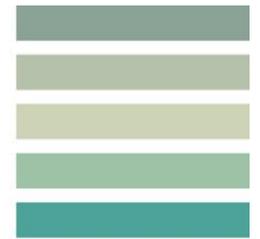


# Syria Justice and Accountability Centre



## **Syria: Documentation and its Role in Memorialization**

Prepared by  
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November, 2013

*Memorandum Series:  
Documentation in Transitional Justice*

## Documentation and its Role in Memorialization

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### Introduction

Memorialization generally refers to the *processes* through which memory is perpetuated. As such, memorialization can include physical sites of memory, art and memory projects, oral history collections and archives—all of which evoke the past and aim to, in some way, ensure that we continue to remember. Increasingly, formal truth commissions, states, survivors, and communities more broadly have, through policy and practice, highlighted the importance of memorialization in recognizing survivors of conflict, contributing to truth-seeking/telling processes, providing avenues for reconciliation and serving as a catalyst for broad public engagement and education. While memory and memorialization were at the center of transitional justice processes in countries such as Argentina and Chile in the 1980's, in later truth commission processes such as those undertaken in South Africa in the mid-90's, memorialization became subsumed under the broad banner of symbolic reparations. More recently, however, truth commissions such as the Liberian Truth and Reconciliation Commission have recognized memorialization in a category of its own. This trajectory highlights the growing role of memorialization in the transitional justice field and more broadly in the conflict transformation and peacebuilding sectors.

By drawing on the work of the International Coalition of Sites of Conscience and focusing on one type of memorialization activity, documentation, this memo seeks to answer some of the questions outlined below:

- The role of data, documentation and evidence in memorialization and its role in connecting populations with the past in order to shape a more just future
- The types of documentation that are important to preserve and why
- The role of documentation and preservation in promoting accountability in memorialization

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<sup>2</sup> The International Coalition of Sites of Conscience is a worldwide network of historic sites, museums and memory initiatives that use the power of places of memory to engage the public in connecting past and present in order to envision and shape a more just and humane future. For more information visit [www.sitesofconscience.org](http://www.sitesofconscience.org).

While each of these issues is exemplified through various Site of Conscience examples, it is important to note that each may be context specific. However, there are broader lessons that can be drawn from each of these cases which can serve as best practices for countries currently in-conflict or emerging from conflict.

## **Documentation in the context of authoritarianism rule and during conflict**

### *Background*

Various scholars<sup>3</sup> have noted that memory is a social construct created by a group over a period of time. The past is often actively and selectively re-constructed to meet the needs of the present. As a social and political tool, the goals of memorialization vary. During protracted conflicts, such as the conflicts in Northern Ireland or the Israel-Palestine conflict, memory may be used as a divisive mechanism. It can be used to breed feelings of vengeance within a certain group, creating and nurturing feelings of victimization as well creating simplified versions of the conflict where the malevolence of one group is emphasized and the other group is portrayed as heroes or martyrs.<sup>4</sup> However, memory can also be used as a catalyst for positive social transformation. In countries such as Cambodia, local organizations<sup>5</sup> have successfully implemented community-based memory projects bringing together youth and elders in dialogues about the past. In recognizing that the divisions between victims and perpetrators are often blurred during conflict, local memory projects make no distinction between local-level perpetrators and victims. In close consultation with victims, community facilitators bring together all community members to discuss the past, their experiences of the conflict, and ways to work together to build a future based on peace and justice. In such cases, local-level perpetrators have sometimes apologized to the community as a whole or repented by contributing their time and skills to developing a community memory center. A final step of the memory dialogues includes a traditional Buddhist water ceremony that seeks to cleanse and heal all members of the community. Memory is often used by repressive regimes to legitimize the oppressive social or political order. As such, certain narratives and memories take precedence over others, marginalizing some voices and silencing other voices of dissent. During periods of authoritarian rule, victims of human rights violations have few avenues to share their experiences of social marginalization or gross human rights violations, let alone gain proper access to justice

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<sup>3</sup> See Maurice Halbwachs, "The Social Frameworks of Memory" from *On Collective Memory*, L.A Coser (ed) (Chicago University Press, 1980); Barry Schwartz, "The Social Context of Commemoration: A Study in Collective Memory." *Social Forces*, 61 (2), (Dec, 1982): 374-402; Pierre Nora, "Between Memory and History: Les Lieux de Memoire," *Representations* 69 (Winter 1989).

