Abstract: Publicity given in 2011 to the existence of a Foreign and Commonwealth Office 'migrated archive', now known also as the 'Hanslope disclosure', following a High Court demand for release of records relative to a case brought by former Mau Mau detainees, led me to explore files already in the public domain which might throw light on British policy towards the 'disposal' of locally created records of colonial administrations at independence. This article examines Colonial Office and Commonwealth Relations Office files concerned primarily with Kenya, Tanganyika, Nigeria and the Central African Federation, but which reveal much about policy and practice not only in sub-Saharan Africa, but also in Southeast Asia. Reasons for refusals to pass material to successor independent governments, and the underlying security concerns, are spelled out in the records; some indication of the volume of records destroyed or sent to London is given; methods of destruction and transmission are discussed; deliberate misinformation given to local politicians and officials is admitted; and tensions between the Foreign and Commonwealth Office and the Public Record Office, and between political expediency and archival practice, are revealed. The article continues with a discussion of ultimately inconclusive deliberations led by UNESCO in

the 1970s and 1980s which sought the return of, or access to, 'migrated' records 'in the search of historical truth and continuity'.

Places: United Kingdom, British colonial empire.

Causes: Decolonisation. Resolved? No.

Banton, Mandy. "'Lost' and 'found': the concealment and release of the Foreign and Commonwealth Office 'migrated archives'." In *Government Recordkeeping in Sub-Saharan Africa*, special issue of *Comma: International Journal on Archives*, 2012-1, edited by James Lowry. Liverpool University Press (2013). <https://www.ica.org/en/comma-2012-1-government-recordkeeping-in-sub-saharan-africa>

Abstract: A claim for damages brought by a group of elderly Africans against the British Government for alleged torture during the Kenyan 'Mau Mau' emergency in the 1950s and 1960s led to a demand by the High Court that all relevant documentation be produced. The Foreign and Commonwealth Office (FCO) subsequently admitted the existence of withheld official documents from 37 former British dependencies sent to London at decolonisation. This article examines the FCO's account of the long concealment of the collections and questions of ownership, and documents at the UK National Archives; it outlines British policy towards the disposal of colonial government records prior to independence and notes guidelines about the type of material that should not be passed to successor governments. Documents from the 'migrated archives' already made public note an increased emphasis on document security, which clearly fed into policy development. The article includes a brief account of international attempts to outlaw the future removal of documentation from its places of creation, and to establish a framework for the restitution of material so 'migrated', with reference to more general current discussions about migrated archives. Questions are raised about the extent to which the new material may add to our historical knowledge, about the utility of its cataloguing for other national archivists who wish to identify gaps in their own holdings, and about the decision to retain the collections in the UK.

Places: United Kingdom, British colonial empire.

Causes: Decolonisation. Resolved? No.

Banton, Mandy. "Displaced Archives in The National Archives of the United Kingdom." In *Displaced Archives*, edited by James Lowry, 41-59. Abingdon: Routledge, 2017.

Abstract: A continuing but low-key interest in 'displaced' archives was boosted by the belated admission by the British Foreign and Commonwealth Office (FCO) in 2011 that it held a hitherto concealed collection of sensitive colonial government records removed from British dependencies. This chapter outlines policy and practice behind such removals, and examines newly released papers describing custody of the documentation and disputes between the FCO and the UK National Archives as to its legal status. It

outlines displaced archives previously opened to the public without comparable controversy, and discusses the probability that many other UK collections may contain displaced material.

Banton, Mandy. "Precious Artefacts versus 'Dusty Files'." *The Round Table* 107 (3) (2018): 357-359.

<https://doi.org/10.1080/00358533.2018.1476097>

Banton, Mandy. "Shared Archival heritage: an exploration of problems and solutions. Report of the EGSAH panel at the Yaoundé conference." *Comma* 2019.1 (2019): 19-27.

<https://www.ica.org/en/comma-2019-1-yaounde-conference-2018miscellany>

Abstract: The recently appointed ICA Expert Group on Shared Archival Heritage (EGSAH) presented a panel at the 2018 Yaoundé Conference to publicize the remit, aims and high-level goals of the group, to outline problems associated with the removal of colonial-era documentation from the countries of origin, to provide examples of the comparatively rare methods by which solutions to such problems have been addressed, and to discuss impediments to such bilateral "sharing". Its primary focus on Africa, and the inclusion of African speakers, was designed to open up the possibility of a truly Pan-African approach. It addressed the conference themes of memory and heritage, and touched on that of governance. It was hoped that, in presenting a variety of case studies, the seven speakers would stimulate debate, engage a renewed interest both within the international archival community and more widely, and encourage the achievement of solutions to previously insoluble problems. This paper summarizes the individual presentations, outlines the subsequent debate, and, drawing on other contributions to the conference, stresses the need to renew the search for timely solutions to a decades-long problem.

Banton, Mandy. "History concealed, history withheld: the story of the Foreign and Commonwealth Office 'Migrated Archives' and the decades-long international search for redress." *Archives*, vol. LV, no.1 (2020).

<https://doi.org/10.3828/archives.2020.1>.

Abstract: In 2011 the Foreign and Commonwealth Office (FCO) reluctantly admitted its possession of documentation created by the governments of 37 former colonial dependencies, removed to the UK at independence, and held clandestinely for decades. The status of the papers, always uncertain, was sporadically debated within the FCO and in discussion with the Public Record Office/National Archives until the FCO obtained a legal opinion, details of which have not been made public, that they are UK public records. Papers concerning the drafting of the 1958 Public Records Act do not mention colonial governments, bodies which were never considered part of the UK central government. In the immediate pre-independence years, changes in document security classification and records management, introduced by the colonial administrations to keep sensitive papers from local ministers and officials, paved the way for the

destruction or removal of papers vital for continuing good governance. As 'displaced archives', the records are of continuing concern to the independent states, which seek repatriation, or the provision of free copies, and who are supported in their efforts by the international archival community. This article concludes with a brief discussion of the apparent lack of interest demonstrated by both media and the public, in stark contrast to the concern for museum collections similarly removed from British colonies.

Places: United Kingdom, British colonial empire.

Causes: Decolonisation. Resolved? No.

Barrera, Giulia. "Carte Contese: La spartizione degli archivi coloniale e i contenziosi internazionali in materia di archivi." In Ferneti, Paolo Bertella, Adolfo Mignemi and Alessandro Triulzi eds. *L'Impero Nel Cassetto: L'Italia coloniale tra album privati e archivi pubblici* (Milan and Udine: Mimesis Edizioni 2013): 13-28.

<https://www.saassipa.beniculturali.it/wp-content/uploads/2020/05/Barrera-2013-1.pdf>

Bastian, Jeannette. "A question of custody: The colonial archives of the United States Virgin Islands." *American Archivist* 64, no. 1 (2001): 321-335.

Abstract: This article examines the relationship between custody, access, and provenance through a case study of the records of a former Danish colony, the United States Virgin Islands. In 1917, when the United States purchased the Virgin Islands from Denmark, Danish archivists removed the majority of records created there during colonial rule and deposited them in the Danish National Archives. Following its establishment in the 1930s, the National Archives of the United States sent an archivist to the Virgin Islands to claim most of the remaining records and ship them to Washington. The native population of the Virgin Islands, primarily former colonials whose ancestors were brought from Africa as slaves, were left without access to the written sources that comprised their history. While all three parties have claims to custody of the records, the claim of the people of the Virgin Islands relies on an expanded definition of provenance that includes territoriality or locale, as well as on a custodial responsibility for access. The competing custodial claims suggest a dissonance between legal custody, physical custody, and archival principles that may be resolvable through post-custodial management practices.

Places: United States Virgin Islands, United States of America, Denmark.

Causes: Succession of states. Resolved? No.

Bastian, Jeannette. "Taking custody, giving access: a postcustodial role for a new century." *Archivaria* 53 (Spring 2002): 76-93.

RÉSUMÉ: Cet article considère la relation entre la garde des documents et leur accès en mettant l'accent sur le rôle vital que joue l'accès aux documents historiques dans la construction de la mémoire collective. Il explore le principe

de la garde des documents tel qu'il a été développé principalement dans le monde anglo-saxon, son arrière-plan historique ainsi que son évolution au milieu du XXe siècle en postcustodialism. Enfin il suggère que l'accès doit avoir un rôle primordial pour les archivistes ayant la garde des documents dans le siècle qui commence.

ABSTRACT: This article considers the relationship between custody and access focusing on the vital role that access to historical records plays in the construction of community memory. It explores the principle of archival custody as it has developed primarily in the English-speaking world, its historical background, its mid-twentieth century evolution into postcustodialism, and suggests that access be a primary role for the custodian in the new century.

Bastian, Jeannette A. *Owning Memory: How a Caribbean Community Lost Its Archives and Found Its History*. Contributions in Librarianship and Information Science, No. 99. Westport, Conn. And London: Libraries Unlimited, 2003.

Bastian, Jeannette. "Whispers in the archives: finding the voices of the colonized in the records of the colonizers." In *Political Pressure and the Archival Record*, edited by Margaret Proctor, Michael Cook and Caroline Williams, 25-44. Chicago: Society of American Archivists, 2016.

Bat, Jean-Pierre. "Les Archives de l'AEF". *Afrique & Histoire* 2009/1 (Vol. 7) (2009), 301-311.

<https://www.cairn.info/revue-afrique-et-histoire-2009-1-page-301.htm>.

Bat, Jean-Pierre and Vincent Hiribarren. "Les archives coloniales de Brazzaville." January 2015.

<https://archivescolonialesbrazzaville.wordpress.com>.

Bautier, R.-H. "Les Archives et le Droit International." In *Les Archives dans la Vie Internationale: Actes de la Sixième Conférence Internationale de la Table Ronde des Archives* [Warsaw, 1961], 11-56. Paris, France: Direction des Archives de France, 1963.

Bedjaoui, Mohammed. "Eleventh report on the succession of states in respect of matters other than treaties—draft articles on succession in respect of state archives". *Yearbook of International Law Commission* 2 (1979), pp. 67-124.

<https://digitallibrary.un.org/record/5864>

Bennett, Huw. *British Army Counterinsurgency and the Use of Force in Kenya, 1952–56*. PhD thesis, University of Wales, Aberystwyth, 2007.

Bennett, Huw. *Fighting the Mau Mau: The British Army and Counter-Insurgency in the Kenya Emergency*. Cambridge Military Histories. Cambridge: Cambridge University Press, 2013.

Berlière, Jean-Marc. "Archives interdites? Archives spéciales ? Quelques réflexions à propos des archives policières." *Histoire @Politique* 8:2 (2009): 94. DOI 10.3917/hp.008.0094.

Bernard, Philippe. "Le métissage des mémoires: un défi pour la société Française." *Hommes et Migrations* 1247, (2004): 27–35.
https://www.persee.fr/doc/homig_1142-852x_2004_num_1247_1_4119.

Bertinelli, Anna and Vincenzo Pellegrini. *Per La Storia Dell'Amministrazione Coloniale Italiana*. Milan, Italy: Giuffrè, 1994.

Biljan, Franjo. "Unesco-mas i restitucija arhivske građe (kronološka skica)," *Vjesnik historijskih arhiva u Rijeci i Pazinu*, Vol. 30, No. (1988), 1988, str. 313-325. [Unesco-mass and restitution of archives (chronological sketch)].
(Available at: <https://hrcak.srce.hr/127367>).

Boel J. Resolutions of the Delegates' Meeting of the International Council on Archives Cape Town 24 October 2003 (2008).
http://www.unesco.org/archives/hrgnews/hrgpages.php?id_details=2,

Boschi, C. C. (2018). "The Resgate Project: History and Archival Science (1982-2014)." *Revista Brasileira de História*, (AHEAD), 38(9), doi: 10.1590/1806-93472018v38n78-09.

Summary: The purpose of the Luso-Brazilian Commission for the Safeguarding and Disclosure of Documentary Heritage is to promote the exchange of information contained in the archival collections of mutual interest of the Governments of Brazil and Portugal, encouraging the organisation and inventory of documentary archival holdings, as well as the development and the exchange of documentary research elements under the custody of both countries, particularly those that respect the common history of the two countries.

Places: Portugal, Brazil.

Botswana National Archives. "Migrated Archives: Bridging the Gap in our National Documentary Heritage." P. 4. Gaborone: Botswana National Archives.

Boyer, Pierre. "Les archives rapatriées." *Itinéraires* 264 (1982): 49–67.

Bradley Naranch and Geoff Eley (eds). *German Colonialism in a Global Age*. Durham, NC: Duke University Press, 2014.

Abstract: This collection provides a comprehensive treatment of the German colonial empire and its significance. Leading scholars show not only how the colonies influenced metropolitan life and the character of German politics during the Bismarckian and Wilhelmine eras (1871–1918), but also how colonial mentalities and practices shaped later histories during the Nazi era. In introductory essays, editors Geoff Eley and Bradley Naranch survey the historiography and broad developments in the imperial imaginary of the

nineteenth and twentieth centuries. Contributors then examine a range of topics, from science and the colonial state to the disciplinary constructions of Africans as colonial subjects for German administrative control. They consider the influence of imperialism on German society and culture via the mass-marketing of imperial imagery; conceptions of racial superiority in German pedagogy; and the influence of colonialism on German anti-Semitism. The collection concludes with several essays that address geopolitics and the broader impact of the German imperial experience.

Branche, Raphaëlle. *La torture et l'Armée Pendant la Guerre d'Algérie: 1954–1962*. Paris, France: Gallimard, 2001.

Britz, Johannes and Lor, Peter. "A Moral Reflection on the Digitization of Africa's Documentary Heritage". *IFLA Journal* 30, no. 3 (2004): 216-217.

Brungs, Julia and Vincent Wintermans. "Digitally reassembling scattered collections: IFLA, the Memory of the World, and the implementation of the new UNESCO's Recommendation for Documentary Heritage 2016."

<http://library.ifla.org/id/eprint/1459>

Abstract: The goal of this paper: (1) to give examples of activities in UNESCO's Memory of the World Programme that can count as instances of 'reconstitution' as defined in UNESCO's 2015 Recommendation on Documentary Heritage; (2) to encourage a discussion amongst IFLA experts on what role IFLA should play in the digital 'reconstitution' discussion. This ties in with the IFLA's Key Initiative 3.2.2: Instigate debate and exchange of ideas to explore collection and access issues for libraries in digital / virtual repatriation of documentary cultural heritage content.

Cary, Anthony. "The migrated archives: what went wrong and what lessons should we draw." Foreign and Commonwealth Office, UK. 24 February 2011.

<https://www.gov.uk/government/publications/cary-report-on-release-of-the-colonial-administration-files>.

Caswell, Michelle. "'Thank you very much, now give them back': cultural property and the fight over the Baath Party records". *American Archivist* 74(1) (2011), pp. 211-240.

Abstract: This paper explores the political, legal, and ethical issues at stake in the debate over the custody of the Iraqi Baath Party records. The dispute over the records' past and discussion about their future reveals a larger political struggle over the custody of records seized during wartime. Prevailing international law deems these records cultural property and provides legal guidelines for their treatment and return. Ethical arguments in favor of the seizure highlight the protection of the records as well as their accessibility to international researchers and human rights lawyers, while arguments against the seizure stress the importance of the records to the formation of national identity and nation-building in Iraq. Underlying the political, legal, and ethical arguments surrounding these records are two contrasting views of cultural

property: on the one hand, cultural property is seen as an expression of national rights to which members of a nation are entitled, and, on the other hand, access to cultural property is seen as a universal human right to which all people, regardless of national affiliation, are entitled. This paper concludes by suggesting a third, postcolonial approach to cultural property.

Places: Iraq, United States.

Causes: Conflict, Expropriation. Resolved? No

Charman, D. and Michael Cook. "The Archives Services of East Africa." *Archives*, (8 October 1960), p.70.

Chaterera-Zambuko, Forget and James Lowry. *Lost Unities: An Exhibition for Archival Repatriation* [in preparation].

<https://www.museumofbritishcolonialism.org/lost-unities>

Cobain, Ian. *The History Thieves: Secrets, Lies and the Shaping of a Modern Nation*. London: Portobello Books, 2016.

Abstract: In 1889 the first Official Secrets Act was passed, creating offences of 'disclosure of information' and 'breach of official trust'. It limited and monitored what the public could, and should, be told. Since then nearly a hundred related statutes have passed into law and a culture of secrecy has flourished. From the vast paper archives amassed during the colonial era to the electronic data captured and stored today, the state has been meticulous in recording its own activities and those of its citizens, and equally meticulous in ensuring that many of these records remain hidden. As successive governments have been selective about what they choose to share with the public, we have been left with a distorted and incomplete understanding, not only of the workings of the state, but of our nation's culture and its past.

Combe, Sonia. *Archives Interdites: Les Peurs Françaises Face à l'Histoire Contemporaine*. Paris, France: A. Michel, 1994.

Comissão Luso-Brasileira para Salvaguarda e Divulgação do Patrimônio Documental – COLUSO : Seção brasileira : Relatório de atividades 1996-2009 / Organizador: COLUSO – Rio de Janeiro : Serviço de Documentação da Marinha, 2009.

http://conarq.arquivonacional.gov.br/images/coluso/publicacoes/Relatorio_Coluso_2010-2014.pdf.

Summary: The purpose of the Luso-Brazilian Commission for the Safeguarding and Disclosure of Documentary Heritage is to promote the exchange of information contained in the archival collections of mutual interest of the Governments of Brazil and Portugal, encouraging the organization and inventory of documentary archival holdings, as well as the development and the exchange of documentary research elements under the custody of both countries, particularly those that respect the common history of the two countries.

Places: Portugal, Brazil.

Comissão Luso-Brasileira para Salvaguarda e Divulgação do Patrimônio Documental – COLUSO: Seção brasileira: Relatório de atividades 2010-2014 / Organizador: COLUSO – Rio de Janeiro: Serviço de Documentação da Marinha, 2014.

http://conarq.arquivonacional.gov.br/images/coluso/publicacoes/Relatorio_Coluso_2010-2014.pdf

Summary: The purpose of the Luso-Brazilian Commission for the Safeguarding and Disclosure of Documentary Heritage is to promote the exchange of information contained in the archival collections of mutual interest of the Governments of Brazil and Portugal, encouraging the organization and inventory of documentary archival holdings, as well as the development and the exchange of documentary research elements under the custody of both countries, particularly those that respect the common history of the two countries.

Places: Portugal, Brazil.

Connelly, Matthew. *A Diplomatic Revolution: Algeria's Fight for Independence and the Origins of the Post-Cold War Era*. New York, NY: Oxford University Press, 2002.

Cornède, Martine. "Politique d'ouverture des fonds coloniaux." *Afrique & Histoire* 7, (2010): 313–2.

https://www.cairn.info/article.php?ID_ARTICLE=AFHI_007_0313

Cornu, Marie. "Faut-il réviser le droit des archives?: Retour sur l'histoire d'un chantier législatif." *Pouvoirs* 153:2 (2015): 49-62. DOI 10.3917/pouv.153.0049. <https://www.cairn.info/revue-pouvoirs-2015-2-page-49.htm>

Cornu, Marie and Jérôme Fromageau (editors). *Archives des Dictatures: Enjeux Juridiques, Archivistiques et Institutionnels*. Paris, France: L'harmattan, 2015.

Cova, Ugo. *Državni arhiv u Trstu i Hrvatska, Arhivski vjesnik*, No. 42, 1999, str. 289-298.

Available at: <https://hrcak.srce.hr/10604>.

Summary: Archival holdings of State archives in Trieste important for Croatia and Istria Region history.

Cox, Douglas. "Archives and records in armed conflict: international law and the current debate over Iraqi records and archives." *Catholic University Law Review* 59, (2010) 1001-1056.

https://www.researchgate.net/publication/228150361_Archives_Records_in_Armed_Conflict_International_Law_and_the_Current_Debate_Over_Iraqi_Records_and_Archives

Abstract: Controversies over the fate of the records and archives of the Iraqi Ba'ath party in the aftermath of the Second Gulf War, and debates over the role of international law in their protection, have become increasingly fierce.

Such controversies have included allegations of “pillage” and demands for the “repatriation” of such records – some of which are in U.S. custody and others are on deposit at the Hoover Institution at Stanford University – to the Iraqi National Archives. Meanwhile, in March 2009 the United States became a party to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, which seeks to protect cultural property – defined to include “archives” – in war subject to the demands of imperative military necessity. The current debates mark the intersection of three historically ambiguous concepts: “archives,” “cultural property,” and “military necessity.” This article seeks to clarify the legal status of records and archives in war on the basis that resolving controversies such as those surrounding Ba’ath party records requires a realistic assessment of the limitations of international law. The article concludes that although the nature of records and archives may preclude international legal standards that are both robust and enforceable, international law nevertheless has an important role to play in supporting realistic and feasible measures for their preservation.

Places: Iraq, United States.

Causes: War. Resolved? No.

Cox, Douglas. “Finding Kuwait’s missing national archives.” *Jurist* (2012).

<https://www.jurist.org/commentary/2012/01/douglas-cox-kuwait-archives/>

Abstract: This article focuses on how progress might be made in locating the lost National Archives of Kuwait, missing since being removed to Iraq by Saddam Hussein’s forces in 1990. Cox argues that despite the US and UN heavily criticising Iraq for its ongoing failure to locate the archives, the US also bears responsibility for having themselves removed a huge number of records of Saddam’s government from Iraq after the 2003 invasion. These records might give invaluable evidence of the fate of the Kuwaiti archives.

Places: Iraq, Kuwait.

Causes: Conflict. Resolved? No.

Cox, Douglas. “‘Inalienable’ archives: Korean Royal Archives as French property under international law.” *International Journal of Cultural Property* 18, (2011), 409-423.

Abstract: In June 2011, France returned to South Korea nearly 300 volumes of Korean royal archives from the Joseon Dynasty. French forces had seized them in an 1866 military campaign, and the volumes had resided in the Bibliothèque nationale de France (BnF) ever since. The return is not a legally permanent restitution, but rather a five-year renewable loan. The compromise followed years of unsuccessful negotiations and a noteworthy decision of a French administrative tribunal that found that the seized Korean archives constituted inalienable French property. The legal debate over the Korean manuscripts illustrates the unique complexities of treating archives as a form of cultural property in armed conflict. In the end, the imperfect compromise satisfies neither side: The BnF is deprived of custody of items that have formed part of its collections for more than 140 years while technically, and perhaps uselessly, retaining formal legal title; South Korea, meanwhile,

has physical custody of the archives while suffering the indignity of being denied ownership over its own national heritage.

Places: France, Korea, South Korea.

Causes: Conflict. Resolved? No (compromise resolution).

Cox, Douglas. "The lost archives of Noriega: emancipating Panamanian human rights documents in U.S. military custody". *Boston University International Law Journal* 32 (2014), pp. 57–89.

<http://www.bu.edu/law/journals-archive/international/volume32n1/documents/cox-the-lost-archives-of-noriega.pdf>

Abstract: This article analyses an ongoing debate within the U.S. government about the legal status of thousands of boxes of documents U.S. forces seized from the regime of Manuel Noriega in 1989 that remain in U.S. military custody. The ongoing legal and diplomatic deliberations centre on two questions: under both the law of armed conflict and U.S. records laws, (1) who owns these seized documents and (2) what should be done with them? Wartime seizures of foreign government documents raise unique issues of ownership given that "enemy" documents can be a source of intelligence information, while also forming part of the administrative, historical, and cultural heritage of a nation. This article argues that given the nature of the U.S. intervention in Panama, the U.S. government should treat the seized documents as Panamanian property under both international and U.S. law. The Noriega regime documents are also crucial for ongoing human rights work focused on unresolved cases of missing and disappeared persons. This article concludes that the United States should offer to repatriate the documents to Panama for the benefit of human rights researchers, historians, and attorneys on both sides of legal proceedings arising out of Noriega's return to Panama in late 2011.

Places: Panama, United States.

Causes: Conflict, Expropriation. Resolved? No.

Cox, Douglas. "National archives and international conflicts: The Society of American Archivists and war." *The American Archivist* 74, (2011).451-481.

Available at:

https://www.academia.edu/12267196/National_Archives_and_International_Conflicts

Cox, Douglas. "Revisiting the Law and Politics of Compromise." In *Displaced Archives*, edited by James Lowry: Abingdon: Routledge, 2017.

Abstract: This chapter critically examines relevant international initiatives both to assess their influence in resolving disputes and to suggest how such efforts might be renewed and revitalised. In particular, it critiques the focus of the international archival community on issues of sovereignty, inalienability and ownership of archives based both on the law and on the effect such concepts may have on the negotiation of displaced archives disputes. Finally, the chapter recommends a balanced, practical approach that stresses the broad pool of stakeholders in foreign archives, maximises flexibility and

encourages creative approaches to resolving, or at least ameliorating, the effects of archival displacement. The most important factor in resolving displaced archives disputes, in fact, appears to be political and economic alignment – or realignment – between the states concerned. A related principle more conducive to compromise and endorsed by both the ICA and UNESCO is the concept of 'joint heritage' or 'common heritage'.

Coyle Dauphin, Joanne. "French Provincial Centers of Documentation and Research on Africa". *African Studies Bulletin* 9:3 (1966); 48–66.

Cummings, Emma. "Displaced Records: A call for engagement from the records management community". *IRMS Bulletin* 199 (2017), 17-18.

Davíðsdóttir, Sigrún. *Håndskriftsagens Saga – i politisk belysning*. Odense: Odense Universitetsforlag 1999.

Davis, Joanne. "Assessing UK Archival Holdings from South Africa." *Africa Research and Documentation*, No. 136, 2019, 10-20.

de Graff, Hein. "In memoriam mevrouw raden adjeng soemartini", *Archievenblad* (July 2009), p. 9.
Note: This obituary describes work undertaken to return documents to Indonesia.

Delva, Jean-Pierre. "Un autre regard sur les archives en Afrique." *Comma* 1 (2015): 113-118. DOI 10.3828/comma.2015.1.15.

Abstract: L'auteur a participé à divers projets de numérisation des archives en Afrique occidentale et fait part de son expérience en la matière ainsi que du regard que peut poser un non-archiviste sur la conservation du patrimoine archivistique. Ses travaux se sont situés principalement au Sénégal, au Burkina-Faso et en République démocratique du Congo.

Dion, Isabelle. "Les services d'archives en Algérie: 1830–1962." *Histoire et Archives* 15 (2004): 89–107.

Places: France, Algeria.

Causes: Decolonisation. Resolved? No

Direction des Archives Nationales. *Le Contentieux Archivistique Algéro-Français*. Algiers: Publication des archives nationales d'Algérie, 1996.

Places: France, Algeria. **Causes:** Decolonisation. Resolved? No

Dolstein, Josefin. "Despite protests, State Department says it will return trove of Jewish artifacts to Iraq". *Jewish Telegraphic Agency*, 8 September 2017. Available at: <https://www.jta.org/2017/09/08/politics/despite-protests-state-department-says-it-will-return-trove-of-jewish-artifacts-to-iraq>.