<sup>4</sup> See Daniel Bar-Tal, "Conflicting Memories and Time" from *The Role of Memory in Ethnic Conflict*. E. Cairns and M.D. Roe (eds) (Palgrave, 2003).

<sup>5</sup> See <http://www.sitesofconscience.org/members/peace-institute-of-cambodia/>

procedures. As has been seen in countries like South Africa, Argentina, Guatemala and currently in Bahrain, given the extent of repression and intimidation wrought by the authoritarian regime, the culture of fear, silence and distrust becomes so entrenched that even the sharing of experiences within the family unit becomes impossible. However, there are also many examples where ordinary citizens have risked detention and even death by undertaking memorialization activities as a form of protest against authoritarianism. The mothers of the disappeared in Argentina who held daily public protests calling for the return of their missing children during the 1980's, and the numerous examples of protest theatre in Apartheid South Africa during the 1980's are but a few examples of ordinary citizens using memory to make claims for justice and draw attention to human rights violations in their respective countries.

While ordinary citizens may have limited recourse for justice, let alone opportunities to document their daily experiences of marginalization and abuse in authoritarian regimes, as has been found in countries like South Africa, Kenya, Lebanon, Spain, Argentina and Cambodia, repressive regimes and state agents pay specific and particular attention to documentation and archiving. Not only do state agents such as the police and special task force units document their own acts of human rights violations such as kidnapping, torture, raids, disappearances and murders in detention, but they also keep detailed surveillance records of citizens' day-to-day activities. These archives in themselves can serve as a memorial, recognizing survivors and victims of the authoritarian regime and can provide invaluable information for justice processes. Furthermore, this kind of archive is especially important post-conflict for any newly elected democratic state, historians, civil society organizations and citizens aiming to set the historical record straight. However, a key question is whether these archives will be accessible post-conflict since actual buildings storing the archives are sometimes inadvertently destroyed during active conflict or purposefully destroyed by the authoritarian regime before its fall.

### *Documentation during Conflict*

During periods of active protracted conflict, undertaking documentation initiatives may be difficult. Not only do the physical conditions of war render it almost impossible, but fear, mistrust and intimidation may also hinder such initiatives. Even in the conditions that have been noted above, ordinary citizens, human rights activists, journalists, artists and civil society organizations may undertake documentation of gross human rights violations despite the risks. While these initiatives take place organically, it is important to note that a systematic approach towards documentation during conflict may be invaluable to inform post-conflict justice processes as well as serve as a form of memorialization during the actual conflict and in post-conflict.

During periods of active conflict, there are stakeholders on the ground that are documenting human rights abuses for different reasons. International humanitarian agencies, local human

rights organizations, journalists and ordinary citizens document the day-to-day experiences of war either for reporting purposes, for their own personal archives, or to raise international awareness of the in-country situation or lobby for international intervention. Amidst the chaos of war, these initiatives may be sporadic and even contradictory but they are nevertheless important for future memorialization processes. What then are the types of documentation deemed important and how can these records be collected:

## *Documentation of physical sites*

During authoritarian rule, torture and unlawful detention are among the key human rights violations perpetrated by the state. Public buildings such as those storing archival material, prisons and other clandestine detention centers bear testimony to these violations. During war, there is often the risk that these physical spaces will be destroyed along with other infrastructure or may be purposefully destroyed by the regime before its fall. One way to ensure that these sites bear testimony to survivors' experiences is through audiovisual recordings or photographing the site while it is still intact. However, if the site is destroyed, a public call can be made for citizens to contribute any materials related to the site and sites may also be re-created in close consultation with survivors. As seen in the case study of Nyayo House below, physical sites or their remains serve important functions of truth-telling and memorialization.