Abstract: This article details the State Department's decision to return the Iraqi Jewish Archive to Iraq at the end of a four-year extension to its custody in the US in September 2018. This decision was taken despite criticism from members of the US Congress and Jewish organisations and was subsequently reversed.

Places: Iraq, United States.

Causes: Conflict. Resolved? No.

Dolstein, Josefin. "State Department says it's working to extend Iraqi Jewish Archives' stay in the US". *Jewish Telegraphic Agency*, 19 July 2018.

Available at: <https://www.jta.org/2018/07/19/united-states/state-department-says-working-extend-iraqi-jewish-archives-stay-us>.

Abstract: This article outlines the State Department's reversal of its previous decision to return the Jewish Archive to Iraq, after the introduction of a motion in the US Senate condemning the decision.

Places: Iraq, United States.

Causes: Conflict. Resolved? No.

Drayton, Richard. "Britain's Secret Archive of Decolonisation." *History Workshop Online*, 2012.

Available at: <http://www.historyworkshop.org.uk/britains-secret-archive-of-decolonisation/>.

Dritsas, Lawrence, and Joan Haig. "An archive of identity: the Central African Archives and Southern Rhodesian history." *Archival Science* 14(1), 2014, p. 36.

Abstract: Between 1943 and 1956, government archivists in Southern Rhodesia (Zimbabwe) collaborated with the publisher Chatto & Windus to produce a series of nine books. The collection was known as the 'Oppenheimer Series'. The volumes were published by the Central African Archives and offered in print, for the first time, the primary sources—diaries, correspondence, notes and maps—that chronicled the first English-speaking Europeans to visit south-central Africa. This paper explores the role of this publication event in building a settled identity for Europeans in Southern Rhodesia. The publication of the Series coincided with efforts by the Rhodesian archivists to bring manuscripts from the UK to their collection in Salisbury (Harare). These activities reveal a strategy not only to publish the history of European exploration and settlement in central Africa but to reify it through the physical presence of these books and the archival institution itself.

Duclert, Vincent. "L'état et les archives: Question démocratique, réponse constitutionnelle." *Pouvoirs* 153:2 (2015): 37-48. DOI 10.3917/pouv.153.0037. <https://www.cairn.info/revue-pouvoirs-2015-2-page-37.htm>

Eckert, Astrid. *The Struggle for the Files: The Western Allies and the Return of German Archives after the Second World War*. New York, NY: Cambridge University Press. 2012.

*Abstract: When American and British troops swept through the German Reich in the spring of 1945, they confiscated a broad range of government papers and archives. These records were subsequently used in war crimes trials and published under Allied auspices to document the German road to war. In 1949, the West Germans asked for their return, considering the request one of the benchmarks of their new state sovereignty. This book traces the tangled history of the captured German records and the extended negotiations for their return into German custody. Based on meticulous research in British, American and German archives, *The Struggle for the Files* highlights an overlooked aspect of early West German diplomacy and international relations. All participants were aware that the files constituted historical material essential to write German history and at stake was nothing less than the power to interpret the recent German past.*

Places: Germany, United States.

Cause: Conflict. Resolved? Yes.

Elkins, Caroline. *Imperial Reckoning: The Untold Story of Britain's Gulag in Kenya*. New York, NY: Henry Holt and Company. 2005.

*One of the two studies (the other is David Anderson, *Histories of the Hanged*) that provided sufficient evidence to make possible the legal case brought by veterans of the Kenyan struggle for independence against the British government. It was that case that forced the Foreign and Commonwealth Office to admit its holding of displaced Commonwealth documentation.*

Elkins, Caroline. "Alchemy of evidence: Mau Mau, the British Empire, and the High Court of Justice". *The Journal of Imperial and Commonwealth History* 39(5), 2011, pp. 731-748.

<https://www.tandfonline.com/doi/abs/10.1080/03086534.2011.629084>

*Abstract: Restorative justice in various forms is a phenomenon that has swept across the globe over the last three decades. Most recently, it is unfolding in the High Court of Justice in London where five Kenyans have filed a claim against the British government, alleging that they suffered acts of mistreatment and torture at the hands of British colonial and military personnel. Three revisionist Mau Mau historians have served as advisors and expert witnesses for the claimants. Judicial procedure and the positivist stance of the court have framed their production of evidence and its reading. This article will examine the production of the historians' witness statements, and the impact that the recent Hanslope Disclosure has had upon their work. The discussion is framed within the broader context of Mau Mau revisionism and the critiques that ensued after the publication of *Imperial Reckoning* and *Histories of the Hanged*.*

Places: United Kingdom, Kenya.

Causes: Decolonisation. Resolved? No.

Elkins, Caroline. "Looking beyond Mau Mau: Archiving Violence in the era of Decolonization." *The American Historical Review* 120:3 (2015): 852–868.
<https://doi.org/10.1093/ahr/120.3.852>.

Places: *United Kingdom, Kenya, British colonial empire.*

Causes: *Decolonisation. Resolved? No.*

El Shakry, Omnia. "'History without Documents': The Vexed Archives of Decolonization in the Middle East." *The American Historical Review* 120:3 (2015): 920–934. Accessed Jun 1, 2020.
<https://doi.org/10.1093/ahr/120.3.920>.

Ernisse, Gérard. "L'actualité des contentieux archivistiques." In *Archives et Patrimoine*, v.1, edited by Marie Cornu and Jérôme Fromageau, 54–55. Paris, France: L'Harmattan, 2004.

Places: *France, Algeria. Causes: Decolonisation. Resolved? No.*

Eskander, Saad. "Minerva Research Initiative: Searching for the Truth or Denying the Iraqis the Rights to Know the Truth?" (2008),
(<http://essays.ssrc.org/minerva/2008/10/29/eskander/>).

Abstract: This essay (by the Director of the Iraqi National Library and Archives) approaches the issue of the use and abuse of the Iraqi records seized by US forces during the 2003 invasion from legal, academic, moral, and social-political perspectives. It will be argued that the seized Iraqi records are of academic and practical significance for the Iraqis in dealing with the issue of the Saddam regime's destructive legacy and in implementing the project of constructing a democratic Iraq, founded on the rule of law and freedom of information.

Places: *Iraq, United States.*

Causes: *Conflict. Resolved? No*

Even, Pascal. "Les archives: un marché?" *Pouvoirs* 153:2 (2015): 95-107.
DOI 10.3917/pouv.153.0095.
<https://www.revue-pouvoirs.fr/Les-archives-un-marche.html>

Résumé: Depuis quelques années, les archives connaissent une valorisation sensible ; tandis que les prix des manuscrits s'envolent et que les autographes deviennent objets de placement et valeurs spéculatives, les données électroniques des archives, dans le domaine généalogique notamment, font l'objet de la convoitise des sociétés commerciales de généalogie qui souhaitent les réutiliser. Les archives sont devenues ainsi enjeux de pouvoir et de mémoire, et trouvent dans l'économie de marché une place inattendue.

Abstract: For some years, the archives have experienced an important promotion. While the prices of manuscripts have been sky-rocketing and

autographs have become secure or speculative investments, the digitalized archives, in particular in the field of genealogy, are being coveted by commercial genealogical enterprises which want to reuse them. Archives have thus come to find themselves at the centre of power and memory issues, and have found an unexpected place in the market economy.

Evyatar, Sara. "Saddam Hussein's Jewish Archives." *The Scribe* No. 76. Spring 2003.

<http://www.dangoor.com/issue76/articles/76089.htm>

Places: Iraq, United States.

Causes: Conflict. Resolved? No.

Favier, Lucie and René Rémond. *La mémoire de l'Etat: histoire des Archives nationales*. Paris: Fayard, 2014.

Abstract: Écrit par un inspecteur général honoraire des Archives, cet ouvrage retrace l'histoire des archives françaises, lieu vivant de la mémoire et de l'histoire du pays. Comment les fonds se sont-ils constitués ? Comment a été mise au point la science de l'archive ? (identification, conservation, restauration des documents...).

Filipović, Ivan. O restituciji i sukcesiji arhivskoga gradiva dubrovačke provenijencije u kontekstu razvoja međunarodnog i europskog prava, *Arhivski vjesnik*, Vol. 60, No. 1, 2017, str. 9-36.

Available at: <https://hrcak.srce.hr/194712>.

Summary: On Restitution and Succession of Records of the Dubrovnik Provenance in the Context of the Development of the International and European Law.

Garaba, Francis. "Provenance, identification, restitution and management of the liberation struggle heritage in the ESARBICA region." *Journal of the South African Society of Archivists*, Vol. 44, 2011.

<https://www.ajol.info/index.php/jsasa/article/view/77604>

Abstract: The liberation struggle was an important epoch in contemporary history and the documentation so created remains a nation's cultural capital which is a treasured national asset to be bequeathed to future generations. It is therefore incumbent upon archivists to preserve the legacy of the liberation struggle that is contained in those few records that were created. Consequently, this calls upon archivists to implement sound archival management practices and principles in establishing the provenance of these records and ensuring that they are located in their rightful place. This paper assessed the extent to which archival institutions entrusted with custody of liberation archives within ESARBICA had executed this task. Between 2006 and 2009, the author undertook a regional assessment of the liberation struggle heritage within the East and Southern Africa Regional Branch of the International Council on Archives (ESARBICA). The assessment was part of a

dissertation project for a PhD degree in Information Studies at the University of KwaZulu – Natal, South Africa. With the data gathered from a survey, interviews and observations it is gratifying to note that much of the liberation heritage had been identified, repatriated and the requisite documentation put in place. However, most of the organizations failed to quantify the volume of records pertaining to national liberation movements. This means that most organisations cannot adequately articulate their needs in terms of equipment, staff and space for the storage of documents. The implication could be that the records in their custody are not being professionally managed. It was evident from this present research that the bulk of liberation struggle archives are in image form and considering that this type of record is susceptible to damage compared to paper; the need for its sound management cannot be overstated.

Gilliland, Anne J. "Networking Records in their Diaspora: A Reconceptualisation of 'Displaced Archives' in a Postnational World." In *Displaced Archives*, edited by James Lowry, 180-95. Abingdon: Routledge, 2017.

Abstract: In line with contemporary critical postnationalist discourse, this chapter proposes that the archival notion of displaced records and associated arguments about their inalienable relationship to sovereign states are overly predicated upon outmoded physical- and nation states-based thinking. It frames this proposition with regard to evolving ideas about records as concepts, rather than physical entities, that have specific innate properties that extend beyond the limits of sovereign states or institutions, and the affordances of networked structures and infrastructures of the twenty-first century. The chapter lays out some of the fundamental tenets of postnationalism and -discusses ways in which these resonate with constructs drawn from recent expositions of and developments in records theory that have potential for problematising and reformulating the notion of 'displaced records'. One of the most prominent facilitators of postnationalism in this century is information technology – specifically evolving networked and cloud-based bureaucratic and social technologies that allow for economic, social and cultural exchange and interchange.

Gourevitch, Harry. Congressional Research Service, Memorandum, Seizure of Haitian Documents by the American Military to Representative John Conyers, Jr. 12 December 1995
<<https://perma.cc/B6W6-846C>>.

Abstract: In September and October 1994 American troops landed in Haiti to restore to power its ousted President Jean-Bertrand Aristide. While there the American troops seized more than 150,000 pages of documents from the headquarters of the Haitian armed forces and the offices of the notorious paramilitary group, the Front for the Advancement and Progress of Haiti (FRAPH). The Haitian government is seeking the return of the documents, claiming that they would help to bring political stability in the country by

disarming and prosecuting human rights violators connected with the former military regime.

Grimsted, Patricia Kennedy. "Displaced Archives and Restitution Problems on the Eastern Front in the Aftermath of the Second World War." *Contemporary European History* 6, no. 1 (March 1997): 54-56, 60.

<https://www.cambridge.org/core/journals/contemporary-european-history/article/displaced-archives-and-restitution-problems-on-the-eastern-front-in-the-aftermath-of-the-second-world-war/50DA886F774355F5183505E58E133517>

Grimsted, Patricia Kennedy. "Displaced Archives on the Eastern Front: Reflections on Unresolved Legal, Political and Humanitarian issues." *Comma* 2005: 3 (2005), 1-15.

Grimsted, Patricia Kennedy. "Pan-European Displaced Archives in the Russian Federation: Still Prisoners of War on the 70th Anniversary of V-E Day." In *Displaced Archives*, edited by James Lowry, 130-57. Abingdon: Routledge, 2017.

Abstract: The Second World War – combined with postwar Soviet retaliatory seizures and boundary changes – wrought the greatest archival dislocation in history. This chapter updates the current extent of displaced archives in Moscow and pending restitution cases. Following considerable Soviet restitution to the Communist-bloc, the Russian Federation has returned archives to seven Western European countries since 1992. Many fonds of foreign provenance remain, the most from Germany and Poland, compromising the integrity of archives in those countries. Pending claims are delayed for Jewish files from Greece and Austria, and Norwegian Masonic files. But foreign specialists have failed to examine and file verified claims for many remaining files eligible for return under current Russian law.

Grimsted, Patricia Kennedy. "Why do captured archives go home? Restitution achievements under the Russian law." *International Journal of Cultural Property* 17(2), 2010, pp. 291–333.

<https://www.cambridge.org/core/journals/international-journal-of-cultural-property/article/why-do-captured-archives-go-home-restitution-achievements-under-the-russian-law/900EEB39ECB27F7B761970B4E809740B>

*Abstract: The return of captured French archives—not art—ignited debate in the Russian Duma in the spring of 1994, leading to the passage of the 1998 Federal Law "On Cultural Valuables Displaced to the USSR as a Result of the Second World War and Located on the Territory of the Russian Federation." Yet, a decade since the law was signed, there have been five cases of captured archives from the Second World War returned to Western European countries, as explained in the recent book, *Returned from Russia*. The aim of this article is to examine major factors involved in the restitution of archives from Russia, and why amid the politics of restitution the return of archives has been more successful than art.*

The article first successively examines the major factors involved, namely, foreign political pressure; the underlying support of international law, both in specific instruments and historical archival practice; the circumstances and Soviet aims of archival plunder; the present contrast with Soviet political ideology and alignments; the fact that Russian archivists were more willing to return their loot than museum directors; and that archival returns were easier to conform to the 1998 law, because the receiving countries were willing to offer the “compensation” Russian archivists were demanding. Country by country, first in Western Europe starting with France and now Austria and Greece, archives have been going home, but so far only a few symbolic files from Germany have been returned. A final section of the article briefly singles out the captured records from several other countries remaining in Moscow, including many Jewish records, even some representing Holocaust losses.

Hálfdanarson, Guðmundur. “Handritamálið – endalok íslenskrar sjálfstæðisbaráttu.” *Gripla* vol. XIV (2003), 175-196.

<https://timarit.is/page/6490592?iabr=on#page/n175/mode/2up>

Hampshire, Edward. “Apply the flame more searingly. The destruction and migration of the archives of British colonial administration, a South-East Asia case study.” *The Journal of Imperial and Commonwealth History*, Vol. 41, No. 2, 2013, pp. 334-352.

<https://www.tandfonline.com/doi/abs/10.1080/03086534.2013.799349>

Abstract: In 2011, the Foreign and Commonwealth Office formally acknowledged that it held records of local colonial administration that had been removed from their repositories prior to independence and eventually transferred to the United Kingdom. These records are in the process of transfer to the National Archives. Using records released as part of the transfer so far, this article analyses the process of assessment, destruction and removal of local administrative records in Malaya prior to independence in 1957, and North Borneo and Sarawak prior to their incorporation into Malaysia in 1963. Due to the survival of unusually detailed lists of the records held in the North Borneo and Sarawak registries and their fates, a comparative analysis of two parallel processes can be undertaken that sheds light on the physical practicalities of the selection, removal and destruction process: in short what survived and why. This article also assesses the extent to which this process was managed from the metropole or locally, how the process changed over time and how the colonial officials who undertook this work understood, justified and rationalised what they were doing.

Places: United Kingdom, Malaysia.

Causes: Decolonisation. Resolved? No.

Harris, Verne. “The archival sliver: Power, memory, and archives in South Africa.” *Archival Science*, 2, 63-86 (2002).

<https://link.springer.com/article/10.1007/BF02435631>

Hennerbichler, Ferdinand and Bruce Montgomery, "U.S restitution of the Iraq secret police files from Saddam Hussein's regime regarding the Kurds in Iraq." *Advances in Anthropology*, 5, February 2015.

https://www.academia.edu/10667052/Hennerbichler_F_and_Montgomery_B_2015_U_S_Restitution_of_the_Iraq_Secret_Police_Files_from_Saddam_Hussein_s_Regime_Regarding_the_Kurds_in_Iraq

Abstract: The article explains the significance of the US's restitution to Iraqi Kurdistan of secret police files relating to the Anfal Genocide of 1986-1989 and human rights abuses against Kurds in the aftermath of the 1991 uprising. The files were sent to the US for safe-keeping and analysis for evidence of war crimes in 1992-1993 and eventually returned to the Iraqi Kurds in 2014 after nearly two years of negotiation, led by Hennerbichler and Montgomery.

Places: Iraq, United States.

Causes: Conflict. Resolved? Yes.

Hiribarren, Vincent. "Hiding the Colonial Past? A Comparison of European Archival Policies." In *Displaced Archives*, edited by James Lowry, 74-85. Abingdon: Routledge, 2017.

Abstract: This chapter compares how European countries are currently dealing with their colonial archives. The aim of this chapter is not to give a thorough explanation of the archival policies of each former colonial power; instead, this chapter will argue that many European countries such as the United Kingdom have consistently tried to hide their colonial past. Moreover, this colonial past is still haunting the political debates of some European countries such as Belgium or France while it is nearly totally absent from others such as Germany or Italy.

"Historiadores defendem devolução dos arquivos da PIDE levados para Moscovo". (2013). PÚBLICO.

Retrieved 4 June 2019, from

<https://www.publico.pt/2013/09/06/jornal/historiadores-defendem-devolucao-dos-arquivos-da-pide-levados-para-moscovo-27054593..>

Summary: This article concerns the stolen archives of the 'International and State Defense Police' of Portugal to the USSR by Soviet intelligence. The account was revealed by the historian and journalist José Milhazes in his book "Cunhal, Brejnev e o 25 de Abril" (2013). There is no known position of the National Archives of Portugal about this issue.

Places: Portugal, Soviet Union.

"Historiadores querem arquivos da PIDE de novo em Portugal." [Transl. Historians want the PIDE's archives back in Portugal]. *Diário de Notícias*.

<https://www.dn.pt/politica/interior/historiadores-querem-arquivos-da-pide-de-novo-em-portugal-3405138.html>.

Summary: This article concerns the stolen archives of the “International and State Defense Police” of Portugal to the USSR by Soviet intelligence. The account was revealed by the historian and journalist José Milhazes in his book “Cunhal, Brejnev e o 25 de Abril” (2013). There is no known position of the National Archives of Portugal about this issue.

Places: Portugal, Soviet Union.

Human Rights Working Group, International Council on Archives, “Basic Principles on the role of Archivists and Records Managers in Support of Human Rights.”

<https://www.ica.org/en/basic-principles-role-archivists-and-records-managers-support-human-rights>.

Huskamp Peterson, Trudy. “Access Matters: Four Documents,” presented at the Cold War History Conference, 25 September 1998.

<http://www.archives.gov/research/foreign-policy/cold-war/conference/peterson.html>.

International Council on Archives. Code of Ethics, September 1996, p. 2.

<http://www.ica.org/5555/reference-documents/ica-code-of-ethics.html>.

International Council on Archives. Principles of Access to Archives. 2012. 23 June 2016.

https://www.ica.org/sites/default/files/2014-02_standards_tech-guidelines-draft_EN.pdf#:~:text=The%20Principles%20of%20Access%20to%20Archives%2C%20adopted%20by,for%20releasing%20or%20withholding%20materials%20in%20archival%20institutions.

International Council on Archives. “The View of the Archival Community on the Settling of Disputed Claims.” Position Paper Adopted by the Executive Committee of the International Council on Archives at its Meeting in Guangzhou, 10-13 April 1995.

https://www.ica.org/sites/default/files/EB_1995_paper_archival-claims_EN.pdf

International Council on Archives. “Reference Dossier on Archival Claims.” Compiled on behalf of ICA’s Legal Matters Committee by Hervé Bastien. Strasbourg, France, 1997.

https://www.ica.org/sites/default/files/ICA_1995_Reference-Dossier-on-Archival-Claims-Janus_EN.pdf#:~:text=Reference%20Dossier%20on%20Archival%20Claims%206%20Introduction%20This,bilateral%20treaties%20which%20concluded%20hostilities.%20The%20primary%20evidential

Irvine, Oliver Urquhart. “The Law and Ethics of Acquisition of Expatriate Archives: Addressing the Lack of Guidelines.” Archives: The Journal of the

British Records Association, Vol. 34, Issue 121 (2009), 6-13.

<https://liverpooluniversitypress.co.uk/journals/article/30629/>

Jeurgens, Charles, Ton Kappelhof and Michael Karabinos (eds.). *Colonial Legacy in South East Asia: The Dutch Archives*, The Hague, The Netherlands: Sticking Archieffpublicaties, 2012.

Jeurgens, Charles. "The untamed archive history – writing in the Netherlands East Indies and the use of archives." *History of the Human Sciences* 26 (2013): 84–106.

Jeurgens, Charles, A. C. M Kappelhof and Michael Karabinos (editors). *Colonial Legacy in South East Asia: The Dutch Archives*. The Netherlands: Stichting Archieffpublicaties, 2012.

Jeurgens, Charles and Michael Karabinos. "Paradoxes of Curating Colonial Memory." *Archival Science*, March 2020, 199-220.

https://www.researchgate.net/publication/339748571_Paradoxes_of_curating_colonial_memory.

Abstract: In the last decade, many initiatives were taken to digitize colonial archival legacies. In this article, we analyse Dutch policy and a number of Dutch initiatives in this field with the aim to find answers to our central question whether digitization of colonial archival legacies offers possibilities to decolonize these archives. The aspiration to decolonize colonial legacies seems to be a paradoxical statement since there is something innately colonial in the recordkeeping systems that cannot, and should not, be removed. But digitization of archives means creating new recordkeeping infrastructures, and these new infrastructures shape new interfaces between the documents which were created in the past and the users of today. We argue that decolonizing these archives can be based on a comprehensive understanding of the complexity of the variables which shape the new digital archival infrastructure. Inspired by the third-space perspective and the concept of (de)coloniality, we explore the possibilities to develop archival infrastructures that contribute to decolonizing colonial archival legacies in the sense of offering multivocality, multiple agency and multiple provenance. We conclude that what we call third-space infrastructural frameworks create promising opportunities to contribute to the decolonization of colonial archival legacies.

Joffe, Alex. "The Iraqi Jewish Archive." (2014).

[\(http://www.jewishideasdaily.com/806/features/the-iraqi-jewish-archive/\)](http://www.jewishideasdaily.com/806/features/the-iraqi-jewish-archive/).

Abstract: The article gives a brief history of the Iraqi Jewish archive removed to the US after the 2003 invasion. It also considers whether the archives should be returned to Iraq (as proposed by Saad Eskander) or conversely, should be kept in the US because of Iraq's long history of anti-Semitic persecutions, the fact that the Iraqi Jewish community is now practically non-

existent and the risk that the records will not be properly preserved or made accessible by Iraqi archivists.

Places: Iraq, United States.

Causes: Conflict. Resolved? No.

Karabinos, Michael. "Displaced Archives, Displaced History: Recovering the Seized Archives of Indonesia." *Bijdragen tot de Taal-, Land-en Volkenkunde* Vol. 169, No.2 and 3 (2013), pp. 279-294.

Abstract: This article examines the post-war conflict of colonial retention that the Netherlands engaged in with Indonesia, and the invasion of Yogyakarta on 19 December 1948. While arresting high-ranking members of the Republican government, Dutch troops seized papers that were left behind. These documents were not returned to Indonesia until nearly 50 years later. By studying the archival collection, fluctuations in the relationship between Indonesia and the Netherlands are revealed. The seized archives relate directly to the building of a new nation; their history reflects the history of Indonesia.

Places: Indonesia, Netherlands.

Causes: Conflict. Resolved? Yes

Karabinos, Michael. "Indonesian National Revolution Records in the National Archives of the Netherlands." In *Displaced Archives*, edited by James Lowry, 60-73. Abingdon: Routledge, 2017.

Abstract: In the course of the Indonesian war of independence against the Netherlands from 1945-1949, thousands of records created by Indonesian revolutionary groups were collected by the Dutch government. After the transfer of sovereignty these records were shipped to The Hague, where they were held in the archives of various Dutch ministries. Bilateral diplomatic discussions from the 1970s onward led to the return of records that were determined to be the rightful property of the Indonesian government. This chapter gives an overview to that process while also beginning the search for further Indonesian-created documents at the National Archives of the Netherlands.

Karabinos, Michael. "In the shadows of the continuum: testing the records continuum model through the Foreign and Commonwealth Office 'Migrated Archives.'" *Archival Science*, September 2018, Volume 18, Issue 3, pp 207–224.

[https://www.academia.edu/37031235/In the shadows of the continuum testing the records continuum model through the Foreign and Commonwealth Office Migrated Archives](https://www.academia.edu/37031235/In_the_shadows_of_the_continuum_testing_the_records_continuum_model_through_the_Foreign_and_Commonwealth_Office_Migrated_Archives)

Abstract: This article offers a test of the records continuum model. As a case study I use the Foreign and Commonwealth Office "Migrated Archives", those records first made known to the public in 2011 during the court case against the British government. Through this case, records from over 30 former colonies were found to have been stored away by the FCO, since the colonies

had become independent. While testing the continuum model with this case, I simultaneously use the records continuum model to tell the history of the Migrated Archives. My research finds that by highlighting the hidden moments—the shadows of the continuum—the Migrated Archives reveals that the continuum model can be too dependent on pluralization and a culture of openness and accessibility. Using the term “shadow continuum,” I attempt to rectify this situation by allowing for continuum model processes to continue, albeit in the shadows.

Places: United Kingdom, former British Empire.

Causes: Decolonisation. Resolved? No.

Karabinos, Michael. “Decolonisation in Dutch Archives: Defining and Debating.” *BMGN - Low Countries Historical Review*, 134(2), 2019, pp.129–141. DOI: <http://doi.org/10.18352/bmgn-lchr.10687>.

Kecskeméti, Charles. *Archival Claims: Preliminary Study on the Principles and Criteria to be Applied in Negotiations*, Paris, France: UNESCO, 1977 (PGL-77/WS/1).

Kecskeméti, Charles. *Sovereignty, Disputed Claims, Professional Culture. Essays on Archival Policies*. Brussels, Belgium: Archives et Bibliothèques de Belgique, 2000, p. 365.