### **Nyayo House, Kenya**

Since its colonization in 1885, Kenya has experienced protracted cycles of violence related to the struggles for freedom and later as a result of political divisions. On December 12, 1963, Kenya gained its independence, marking the day with the formation of the Constitution of an independent Kenya. Kenya's political history has since been characterized by governance systems that have been largely ineffective in fostering democracy and by regimes associated with political repression and human rights violations. Both the colonial (1895-1963) and post-colonial regimes (1963-present) have entrenched the culture of impunity so deeply that programs for comprehensive democratization and more recent transitional justice processes have had little success. However, there have been a few successes such as the removal of the dictatorial Kenyan African National Union (KANU) regime under the leadership of President Moi in 2002.<sup>1</sup>

A legacy of former President Moi is the notorious Nyayo House, the provincial headquarters located in Nairobi. Over the years the building gained notoriety as a clandestine torture and detention center while still operating as a public service facility during the 1980's and 1990's under the regime of President Moi. Prisoners were subjected to various forms of torture, including water boarding and extreme temperature changes in their cell. Survivors reported being taken up to the 9<sup>th</sup> floor of the Nyayo House for interrogation under torture. The cells are found in the basement of the building and while the building is in a state of some disrepair, it is still accessible to the public since it continues to operate as a public services facility.

In 2003, the site was revealed to the public by a ministerial delegation led by the Minister of Justice who stated the intentions of President Kibaki's government to declare the site a national monument. The government has since backed down on its intention to declare the site as such, despite petitions from survivors' organizations. Local human rights and victims' organizations argue that government's reluctance to declare the site a heritage site is related directly to the truth-telling potential of the site. Apart from the physical evidence of torture, officially identifying Nyayo House as a site that operated as a torture center under Moi's regime would implicate the current president, Kibaki, as he was vice president under Moi's regime.

The government has since attempted to 'maintain' the cells by painting and lighting them. In 2008, the survivors led by the Kenya Human Rights Commission<sup>1</sup> sought preservation orders in court to prevent the State from making any further changes to the site. The group argued that the structure of the site itself could serve as evidence to the torture experienced by victims, and attempts to "maintain" them were in fact covering up critical visual verification of torture. Consequently, interim preservation orders were granted in February 16, 2009 and have stood to date.

The current status on court awards to Nyayo House victims is as follows: On July 21, 2010 twenty-one victims of torture and unlawful detention won a High Court case against the State and were granted compensation of a total of 40 million Kenyan shillings. The decision was groundbreaking in that compensation was granted outside of the Kenyan Truth Justice and Reconciliation Commission (TJRC) process. Though the decision was made primarily because the case was lodged before the formation of the TJRC, for the survivors it meant that justice had finally come. In marking their victory through a symbolic reclamation of the space that once symbolized terror, the survivors celebrated by spontaneously visiting Nyayo House, again using the physical evidence of the site to draw public attention to their experiences in the past.

As a form of memorialization, physical sites serve as a material marker of survivors' suffering and legitimize survivors' experiences of the past. In many instances such as Nyayo House in Kenya, the Maze Long Kesh Prison<sup>6</sup> in Northern Ireland or South Africa's Old Fort Prison at Constitution Hill<sup>7</sup>, survivors often chose to visit these sites in the aftermath of violence and repression. In ICSC's work with survivors, many survivors claim that revisiting these sites serves as a pilgrimage, marking their triumph over repression. Survivors' engagement with such sites transforms these physical spaces of terror and abuse into spaces of healing and recognition. In the absence of physical spaces, photo exhibitions developed from documentation processes could serve similar purposes.

### *Documentation of Organic Memorial Initiatives*

In periods of conflict or protest, ordinary citizens engage in memorialization initiatives on a daily basis. During the Arab Spring of 2010, protest graffiti in Egypt told the tales of rebellion and oppression, honoring martyrs that were victims of the conflict and spoke to the multiple

<sup>6</sup> See <http://mazelongkesh.com/>

<sup>7</sup> See <http://www.sitesofconscience.org/members/constitution-hill/>

perspectives of the revolution. While government forces erased the graffiti almost immediately, ordinary citizens documented these works through photographs, storing them in online archives. As virtual memorials, these artworks bear witness to the spirit of revolution and citizen resilience in the face of mass repression. Such initiatives during conflict can serve as beacon of hope, celebrating the human spirit and providing multiple perspectives on often-complex conflict situations.