Kecskeméti, Charles. “L’histoire des contentieux archivistiques.” In *Archives et Patrimoine*, v.1, edited by Marie Cornu and Jérôme Fromageau, 41-50. Paris, France: L’Harmattan, 2004.

Kecskeméti, Charles. “Archives Seizures: The Evolution of International Law.” In *Displaced Archives*, edited by James Lowry, 12-20. Abingdon: Routledge, 2017.

Abstract: The customary law that governed the archival treaties concluded from 1645 onwards fell into abeyance during the Second World War. International efforts to restore it started in the 1960s. UNESCO and ICA developed a legal framework for the settlement of disputed claims. The Vienna Convention of 1983, prepared by the UN International Law Commission, failed to fill the legal vacuum because it was signed by an insufficient number of States. This chapter reflects on the failure of recent legal approaches to the problem of displaced archives.

Kecskeméti, Charles and Evert Van Laar. *Model Bilateral and Multilateral Agreements and Conventions Concerning the Transfer of Archives*. Paris, France: UNESCO, 1981 (PGI-81/WS/3).

Ketelaar, Eric. “Sharing: collected memories in communities of records.” *Archives & Manuscripts*, 33(1), 2005, 44 - 61.

*Abstract: A recent book *Owning Memory. How a Caribbean Community Lost its Archives and Found Its History*, by Jeannette Bastian, has enriched archival discourse with the notion of a “community of records”, referring to a community both as a record-creating entity and as a memory frame that contextualizes the records it creates. To what extent are records constructive in creating and maintaining memories, communities and identities – imagined or real – of individuals, families, corporate bodies, social groups, nations? Could we use the concept of a “community of records” in making the fourth dimension of the records continuum model more vigorous and its impact on shaping the three other dimensions more productive? The concepts of ‘communities of records’ and ‘joint heritage’ could become the components of a holistic view of the rights and duties of ‘records stakeholders’. Such a view might help in repositioning the archive’s (and the archivist’s) role in shaping memories and identities.*

Kutzner J. “The Return of Namibian Archives.” *Janus: Archival Review*, Vol. 2, 1998, pp.34-44.

Kwa Chong Guan and Ho Chi Tim. "Archives in the Making of Post-Colonial Singapore." In *Colonial Legacy in South East Asia: The Dutch Archives*, edited by Charles Jeurgens, Ton Kappelhof and Michael Karabinos. The Hague, The Netherlands: Sticking Archieffpublicaties, 2012, pp.125-149.

Lacroix, Annick, Claire Marynower and Hugo Vermeren. “Retour sur les archives algériennes.” *Vingtième Siècle* 110 (2011):147–153. Accessed Jun 1, 2020. <https://www.cairn.info/revue-vingtieme-siecle-revue-d-histoire-2011-2-page-147.htm#>

Laroche, Charles. “Les Archives de l’expansion française Outre-Mer.” *Gazette des Archives* 55 (1966): 235–252. <https://doi.org/10.3406/gazar.1966.1921>.

Abstract: The thirteenth national congress of French archivists was held at Aix-en-Provence in October 1966, on the occasion of the opening of a huge repository designed to receive the archives of the former French administration repatriated from overseas following the independence of former French colonies.

The Director-General of the French National Archives had, in this context, asked M. Charles Laroche, Chief Conservator, Section Outre-Mer des Archives nationales (anciennes Archives du Ministère de la France d’Outre-Mer), to present to the congress delegates a report on the other half of “colonial archives”: those which, because of their very nature, have always been held in Metropolitan France.

Places: France, former French colonies.

Causes: Decolonisation. Resolved? No.

Lauwers, Delphine. "From Belgium to The Hague via Berlin and Moscow: documenting war crimes and the quest for international justice, 1919-2019." *Archives and Manuscripts*,

<https://www.tandfonline.com/doi/abs/10.1080/01576895.2020.1753543?journalCode=raam20>.

Abstract: Exploring new sources on the Great War a hundred years after it ended is a unique and exciting experience for any First World War historian. The very nature of the documents that we are dealing with in the present case makes it even more thrilling: hundreds of investigation and prosecution files documenting the invasion and occupation of Belgium, produced by both military and civil jurisdictions in an effort to prosecute war criminals. These fascinating records – repatriated to Belgium from Moscow in 2002 – offer new material on issues such as the German atrocities and everyday life under the occupation, but they also provide highly valuable insights into the history of international criminal law. This exploratory article will trace the unexpected trajectory of these archives, contextualise their creation and highlight some of the treasures they contain. In doing so, this article will attempt to discuss the thorny issue of archive repatriation and the questions this raises from an archival and historical perspective. It also seeks to show that the establishment of an International Criminal Court, despite the fact that it is now being called into question more than ever before, rests on solid and far-reaching historical foundations.

Ledger, Dana. "Remembrance of Things Past: The Iraqi Jewish Archive and the Legacy of the Iraqi Jewish Community." 37 *George Washington International Law Review* (2005): 795-826.

Places: Iraq, United States.

Causes: Conflict. Resolved? No.

Lemoine, Hervé. "Conserver, détruire, communiquer, dissimuler..." *Pouvoirs* 153:2 (2015): 75-84.

<https://www.revue-pouvoirs.fr/Conserver-detruire-communiquer.html>.

Leturcq, Jean-Gabriel. "La question des restitutions d'œuvres d'art: différentiels maghrébins." *L'Année du Maghreb* [online], IV (2008).

Available at: <http://anneemaghreb.revues.org/431>.

Leisinger, A. "Disputed Archival Claims: A Persistent and Urgent Problem". ECARBICA 7, Seventh Biennial Conference and Seminar of the East and Central Regional Branch of the International Council on Archives, Harare, 13-17 September, 1982, pp. 1-7.

Lekaukau, M. "Migrated archives: The position of Botswana." Seventh Biennial Conference and Seminar of the East and Central Africa Regional Branch of the International Council on Archives, Harare, 13th-17th September 1982, *ECARBICA* 7, pp. 29.

LIBER. "The LIBER Security Network of 2002 - The Copenhagen Principles." *LIBER Quarterly* 12: 329-332, 2002.

Lovering, Timothy. "Expatriate archives." *Archives* 34(121) 2009.

Lovering, Timothy. "Expatriate Archives Revisited." In *Displaced Archives*, edited by James Lowry, 86-100. Abingdon: Routledge, 2017.

Abstract: This chapter explores the concepts of displaced, 'migrated' and 'expatriate' archives through the lens of the Rhodesian Army Archive. The categorisation of displaced archives is examined, and it is argued that the term 'migrated archives' has been used relatively uncritically. The concept of expatriate archives is foregrounded as representing the complex multiple interests inherent in the Rhodesian Army Archive's status as both a component of Zimbabwe's 'national archive' and simultaneously a community archive of Rhodesian forces veterans.

Places: Zimbabwe, United Kingdom, South Africa.

Causes: Decolonisation, succession of states, movement of people. Resolved? No.

Lowry, James (ed.). *Displaced Archives*. Abingdon: Routledge, 2017.

Abstract: Displaced archives have long been a problem and their existence continues to trouble archivists, historians and government officials. Displaced Archives brings together leading international experts to comprehensively explore the current state of affairs for the first time. Drawing on case studies from around the world, the authors examine displaced archives as a consequence of conflict and colonialism, analysing their impact on government administration, nation building, human rights and justice. Renewed action is advocated through considerations of the legal approaches to repatriation, the role of the international archival community, 'shared heritage' approaches and other solutions. The volume offers new theoretical, technical and political insights and will be essential reading for practitioners, academics and students in the field of archives, cultural property and heritage management, as well as history, politics and international relations.

Lowry, James. "Introduction: Displaced Archives." In *Displaced Archives*, edited by James Lowry, 1-11. Abingdon: Routledge, 2017.

Lowry, James. "Radical empathy, the imaginary and affect in (post)colonial records: how to break out of international stalemates on displaced archives". *Archival Science* 19, 185–203 (2019).

<https://doi.org/10.1007/s10502-019-09305-z>.

Abstract: As the European powers appeared to withdraw from their colonies, they often took with them records that were subsequently claimed by the governments of the newly independent countries. These records are post-colonial examples of displaced archives. In recent history, the problem of displaced archives has been approached as a legal problem, and this has produced relatively few resolutions to archival claims. This article approaches displaced archives from a new perspective, applying theories and concepts recently introduced into archival theory by Michelle Caswell, Anne Gilliland and Marika Cifor: affect, imagined records and impossible archival imaginaries, and radical empathy. This article will show that these concepts, which have been deployed to decolonise diverse aspects of archival work, could also help resolve a persistent international problem, which is both technical and geopolitical/diplomatic. This article will argue that archival theory, as recently influenced by Caswell, Gilliland and Cifor, demands a significantly changed approach to archival displacement, even as it sometimes arrives at established positions on repatriation and access. This change involves opening up dialogues about displaced archives to considerations beyond the juridical or geopolitical, to form richer understandings of archival displacement and its effects on individuals and communities. The article challenges individual archivists to apply the concepts of affect, imagined records and impossible archival imaginaries, and radical empathy in their work with colonial records as a component of decolonial archival praxis, and finally proposes a critical theorisation of displaced archives.

Lowry, J. "Displaced archives": proposing a research agenda. *Archival Science* 19, 349–358 (2019).

<https://doi.org/10.1007/s10502-019-09326-8>

Abstract: In the opening keynote speech at the Eighth International Conference on the History of Records and Archives (I-CHORA 8) in Melbourne, Australia, the author provided an overview of archival displacement as an historical phenomenon, before concentrating on postcolonial cases and arguing for a fuller global history of the displacement of archives during decolonisation. The talk concluded with some thoughts on future directions for research on displaced archives. Understanding the term "displaced archives" to refer to any records that have been removed from the context of their creation and whose ownership is disputed, this short article elaborates further upon a potential research agenda for displaced archives, which remains an under-researched area in archival studies.

Lowry, James. Disputed Archival Claims: An International Survey 2018/2019. February 2020.

<https://www.ica.org/en/disputed-archival-claims-an-international-survey-20182019>

Abstract: This report presents the data received from an international survey of claims over displaced archives, conducted on behalf of the Expert Group on Shared Archival Heritage (EGSAH) of the International Council on Archives (ICA). The survey was conducted between 30 August 2018 and 15 January

2019 and 27 valid responses were received. The report presents background information about the problem of displaced archives and multilateral efforts to resolve archival claims. It describes Leopold Auer's survey of 1997/8, through ICA for UNESCO, before outlining the methodology of the 2018/9 survey. It then presents the data received on a case by case basis including data on the causes of displacement, the nature of the disputed archives, the state of communications, negotiations and existing agreements, any partial transfers, claims over originals and copies and settlement through copying, the viability of joint heritage arrangements, attitudes to financing and conducting copying and transfers of rights, the legal bases of claims, and bilateral and multilateral measures to resolve claims. The report concludes with a high level comparison between the 1997/8 and 2018/9 survey data.

Lucain, Pierre. "La question des archives algériennes." *La Revue Administrative* 204 (1981): 641-647.

Macedo, L. S. A. D. (2017). Repatriação dos arquivos ou reunificação virtual? O caso dos fundos conventuais madeirenses dispersos entre o Arquivo Nacional Torre do Tombo e o Arquivo Regional e Biblioteca Pública da Madeira. VIII Encontro Ibérico EDICIC 2017.

Summary: This issue is an intra-national claim for the restitution of Madeiran archives owned by the National Archives "Torre do Tombo" to the Regional Government of Madeira. The archival holdings were transferred to the "Torre do Tombo" in the late 19th century. The first request for the restitution was in 1932. No agreement between the regional government and the National Archives.

Places: Portugal, Madeira.

Magaya, Charles, and James Lowry. "The National Archives of Tanzania Fifty Years after Marcia Wright's Report on the Government Records and Public Archives of Tanganyika." *Comma* 2012:1 (2012): 47–58.

<https://www.ica.org/en/comma-2012-1-government-recordkeeping-in-sub-saharan-africa>

Mazikana, P. C. "Migrated Archives: The position of Zimbabwe." Seventh Biennial Conference and Seminar of the East and Central Africa Regional Branch of the International Council on Archives, Harare, 13th-17th September 1982, *ECARBICA* 7, p. 30.

Mazikna, P. "Africa in Large A." *Information services worldwide*, Paris: Unesco, 1996/97.

<http://www.unesco.org/webworld/wirerpt/wirenglish/chap11.pdf>.

Mbaye, Ousmane. "Le CAOM: un centre d'archives partagées?" *Afrique & Histoire* 7 (2010): 291–99.

Milhazes, José. 2013. "Da Rússia: Historiadores Defendem Devolução De Arquivos Da PIDE A Portugal." Arquivo.Pt. Accessed June 4 2019.
<https://arquivo.pt/wayback/20140926015704/http://darussia.blogspot.pt/2013/09/historiadores-defendem-devolucao-de.html>.

Summary: This article concerns the stolen archives of the "International and State Defense Police" of Portugal to the URSS by the soviet intelligence. The account was revealed by the historian and journalist José Milhazes in his book "Cunhal, Brejnev e o 25 de Abril" (2013). There is no known position of the National Archives of Portugal about this issue.

Places: Portugal, Soviet Union.

Milhazes, J. (2016). "Cortina de silêncio em torno de Arquivos Mitrokhin." *Observador*.
<https://observador.pt/opiniao/cortina-silencio-torno-arquivos-mitrokhin/>.

Summary: This article concerns the stolen archives of the "International and State Defense Police" of Portugal to the URSS by the soviet intelligence. The account was revealed by the historian and journalist José Milhazes in his book "Cunhal, Brejnev e o 25 de Abril" (2013). There is no known position of the National Archives of Portugal about this issue.

Places: Portugal, Soviet Union.

Mnjama, N. "The Records of the East African Community." *African Research and Documentation*, No. 82, (2000). pp 3-12.

Mnjama, N. "Archival Claims in Southern Africa." *Innovation*, Vol. No.24. (2002), pp.32-38.

Mnjama, N. "Migrated Archives in Eastern and Southern Africa." Paper presented at the National Symposium: Celebrating 75 years of Archival Experience in Zimbabwe, National Archives of Zimbabwe, Harare, 17-18 January 2011.

Mnjama, Nathan. "Migrated Archives Revisited." *ESARBICA*, 30, 2011.

Mnjama, Nathan. "Migrated archives: the African perspectives." *Journal of the South African Society of Archivists*, Vol. 48, 2015,
<https://www.ajol.info/index.php/jsasa/article/view/129271/118821>.

Abstract: There are a number of cases of records and archives that have left their countries of origin and are now held in other countries. For example, on the eve of independence, vast amounts of records in African countries were repatriated to Western metropolitan cities. Efforts by newly independent African governments to locate and retrieve these records have not been very successful. This paper discusses the efforts made by national archives from the east and southern Africa region through their professional association ESARBICA to locate and retrieve records held in European countries. Through

a mailed questionnaire to Directors of National Archives, the paper captures the current views of the Directors on the impact that the migrated archives has had on their respective countries and possible technological solutions that may be employed to solve the migrated archives issue.

Mnjama, Nathan and James Lowry. "A Proposal for Action on African Archives in Europe." In *Displaced Archives*, edited by James Lowry, 101-13. Abingdon: Routledge, 2017.

Abstract: This chapter discusses displaced archives as a phenomenon of decolonisation in Africa, using examples from the British Empire and the Commonwealth of Nations to illustrate a broader issue that effects many African and European countries. The chapter sketches out the process of displacement before and during decolonisation and the under-development of archival services in colonial administrations. It surveys various efforts to locate, copy or repatriate displaced archives, observing a general lack of progress on the resolution of the question of African archives in Europe. The chapter concludes with a set of proposals to European archivists for facilitating access and repatriation.

Montgomery, Bruce. "Iraq and Kuwait: The Seizure and Destruction of Historical Patrimony." In *Displaced Archives*, edited by James Lowry, 158-79. Abingdon: Routledge, 2017.

Abstract: In the August 1990 invasion and subsequent occupation of Kuwait, Iraqi forces prosecuted a mass campaign of pillage of Kuwait's financial and cultural assets with the aim of annexing the emirate as part of a greater Iraq. In response to Iraq's invasion and plunder of Kuwait, a US-led coalition of countries ousted Saddam Hussein's armed forces from the small emirate. Iraq's defeat in the first Gulf War precipitated more than a quarter century of near continuous war, rebellion and internal upheaval, resulting in the repeated plunder and seizure of Iraq's own cultural and historical patrimony. The scale of destruction, confiscation and displacement of its archival heritage by internal and foreign forces has been perhaps unprecedented in recent times. Nonetheless, unlike Saddam Hussein's probable obliteration of Kuwait's archives as part of his campaign to annex the emirate, most of Iraq's archives from the Saddam era survived and have been preserved by the Pentagon and US research institutions.

Places: Iraq, Kuwait, United States.

Cause: Conflict. Resolved? No.

Montgomery, Bruce. "The Iraqi Secret Police files: A documentary record of the Anfal Genocide." *Archivaria* 1(51) (2001).

Abstract: In March 1991, after the defeat of the Iraqi armed forces in the Gulf War, Kurdish rebels rose in popular revolt against the Iraqi regime, storming and burning secret police stations, prisons, and torture centres. In the uprising, the Iraqi Kurds seized an enormous cache of secret police files from several cities and towns in the northern region of Iraqi Kurdistan before

Saddam Hussein's armed forces returned to crush the revolt after having quelled mass uprisings in the south among the Shiites. The captured documents quickly took on international importance, as they contained direct evidence of crimes against humanity and the Anfal genocide that had been perpetrated against the Kurds by the Iraqi regime during the late 1980s. The extraordinary journey of these documents from northern Iraq to the National Archives in Washington, and then to the University of Colorado at Boulder's Human Rights Initiative has been an odyssey of international political dimensions. The documents have great international significance as they comprise the evidentiary centrepiece of a broad-based international campaign by human rights groups, the United States government, judicial authorities overseas, and others to indict and bring to justice Saddam Hussein and his top leadership before an international tribunal. Whatever occurs in the current effort to prosecute the Iraqi leadership, it is clear that the story surrounding these documents is far from over.

Places: Iraq, Kuwait, United States.

Causes: Conflict. Resolved? No.

Montgomery, Bruce. "The rape of Kuwait's National Memory." *International Journal of Cultural Property*, 22(1), (2015).

<https://www.cambridge.org/core/journals/international-journal-of-cultural-property/article/rape-of-kuwait-s-national-memory/6E0738575E06F30DF1E5C8DA692FE3CA>

Abstract: In the August 1990 invasion of Kuwait, Iraqi forces prosecuted a mass campaign of pillage and destruction. Under the coordinated direction of Iraqi curators who were well acquainted with Kuwait's cultural treasures, occupying Iraqi troops plundered thousands of cultural objects from museums, libraries, and archives. Among the pillaged cultural spoils were Kuwait's national archives, comprising the emirate's historical memory. Until recently, Iraq was beholden to UN sanctions demanding the return of missing persons and property, including Kuwait's archives. Although the United Nations Security Council for many years has facilitated efforts to search for the lost archives, these efforts have proved futile. This article explores the plausibility of the two most likely scenarios surrounding the cold case of Kuwait's missing archives: 1) that the current search for the archives has overlooked the possibility that they were unknowingly seized by US forces in the 2003 invasion of Iraq and are currently being held by the Pentagon; and 2) that the archives may have been intentionally destroyed as part of Saddam Hussein's concerted campaign to obliterate Kuwait's national identity and annex the emirate as Iraq's nineteenth province.

Places: Kuwait, Iraq.

Causes: Conflict, Resolved? No.

Montgomery, Bruce. "Rescue or Return: The Fate of the Iraqi Jewish Archive." *Journal of Cultural Property* 20 (2003).

Abstract: Shortly following the 2003 invasion of Iraq, an American mobile exploitation team was diverted from its mission in hunting for weapons for mass destruction to search for an ancient Talmud in the basement of Saddam Hussein's secret police (Mukhabarat) headquarters in Baghdad. Instead of finding the ancient holy book, the soldiers rescued from the basement flooded with several feet of fetid water an invaluable archive of disparate individual and communal documents and books relating to one of the most ancient Jewish communities in the world. The seizure of Jewish cultural materials by the Mukhabarat recalled similar looting by the Nazis during World War II. The materials were spirited out of Iraq to the United States with a vague assurance of their return after being restored. Several years after their arrival in the United States for conservation, the Iraqi Jewish archive has become contested cultural property between Jewish groups and the Iraqi Jewish diaspora on the one hand and Iraqi cultural officials on the other. This article argues that the archive comprises the cultural property and heritage of the Iraqi Jewish diaspora.

Places: Iraq, United States.

Causes: Conflict, Expropriation. Resolved? No.

Montgomery, Bruce. *The Seizure of Saddam Hussein's Archive of Atrocity* (Lanham, MD: Lexington Books, 2019).

Abstract: The Seizure of Saddam Hussein's Archive of Atrocity examines the capture of the Baathist security files and the discovery of an invaluable Iraqi Jewish archive amid the Kurdish uprising and the US-led invasion of Iraq. The events ignited a fierce struggle for the files, which documented Saddam Hussein's vast humanitarian crimes. The various battles to control the memory of Saddam Hussein's genocidal regime and reclaim Jewish patrimony reflected Iraq's inability to confront its past. The author examines these controversies, arguing that Iraq's failure to face its totalitarian history has condemned it to a future of vengeance.

Places: Iraq, United States.

Causes: Conflict, Expropriation. Resolved? No.

Montgomery, Bruce. "US Seizure, Exploitation, and Restitution of Saddam Hussein's Archive of Atrocity." *Journal of American Studies* 48 (2014), 559-593.

<https://www.cambridge.org/core/journals/journal-of-american-studies/article/us-seizure-exploitation-and-restitution-of-saddam-husseins-archive-of-atrocity/3DCA32F4672DDEEBE3874703C700DBB3>

Abstract: US forces seized millions of documents, thousands of audio and video tapes, and hard drives and digital devices from Saddam Hussein's government ministries and other sites. In war, the seizure of enemy documents for military advantage is permissible under the laws of armed conflict. Following their capture, the materials have undergone a process of analysis, triage, exploitation, dissemination, politicization, more analysis,

scholarly investigation, and postwar diplomacy. An analysis of these events reveals the scope and nature of US exploitation of enemy documents and media in the Iraq War, the limits of the laws of armed conflict regarding their custody and use, and the complications surrounding their repatriation to Iraq.

Places: Iraq, United States. **Causes:** Conflict. Resolved? No.

Morone, Antonio. "I custodi della memoria. Il comitato per la documentazione dell'opera dell'Italia in Africa". *Zapruder. Rivista di storia della conflittualità sociale* 23 (2010): 24–38.

Muchefa, Livingstone. "The Archivist, the Scholar and the Possibilities of Decolonising Archives in Zimbabwe." *African Research and Documentation*, No. 136, 2019.

Mukula, P. "Migrated archives and the Position of Zambia." ECARBICA 7, Seventh Biennial Conference and Seminar of the East and Central Africa Regional Branch of the International Council on Archives. Harare, Zimbabwe, 13-17 September, 1982, pp. 24-28.

Museum of British Colonialism. Operation Legacy: a documentary film.
<https://www.museumofbritishcolonialism.org/operationlegacydoc>

Introduction: State archives in Britain are thought of as being a pristine area in which we preserve, conserve and utilise the nation's history. The Public Records Acts of 1958 and 1967 require government departments to conserve any information that tells us about our shared past, and how we came to know it. Most members of the public assume their reliability. But are they telling us the truth? In 2009, 5 elderly Kenyan war veterans filed a case against the British government in which they claimed that thousands of Kenyan nationals had been subjected to severe acts of inhumane and degrading treatment, torture and arbitrary killings in the 1950s - all at the hands of the British colonial administration. The case would come to upend all our assumptions about archives' reliability, and about the way that we write British history itself. This fascinating and important documentary tells their incredible story, exposing the depth of the cover up that rocked the establishment and changed the way we view colonial history forever.

Namhila, E. N. "Colonial Gaps in Post-Colonial National Archive: Record Keeping and Missing 'Native Estates'." PhD Thesis, (2015). University of Tampere, Finland.

Namhila, Ellen Ndeshi. "Content and use of colonial archives: an under-researched issue." *Archival Science* 16, 111-123 (2016).

Abstract: Namibians often find themselves in situations of litigation where they need person-related records to defend their rights and privileges. Such person-related records include birth, adoption, marriage, or divorce or

deceased estates. It has been observed that the institution where such records should be expected, the National Archives of Namibia often cannot retrieve person-related records of persons previously classified as non-whites under colonial and apartheid laws. Many native Namibians end up losing property or have problems claiming their constitutional rights due to lack of evidence. The purpose of this paper was to explore whether the existing archival literature can guide National Archives of new and emerging African nations on how to handle challenges brought about by gaps in inherited colonial archives. Using a literature survey to explore the state of what is written on the content and usage of colonial archives in post-colonial era, this article argues that the content and use of colonial archives in Africa do not feature prominently in the literature of archival science. Although there has been a rising interest on the subject during the last decade, none of this emerging literature has systematically studied archives in depth with a view on what these archives contain for the non-academic user, what they neglect and what they lack altogether in serving the needs of all citizens in post-colonial states. It recommends that archival scholars as well as archival institutions increase research into this neglected area. Raising awareness may produce academic discourse to help archivists in newly decolonised countries to competently support users whose inquiries currently cannot be answered by the inherited colonial archives collections.

Ngoepe, Mpho and Netshakhuma, Sidney. "Archives in the trenches: repatriation of African National Congress liberation archives in the diaspora to South Africa." *Archival Science* 18 (2018), 51-71.

<https://link.springer.com/article/10.1007%2Fs10502-018-9284-9>

Abstract: The African National Congress (ANC) liberation archives were created in countries all over the world. These liberation archives form part of the national archival heritage of South Africa as they bridge the gap of undocumented history of people who were previously marginalised by the apartheid government. After the ban on liberation movements was lifted in South Africa, the ANC embarked on the process of identification and repatriation of the records that were fragmented throughout the world. This study investigated the approaches followed by the ANC in identifying and repatriating its liberation archives from the trenches to make them accessible. Qualitative data were collected through interviews with purposively selected employees of the African National Congress, MultiChoice, Africa Media Online and the Nelson Mandela Foundation who were involved in the repatriation of the liberation archives. Interview data were augmented through content analysis of ANC documents such as policies, websites and annual reports, as well as observation of the storage conditions of the liberation archives. The key findings revealed that the ANC established an archives management committee that played an important role in the identification, repatriation and, ultimately, digitisation of liberation archives. The committee utilised former liberation struggle members to identify records in ANC hosts in various countries. It was established that, although the ANC was aware of where its

records were abroad, not all its records were repatriated to South Africa after the unbanning of the liberation movements. For example, there were host nations, like Italy, that disputed the return of the ANC liberation archives to South Africa. The liberation archives are in the custody of the Fort Hare University as a chosen official repository for the ANC. It is concluded that the repatriation of the liberation archives is an ongoing process, as not all records have been repatriated to South Africa. As the ANC is in power at the time of writing, this is the opportunity for the organisation to negotiate with countries that still have custody of its liberation archives, such as Italy, to repatriate such records to South Africa. A further study on legal ownership and copyright, digitisation and ensuring the authenticity of the ANC liberation archives is recommended. This study can be extended to other liberation movements in southern Africa.