Similarly, in Northern Ireland, loyalist and republican murals continue to serve as a reminder of “The Troubles,” marking previous conflict zones and commemorating heroes on both sides. While created spontaneously during the conflict, today this public art is a significant aspect of Northern Ireland's memory landscape, providing multiple perspectives of the past and serving as a reminder of the futility of violence.

### *Collection of Media Articles and Press*

During war, mainstream journalists, citizen journalists and human rights activists document the conflict from various perspectives. Press coverage as well as records of domestic, regional and international responses such as United Nations (UN) resolutions prove to be important forms of documentation. Collections of these documents into an archive can serve to recognize and legitimize the suffering of citizens and provide multiple perspectives on the conflict that prevent revisionist or simplified narratives while raising awareness of the in-country situation to outsiders. Furthermore, during the post-conflict phase this documentation can be used in memorialization processes to hold different stakeholders accountable as well as create dialogues around issues related to peace and justice such as the international community's responsibility to protect. In Rwanda, for example, the Kigali Genocide Memorial<sup>8</sup> uses excerpts from UN resolutions to highlight the delayed international response to the Rwandan genocide. Additionally, the museum uses audio-visual media footage of the genocide as a part of its broader exhibition that seeks to highlight the futility of violence.

### *Collection of Oral Testimony*

Despite the chaos of war, as has been seen in the Liberian Civil War, the Halabja attacks in Iraq and in the current Syria war, survivors are willing to come forward to share their stories during the conflict. Many of these testimonies are desperate cries for help, however they are also bearing witness to the horrors of war and a testimony of loss and grief. While survivors' testimony during war is especially important as it captures stories of people whose lives are at imminent risk, it is important that these stories be documented in an ethical manner that respects and gives dignity to the storyteller. Oral testimony during conflict can be collected to form an archive of citizens' stories. Not only can this archive in and of itself serve as a memorial to the

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<sup>8</sup> See <http://www.sitesofconscience.org/members/kigali-genocide-memorial-centre-rwanda/>

victims and survivors of war but it can also serve as evidence during the conflict and in post-conflict truth-telling processes. Finally, as a form of memorialization, the archive can provide multiple and more nuanced perspectives of war that can eventually be used as a tool for dialogue and education on issues related to violence, peace, accountability and justice.

## **Post-conflict Documentation**

As highlighted above, documentation during conflict may be difficult. However, such initiatives despite their scale or scope can be used to raise awareness of the importance of memorialization and build support for post-conflict memorialization projects. During post-conflict phases, documentation may be less challenging as post-conflict peacebuilding and transitional justice mechanisms may be able to facilitate documentation processes. Truth commissions, for example, may serve as one safe space for victims to bear testimony to the past. However, given unresolved issues of distrust, betrayal and cultures of fear and silence that permeate post-conflict societies, truth commissions may face challenges in getting victims to come forward to testify. As exemplified in the case of the Sierra Leone Special Court, much of the success of documentation during post-conflict phases depends on questions of timing and sequencing, and how different transitional justice and peacebuilding mechanisms intersect with each other. Post-conflict memorialization activities such as documentation can serve as a mechanism to rebuild trust and build the capacity of individuals in communities to begin to participate as active citizens in a new democracy.

### **Sierra Leone Special Court, Sierra Leone**

In 1991, the Revolutionary United Front (RUF) attempted a political coup that marked the beginning of a bloody eleven-year civil war in Sierra Leone. Despite various national, regional and international attempts to resolve the conflict between 1996 and 1999, it was only in 2002 that the war was officially declared over. The Sierra Leone Truth and Reconciliation Commission (TRC) was established by the terms of the Lomé Peace Agreement and inaugurated in 2000 with the aim to create an impartial historical record of human rights violations related to the armed conflict and respond to the needs of the victims— all in support of the broader goal of promoting reconciliation and non-repetition of the past.