Places: South Africa, international.

Causes: Conflict, Movement of people. Resolved? No.

Nsibandze, N. "Southern African Archives in Exile." *S A Archives Journal* 38 (1996.)

Nyffenegger, Isabelle and Kristian Jensen (eds). "Guidelines for Setting up a Digital Unification Project". Den Haag: International Federation of Library Associations 2019.

<https://www.ifla.org/files/assets/hq/topics/cultural-heritage/documents/guidelines-on-setting-up-a-digital-unification-project.pdf>

O'Brien, Gerard. *Irish Government and the Guardianship of Historical Records, 1922-72*, Dublin, Ireland: Four Courts Press, 2004.

Perman, Dagmar. "Microfilming of German records in the National Archives." *American Archivist* 22 (1959):433–43.

Pérotin, Yves. *Archives publiques: Algérie – (mission) Avril-Juillet 1964*, in UNESCO Archives ALG/CUA/2, 9, 1964.

Posner, Ernst. "Effect of changes of sovereignty on archives." *American Archivist* 5 (1942): 141–55.

PCP diz que notícias sobre arquivos da PIDE são "recorrentes falsificações". (2013). DN.

Retrieved 4 June 2019, from <https://www.dn.pt/politica/interior/pcp-diz-que-noticias-sobre-arquivos-da-pide-sao-recorrentes-falsificacoes-3405152.html>.

Summary: This article concerns the stolen archives of the "International and State Defense Police" of Portugal to the URSS by the soviet intelligence. The account was revealed by the historian and journalist José Milhazes in his book "Cunhal, Brejnev e o 25 de Abril" (2013). There is no known position of the National Archives of Portugal about this issue.

Places: Portugal, Soviet Union.

[Phillips, David. "The 'Migrated Archives' and a Forgotten Corner of Empire: The British Borneo Territories."](#) *The Journal of Imperial and Commonwealth History*. Volume 44, No. 6, 2016.

Abstract: The 'migrated archives', previously concealed files related to former colonies of the British Empire, were released over the period 2012–13. The first flurry of academic and journalistic interest, focused on possible revelations of the misuse of colonial power, soon subsided. Nevertheless, the archives have been valuable in enlarging knowledge of colonial policy-making. They have also aided exploration of the interstices between the official records of colonial administration and the often unrecorded life of peoples and communities. In this sense the 'migrated archives' are a rich resource in prompting a new look at established historical narratives of the British Borneo territories of Brunei, North Borneo and Sarawak. These territories have received scant attention in the historiography of British colonialism. This has been to the detriment of wider scholarship in studying issues such as the expansion of the wartime colonial state; the 'second colonial occupation' and the evolution of post-war British colonial governance; the development of anti-colonialism; the formation of Malaysia; counter-terrorism conflicts; and the nature of the colonial legacy. The colonial period may seem a fleeting phase in the age-old cultural and economic formation of the Borneo states, yet it continues to have contemporary relevance in a strategically sensitive part of the world. This article seeks to show that the Borneo territories merit greater attention from historians of British colonialism and that the 'migrated archives', used in conjunction with other sources, can make a significant contribution towards the history of colonialism in a previously neglected area.

Places: British Borneo Territories (Brunei, North Borneo, Sarawak), United Kingdom. Resolved? No.

Piret, Bérengère. "Reviving the remains of colonization – The Belgian Colonial Archives in Brussels." *History in Africa* 42 (2015): 419–435.

Abstract: Since 1997, all the archives of Belgian Congo are deposited at the Belgian Ministry of Foreign Affairs in Brussels and are opened up to the public. For more than fifteen years, researchers have consulted and scrutinised its documents produced by the colonial authorities between 1908 and 1960. Still several collections have not been explored. This article relates to the history and the organisation of the archives of the Belgian Congo.

Résumé: Depuis 1997, les archives coloniales belges sont déposées aux archives du ministère belge des Affaires Étrangères et sont ouvertes à la consultation. Dès ce moment, les chercheurs ont dépouillé et exhumé les documents produits par les autorités coloniales belges entre 1908 et 1960. Malgré cela, de nombreux fonds restent peu ou mal connus. Cet article se

propose de mettre en lumière l'histoire et l'organisation de ces archives coloniales ainsi que de cartographier les fonds qui les composent.

Potin, Yann. "Intervention de Yann Potin." Archives et archivistes sous le regard de l'historien: la loi sur les archives de 2008 et ses conséquences. *Gazette des archives* 225:1 (2012): 49-53. DOI10.3406/gazar.2012.4884. https://www.persee.fr/doc/gazar_0016-5522_2012_num_225_1_4884

Punzalan, Ricardo. "Archival diasporas: a framework for understanding the complexities and challenges of dispersed photographic collections." *American Archivist* 77(2), 2014, pp. 326–349. <https://meridian.allenpress.com/american-archivist/article/77/2/326/24235/Archival-Diasporas-A-Framework-for-Understanding>

Abstract: It is not uncommon for archival photographs to appear in multiple copies, versions, or formats. Photographs of the same provenance are often found in various locations or housed in several institutions. Format diversity, duplication, and dispersion pose profound challenges for archivists attempting to represent photographic images scattered across many institutions. This article identifies four dimensions of archival dispersion-geographical, temporal, provenancial, and material-that simultaneously act as barriers for providing consolidated representation of dispersed photographs. Understanding the context and nature of dispersion is key to effective representation of photographs in archival custody. 'Archival Diasporas' explores the complicated nature of distributed collections.

Quintana, Antonio G. Archival Policies in the Protection of Human Rights. Paris: International Council on Archives, 2009. https://www.ica.org/sites/default/files/Report_Gonzalez-Quintana_EN.pdf.

Summary: An updated and fuller version of the report prepared by UNESCO and the International Council on Archives (1995), concerning the management of the archives of the state security services of former repressive regimes.

Rahal, Malika. Ali Boumendjel. Une affaire française. Une histoire algérienne. Paris, France: Les Belles Lettres, 2010.

Rahal, Malika. "Fused Together and Torn Apart: Stories and Violence in Contemporary Algeria." *History and Memory* 24:1 (2012):118–51. <https://core.ac.uk/download/pdf/47371624.pdf>

Abstract: This article explores the constraints of contemporary history writing about Algeria. It analyses the historiographical blocks and blind spots to show the centrality of the question of unity/plurality within Algerianness. Borrowing from anthropologist Françoise Héritier, it uses the notion of entre-soi to elaborate a new chronological framework, a continual sequence of war between 1945 and 2002. It also examines the impact of the rapid succession of these episodes of political violence on individual memories, and how moments of paroxysmal violence are reactivated during interviews, and

considers the emotional cost for historians when they become the last recipient of narratives of forms of violence intended to terrorise.

Ramokate, Kago. "Botswana Recovers Migrated Archives." *Mmegi*, 15th January 2004.

Available at: <http://allafrica.com/stories/200401160269.html>,

Robertson, Geoffrey. *Who Owns History: Elgin's Loot and the Case for Returning Plundered Treasure*. London: Biteback Publishing, 2019.

While concerned primarily with debates about the continuing existence of cultural artefacts from around the world in Western museums, the author, a distinguished lawyer, includes his suggested draft for a new 'Convention for the Repatriation of Important Cultural Heritage' to include archives.

Rodinis, Andrej. Dokumenti iz austrijskih arhiva u Arhivu Bosne i Hercegovine – osvrt na arhivski sporazum i restituciju gradiva, *Arhivski vjesnik*, Vol. 58, No. 1, 2015, str. 59-71.

Available at: <https://hrcak.srce.hr/158731>.

Summary: Documents from the Austrian Archives in the Archives of Bosnia and Herzegovina – Review of the Agreement and the Restitution of Archival Material

Places: *Bosnia and Herzegovina, Austria.*

Causes: *Succession of States.*

Rose, J. A. V., "The Records of the High Commissioner for South Africa in Botswana National Archives." *ECARBICA Journal*, Vol. 3, 1977, p. 56.

Sandholtz, Wayne. "Plunder, restitution and international law." *International Journal of Cultural Property* 17(2), 2010, pp. 147-176.

Abstract: The Russian Federal Law on Cultural Valuables Displaced to the USSR as a Result of the Second World War and Located on the Territory of the Russian Federation purports to establish the legal basis for the Russian state to hold permanent title to the vast majority of the cultural valuables removed from Germany to the Soviet Union at the end of World War II. Russia claims that the cultural objects seized by the Soviet Union constitute "compensatory restitution" for the hundreds of thousands of cultural and artistic valuables seized or destroyed by the Nazis during the war. This article assesses the compatibility of the Russian claim with relevant international law. It does so by tracing the development of the international anti plunder legal regime. It then assesses the Russian claim with respect to three categories of cultural valuables, based on prewar ownership: property belonging to private persons and organizations, property belonging to non enemy states, and property belonging to enemy states (Axis powers). "Compensatory restitution" does not exist as a category or principle in international law, so the analysis

focuses on the legal concept that is most similar and therefore of potential relevance, restitution in kind. If restitution in kind is impermissible under international law, then the broader “compensatory restitution” is, with even greater force, also impermissible. The key finding is that international law does not permit “compensatory restitution,” nor does it permit unilateral seizures of cultural objects under some broader notion of compensation.

Santos, C. M. (2009). “Power in Writing in Angola.” In *Annales. Histoire, Sciences Sociales* (Vol. 64, No. 4, pp. 767-795). Editions de l’EHESS.

Summary: Consisting of some 1,160 manuscript items on a variety of supports from the late 17th century to the early 20th century, they were created and kept by African local authorities of Central Africa, in the north of Angola known as Dembos (Ndembu), of the Mbundu group, which organized state archives. The documents were collected in Angola, in 1934, by António Almeida (1900-1994), a medical doctor and physical anthropologist. They were transferred to the AHU (Overseas Historical Archive) in three groups, from 2007 to 2009. Another part of the same holding is kept in the National Archives of Angola. Classified in 2011 as Memory of the World by UNESCO.

Santos, C. M. (2010). “Administrative knowledge in a colonial context: Angola in the eighteenth century.” *The British Journal for the History of Science*, 43(4), 539-556.

Summary: Consisting of some 1,160 manuscript items on a variety of supports from the late 17th century to the early 20th century, they were created and kept by African local authorities of Central Africa, in the north of Angola known as Dembos (Ndembu), of the Mbundu group, which organised state archives. The documents were collected in Angola, in 1934, by António Almeida (1900-1994), a medical doctor and physical anthropologist. They were transferred to the AHU (Overseas Historical Archive) in three groups, from 2007 to 2009. Another part of the same holding is kept in the National Archives of Angola. Classified in 2011 as Memory of the World by UNESCO.

Sato, Shohei. “[‘Operation Legacy’: Britain’s Destruction and Concealment of Colonial Records Worldwide.](#)” *The Journal of Imperial and Commonwealth History*, Volume 45, No. 4, 2017.

<https://www.tandfonline.com/doi/full/10.1080/03086534.2017.1294256>

Abstract: The end of the British Empire in the mid-twentieth century was accompanied by a large-scale rearrangement of sensitive colonial records worldwide. A great number of these records were destroyed and a sizable portion sent to Britain to be kept secret. This article advances studies of this policy, eventually code-named ‘Operation Legacy’, by reading the ‘migrated archives’ that have been newly discovered and declassified in the Foreign and Commonwealth Office (FCO) 141 series. It asks where the policy was decided, for what reason and how it was carried out. Sources suggest that the policy was not planned in the Colonial Office in London and delivered to the colonies

in a hierarchical fashion, but, rather, significant elements of the policy were developed in the colonial governments overseas in response to each local context. The general idea was to save Britain's honour and to protect its collaborators. However, the limitations in terms of time and manpower often prevented the officers from putting sufficient thought into the actual screening of the documents. At the same time, some officers demonstrated a level of historical awareness regarding their actions. The episode reminds us that the official mind as it relates to decolonisation is to be understood not only by reference to the highest levels of strategic planning but also in terms of how it worked at the lower levels, in the colonial administrations on the ground.

Places: United Kingdom, former British Empire.

Causes: Decolonisation. Resolved? No.

Schenk, Dietmar. "Wem gehören die Archive? Archiv-Gemeinschaften und Gemeinschafts Archive." In *'Aufheben, Was Nicht Vergessen Werden Darf': Archive vom Alten Europa bis zur Digitalen Welt*. Stuttgart, Germany: Steiner, 2013.

Sela, Rona. LOOTED & HIDDEN - Palestinian Archives in Israel, 2017. Documentary film.

<https://vimeo.com/213851191>

Abstract: The film "Looted and Hidden" deals with Palestinian archives that were looted or seized by Israel or Jewish forces during the 20th century and are controlled and buried in Israeli military archives. Based on a lengthy struggle to get access to classified materials, archival footage and images that were considered lost and interviews with key figures active in the archives and with soldiers that seized Palestinian archives, the film focuses on the treasures Israel looted in Beirut in the 1980s. The film unravels the fate of Palestinian archives, especially film and visual archives, that documented the Palestinian Revolution from late 1960s to the beginning of the 1980s, but also deals with photography archives that were looted since the 1930s. It raises questions about archival institutions in colonial countries and zones of conflict, and points to the need to dig into the hidden in order to reveal what has been erased or rewritten.

Shepard, Todd. *The Invention of Decolonization: The End of French Algeria and the Remaking of France*, 2nd ed. Ithaca, NY: Cornell University Press, 2008.

Shepard, Todd. "History is Past Politics?' Archives, 'Tainted evidence,' and the Return of the State." *The American Historical Review* 115:2 (2010): 474–483. <https://academic.oup.com/ahr/article/115/2/474/10640>

Shepard, Todd. "Decolonization and the Republic." In *The French Republic*, edited by Edward Berenson, Vincent Duclert and Christophe Prochasson, 252-261. Ithaca, NY: Cornell University Press, 2011.

Shepard, Todd. "'Of Sovereignty': disputed archives, 'wholly modern' archives, and the post-decolonisation French and Algerian Republics, 1962-2012." *The American Historical Review* 120(3), 2015, pp. 869-883.
<https://academic.oup.com/ahr/article/120/3/869/19859>

Abstract: According to its actors, the French-Algerian "dispute" ("le contentieux") over the archives of French-ruled Algeria (1830-1962) is about what happened at the time of decolonization to official collections then-archived in Algeria and what this means for the production of "history." Yet the history of the Dispute itself, which continues until today, can offer insight into another question that even broader discussions of archives usually avoid: "the institution of the Archives is just as potent a political tool as its contents—and therefore politically dangerous." Archives as key institutions of modern states are more than buildings, staff, and documentary contents, although those elements help make them so "potent." Through their existence and the way they function they help constitute a state insofar as their workings offer proof that it is an emanation of its people, a nation-state, and thus modern. This is why, I would suggest, the Dispute has had political effects on both sides of the Mediterranean and has shaped historical production in ways far larger than missing documents—even in large numbers—can account. As this history of the Dispute makes clear, decolonization participated in the concomitant (and quite dramatic) redefinition, led by professional archivists, of what materials state archives should collect that crystallized in the late 1950s. Decolonization gave form to summons for historians to look beyond the state and reshaped actual archives and, together with both, participated in redefining sovereignty.

Places: Algeria, France.

Causes: Decolonisation. Resolved? No.

Shepard, Todd. "Making Sovereignty and Affirming Modernity in the Archives of Decolonisation: The Algeria-France 'Dispute' between the Post-Decolonisation French and Algerian Republics, 1962-2015." In *Displaced Archives*, edited by James Lowry, 21-40. Abingdon: Routledge, 2017.

Abstract: This chapter offers a history of the so-called Algero-French Dispute over the archives that the French state took from Algeria in the lead-up to Algerian independence. It focuses on debates in France in 1981 and in Algeria in 2011-2012 as well as events in 1962. This history grounds an investigation of how decolonization shaped the contemporary shift in modern archival practice from "archiving the State" to "archiving the Nation." This inspiring contemporary history - of widening collection practices among archivists and of topics and questions among historians - has obfuscated a more troubling history rife with the politics of sovereignty.

Places: Algeria, France.

Causes: Decolonisation. Resolved? No.

Sigurðsson, Njörður. "Skjalakröfur Íslendinga. Um aðdraganda og eftirmála dönsku sendingarinnar 1928." *Danska sendingin 1928*. Edited by Unnar Rafn Ingvarsson, Gunnar Örn Hannesson and Eiríkur G. Guðmundsson, 8-15. Reykjavík: Þjóðskjalasafn Íslands 2018.

Summary: In 1927 an agreement was reached between Iceland and Denmark on the mutual exchange of manuscripts and archives. Delivery according to this agreement took place in 1928, and from the National Archives of Denmark, The Royal Library of Denmark, The Arnamagnæan Institute and Danish Supreme Court documents and books dating from the 15th to 20th century were transferred to Iceland and are now amongst the most precious treasures in the National Archives of Iceland. This chapter of the first Icelandic archival claims ended in 2003 when the Icelandic Constitution from 1874 was finally returned to Iceland with a special agreement with Denmark. These same documents were also a part of Danish history, and show how the Danish state acted towards Iceland, the outlying part of the state.

Smit, Jinna. "To claim or not to claim. Sharing archives: policy and practice." In *Colonial Legacy in South East Asia: The Dutch Archives*, edited by Charles Jeurgens, Ton Kappelhof and Michael Karabinos. The Hague, The Netherlands: Sticking Archieffpublicaties, 2012, pp. 172-89.

Society of American Archivists and Association of Canadian Archivists, "SAA/ACA Joint Statement on Iraqi Records," 22 April 2008.

Available at <https://www2.archivists.org/statements/acasaa-joint-statement-on-iraqi-records>.

Abstract: The statement calls upon the US government to return records removed from Iraq during the Second Gulf War, noting that the US had set a precedent of returning records seized during the Second World War, Korean War, Vietnam War and the invasion of Grenada. The statement identifies five groups of records to be returned to Iraq: records seized during the war by US military and intelligence, records seized from non-governmental combatants, records obtained by the Iraq Memory Foundation, records seized by Kurds during the First Gulf War and Iraqi Jewish archives.

Places: Iraq, United States.

Causes: Conflict. Resolved? No.

Sowoolo S O. "Archives and Manuscripts Relating to Africa." Progress in African bibliography: SCOLMA conference [held at the] Commonwealth Institute, London, 17-18 March 1977, Proceedings. London: SCOLMA, 1977, p.3.

Stein, Sarah Abrevaya. "Black holes, Dark Matter, and Buried Troves: Decolonization and the Multi-Sited Archives of Algerian Jewish history". *The American Historical Review*, Volume 120, Issue 3, June 2015, pp. 900–919, <https://doi.org/10.1093/ahr/120.3.900>.

Stoler, A.L. "Colonial archives and the arts of governance." *Archival Science*, 2 (2002), 87-109.

https://www.researchgate.net/publication/30842600_Colonial_Archives_and_the_Arts_of_Governance

Abstract: Anthropologists engaged in post-colonial studies are increasingly adopting an historical perspective and using archives. Yet their archival activity tends to remain more an extractive than an ethnographic one. Documents are thus still invoked piecemeal to confirm the colonial invention of certain practices or to underscore cultural claims, silent. Yet such mining of the content of government commissions, reports, and other archival sources rarely pays attention to their peculiar placement and form. Scholars need to move from archive-as-source to archive-as-subject. This article, using document production in the Dutch East Indies as an illustration, argues that scholars should view archives not as sites of knowledge retrieval, but of knowledge production, as monuments of states as well as sites of state ethnography. This requires a sustained engagement with archives as cultural agents of "fact" production, of taxonomies in the making, and of state authority. What constitutes the archive, what form it takes, and what systems of classification and epistemology signal at specific times are (and reflect) critical features of colonial politics and state power. The archive was the supreme technology of the late nineteenth-century imperial state, a repository of codified beliefs that clustered (and bore witness to) connections between secrecy, the law, and power.

Stoler, Ann. *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense*. Princeton, NJ: Princeton University Press, 2009.

Stora, Benjamin. "Maroc-Algérie. Retour du passé et écriture de l'histoire." *Vingtième Siècle. Revue d'histoire* 68 (2000): 109–118.

https://www.persee.fr/doc/xxs_0294-1759_2000_num_68_1_3939

Résumé : Depuis Rabat, où il est désormais basé, Benjamin Stora voit monter au Maghreb les débats politiques et les combats de mémoire qu'attise un passé proche trop longtemps refoulé et instrumentalisé. Une histoire plurielle, fragile et difficile à écrire se cherche là-bas, bien loin des anciennes versions officielles. Cette nouveauté bouscule les historiens du contemporain et les met en situation d'utiles "passeurs". Depuis 1999 en Algérie et au Maroc, à l'heure du président Bouteflika et du jeune roi Mohammed VI, le passé rattrape le présent. Des "affaires" sortent, des témoins sont exhumés, des acteurs parlent enfin. L'histoire contemporaine est dès lors vécue comme une blessure, une vengeance ou une réparation, tandis que les enjeux de mémoire prennent un tour identitaire rendu particulièrement violent par les sursauts de la démocratie. Dans ce temps de latence ou de transition, l'historien cherche sa place et ne désespère pas d'être un bon "passeur" entre histoire et mémoire.

Abstract: Since 1999 in Algeria and Morocco, in the period of President Bouteflika and the young king Mohammed VI, the past is catching up with the present. "Affairs" are coming out; witnesses are being unburied; actors are finally talking. Contemporary history is thus lived as a wound, a vengeance or a reparation while the stakes of memory become an identity issue made particularly violent by the jumps of democracy. In a time of latence or transition, the historian is looking for her/his place and doesn't lose hope of becoming a good "smuggler" between history and memory.

Suriname, interview with the National Archivist. (In Dutch).

<https://informatieprofessional.nl/2018/02/interview-nationaal-archivaris-suriname/>

Summary: includes discussion on the return of records and the stipulations and processes that the Netherlands required Suriname to go through in order to re-receive them (that the Dutch government insisted that the records had to be digitally available for Suriname to get them back, though the Dutch government paid for this, it wasn't something decided upon by Suriname).

Thubauville, Sophia and Sayuri Yoshida (Eds.). "Archives and Collections for/in Ethiopian Studies." Special Issue of *African Research and Documentation*, No. 135, 2019.

UNESCO, "Archival claims; preliminary study on the principles and criteria to be applied in negotiations, 1977."

<https://unesdoc.unesco.org/ark:/48223/pf0000029879>.

UNESCO, 'Recommendations Concerning the Preservation of, and Access to, Documentary Heritage including in Digital Form: Implementation Guidelines. 2015.'

https://en.unesco.org/sites/default/files/2015_mow_recommendation_implementation_guidelines_en.pdf

United Nations Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970).

<https://en.unesco.org/fighttrafficking/1970>

Note: This convention came into force, but is not retrospective.

United Nations: "Draft articles on Succession of States in respect of State Property, Archives and Debts with commentaries 1981; text adopted by the International Law Commission at its 33rd session, 1981, and submitted to the General Assembly."

http://untreaty.un.org/ilc/texts/instruments/english/commentaries/3_3_1981.pdf.

Note: This convention did not come into force, being ratified by too few member states. It continues to inform debate.

United Nations Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulations for the Execution of the Convention (The Hague, 14 May 1954) - First Protocol, The Hague, 14 May 1954; Second

Protocol, The Hague, 26 March 1999.

http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/1954_Convention_EN_2020.pdf

University of California Davis, College of Letters and Science. "Historians to Digitize Endangered Peruvian Archive." 21 September 2020.

<https://lettersandscience.ucdavis.edu/blog/historians-digitize-endangered-peruvian-archive>

Summary: A blog announcing a forthcoming project, in collaboration with Peruvian experts, to digitise the records of the Peruvian Peasant Confederation (Confederación Campesina del Perú, or CCP) and make them accessible online. The collection is described as constituting the richest archive collection in Peru focused on rural and Indigenous people in the 20th century and is particularly important for the Dirty War period (1980-1992). The project is funded by UCLA Library's Modern Endangered Archives Program (MEAP). Fully searchable digital files will be given to the UCLA Library as well as to Pontificia Universidad Católica del Perú and the archive of the Peruvian Truth and Reconciliation Commission. These libraries will provide open access to the files with no restrictions.

Van Golen, Cees Jan. *Footsteps and Fingerprints: the Legacy of a Shared History*. (Waanders BV, Uitgeverij, Netherlands, 2011)

Vienna Convention on the Succession of States in respect of State Property, Archives, Debt, 1983, Art 28 1(a).

https://legal.un.org/ilc/texts/instruments/english/conventions/3_3_1983.pdf

Weinberg, Gerhard H. "German Documents in the United States." *Central European History*, 41, no. 4, Imagining Germany from Abroad: The View from Britain and the United States, (2008): 557-558.

Winn, Samantha R., "Ethics of Access in Displaced Archives." *Provenance, Journal of the Society of Georgia Archivists* 33 (no.1), 2015.

<http://digitalcommons.kennesaw.edu/provenance/vol33/iss1/5>.

Abstract: In November 2013, the National Archives and Records Administration (NARA) premiered a traveling exhibit entitled "Discovery and Recovery: Preserving Iraqi Jewish Heritage." The exhibit, which remains in circulation as of September 2015, documents the dramatic recovery and conservation of an extensive archive of historic texts and manuscripts discovered in 2003 by American military forces in Baghdad. Under a memorandum of understanding with the Iraqi government, U.S. officials agreed to return the archive at a future date; however, representatives of the Iraqi Jewish diaspora claim the archive as cultural heritage and property of the Iraqi Jewish community. While custody questions remain unresolved, NARA's decision to digitize and provide public access to the Iraqi Jewish Archive presents a compelling example of an ethical question rarely addressed by archival literature.

Within the United States, literature on displaced archives generally addresses custodial considerations, including the principle of inalienability and arguments for or against repatriation of specific record groups. Though scholars have written at length about access to human rights records in transitioning countries and repatriation of indigenous materials, American archivists have yet to establish a moral or practical consensus on access to displaced archives held by U.S. institutions. Archivists working with displaced archives must navigate a complex web of ethical imperatives, competing moral claims, contradictory legal frameworks, shifting national security norms, and customary practices that reflect centuries of colonization, occupation, and conquest. In the absence of either rigorous professional engagement or a clear ethical framework, institutions managing displaced archives may establish policies that unnecessarily restrict access, violate the values of the creators, privilege certain groups of users over others, or inflict harm upon members of the originating community.

Wurl, Joel. "Documenting Displacement: The Migration of Archival Sources from Post-WWII East European Emigre Groups." *Archival Science*, 5 (2005): 79-80.

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