The conflict between the government and the RUF resulted in the loss of thousands of lives, thousands of sexual and gender-based violations, forced displacement and other injuries. Despite gross human rights violations and mass atrocities, the peace agreement included an amnesty deal for crimes committed by combatants and RUF members who were a part of the government of national unity. However, with the arrest of the RUF leader, at the request of the Sierra Leonean government, the United Nations Security Council passed a resolution that mandated the establishment of the Special

Court of Sierra Leone (SCSL) to address issues of impunity by prosecuting leaders who had the greatest responsibility for gross human rights violations.

The Sierra Leone TRC and SCSL operated at the same time, becoming a source of confusion for victims and perpetrators as many felt that the two institutions were working together, sharing information that could be used to prosecute even those perpetrators who were granted amnesty. The negotiated settlement left many victims wanting for justice and the overall lack of understanding or ownership around justice mechanisms following the war has resulted in the broader Sierra Leone population being distrustful of the institutions that govern the country. A country historically recognized for hosting the first settlement of repatriated freed slaves as well as establishing the first university in sub-Saharan

Africa, Sierra Leone is one of Africa's poorest countries today, grappling with challenges around governance and development. How can Sierra Leone come to terms with a history of violence and failed governance while attempting to rebuild its economy and socio-political fabric? How can ordinary citizens take responsibility to actively re-build their democracy, engage in issues of justice and contribute to building a culture of peace?

As the SCSL begins winding down its work and deciding on how best to use the 11.4 hectares of infrastructure and space in Freetown formerly used by the court, these questions are guiding the plans for the legacy of the SCSL.

Thus far, a part of the site has been handed over to the government of Sierra Leone, with plans for the rest of the site to be handed over on the completion of the Court's mandate. The detention facility, which was handed over to the Sierra Leone Prison Service in 2010, is currently being used to house female prisoners and vulnerable groups while the Sierra Leone Law School has begun using a part of the site for classes. Additional plans include the conversion of the Court House into the Sierra Leone Supreme Court and the development of a peace garden, a memorial and Peace Museum that recognizes the victims of the war. In addition to acknowledging the victims of the war, the Peace Museum aims to document and preserve the country's history of conflict and efforts to build lasting peace, as well as use the memory of the past to build a culture that respects human rights, promotes good governance and prevents future violence.

The Peace Museum Management Team (PMT), a committee of national stakeholders that includes representatives from the government, the United Nations, SCSL, the National Human Rights Commission, the National Museum, War Victims' Association and other civil society organizations has been set up to lead the development of the Peace Museum. The committee was setup with an aim to ensure that the project is inclusive, working towards a vision that ensures that the Peace Museum is designed and owned by all Sierra Leoneans. As part of the process of creating public ownership over the site and encouraging public participation in broader justice and human rights issues, the PMT has undertaken numerous outreach projects. Apart from various forums that bring together civil society organizations on a regular basis, the PMT organizes sponsored events to raise awareness and engage the public in the aims and objectives of the Peace Museum. Additionally, representatives of the PMT conducted a nationwide outreach program to introduce the Peace Museum project to the public, begin the collections process and engage communities on issues related to the Museum.

While such a process in any context may yield varying and unexpected results, it is an important step toward building broad ownership and support of the project. Amongst the various issues discussed,

numerous individuals offered to contribute personal testimonies to the museum. Some community members noted that despite attempts by the TRC to collect testimonies of victims and perpetrators, people were fearful of the consequences of testifying before the commission. Almost ten years after the TRC, many people felt they were now ready to bear testimony to their experiences of the conflict. Alternatively, other community members who perpetrated war crimes, who were either granted amnesty or chose not to participate in the truth seeking processes, noted their skepticism of the process, as they believed that the Peace Museum outreach program was a part of a truth-seeking process.

Apart from contributing to truth-seeking processes and the rebuilding of community, documentation and other memorialization initiatives may also serve as an advocacy mechanism and platform to launch justice and accountability initiatives. As exemplified below in the case of Liberation War Museum<sup>9</sup>, in the absence of formal truth-seeking processes documentation initiatives can recognize survivors of conflict, create a holistic multi-dimensional picture of the past and prevent a culture of impunity.

### **Liberation War Museum, Bangladesh**

In 1971, Bangladesh experienced a protracted civil war. Following a failed election process, Pakistan's military launched a brutal armed attack against the civilian population of Eastern Pakistan. Following a nine-month liberation war where three million people were killed, 10 million had to seek refuge in neighboring India and 300,000 women were made victims of sexual violence, Bangladesh was born as a sovereign state.

During the early eighties as ordinary citizens strived to come to terms with their past, memorialization initiatives began to take root. Eyewitness accounts, testimonies of the survivors and episodes of traumatic experiences attracted much interest in society. Artists used various art forms such as film, drama, creative writing and visual arts to capture the experiences of the past atrocity. Following this wave of documentation through popular culture, a group of activists, calling themselves, "The People for the Trial of the Killers and Collaborators of 1971" established a People's Tribunal, advocating for justice. In 1996, a group of former ex-combatants established the Liberation War Museum in support of the memorialization and justice initiatives. It became a people's museum and an archive of individual and personal documents, photographs, news-reports etc. As the museum continued to build relationships with, and gain the trust of, different communities, it launched its outreach program. The museum established a strong partnership with teachers and students, developing an oral history project that aimed to capture the experiences of Bangladeshis during the war. Twenty thousand personal testimonies have thus far been collected by the students. The period between 1992 and 2008 was a time of when memory struggled against forgetfulness and the strength of the society was greatly reflected in the powerful memorialization.

<sup>9</sup> Excerpts of this case study was taken from: Hoque, M. (February 2013) The Role of Memory in Genocide Prevention: Bangladesh Experiences, Legacies and Lessons Learnt. Presented at the IV Regional Forum on the Prevention of Genocide, Cambodia

Despite the gains made in documentation and the building of a museum that is both an archive of the past as well as a memorial to the victims of the war, human rights advocates continued to seek justice at a national and international level. Human rights activists have been advocating that the war be declared a genocide so that perpetrators can be tried for crimes against humanity. During the 2008 national elections, issues of justice and impunity were core election themes. The political party supporting the trials, favored by a younger constituency, eventually won the elections. A national tribunal was finally born of The International Crimes (Tribunal) Act of 1973. Trials are currently underway, making Bangladesh the first major domestic tribunal trying perpetrators for international crimes. The collection of documentation, while initially serving as a form of memorialization that began to enable thousands of survivors to come to terms with a past of atrocity, has now begun to serve as evidence that could finally help survivors gain justice.

In addition to serving purposes of truth-telling, documentation found at physical sites can in themselves serve as a memorial to the past. However, to fulfill other memorialization functions such as recognizing victims, rebuilding society and building a culture that respects human rights, peace and justice, it is necessary that archives be linked to specifically designed programs that seek to meet these goals. The Archivo Histórico de la Policía Nacional<sup>10</sup> highlighted below, is one such archive that also highlights the importance of preserving archives during conflict.

### **Archivo Histórico de la Policía Nacional, Guatemala**

Between 1960 and 1996, Guatemala experienced a protracted civil war which eventually became internationally recognized as genocide. During this period, an authoritarian government committed gross human rights violations against leftist rebel groups, the indigenous Mayan-Ixil population and the Landino peasants. Gross human rights violations included torture, forced disappearances and sexual violations against women. It was in 1997, after peace agreements between the government and the guerilla umbrella organization, the Guatemalan National Revolutionary Unity, that Guatemala finally achieved peace. According to the information gathered by the Commission of Historical Clarification of the UN (CEH) and the report of the Recovery of Historical Memory by the Archbishop of Guatemala (REMHI), the 36 years of repression left a total of 200,000 victims – including 45,000 disappeared – in addition to one million internally and externally displaced people. Indigenous peoples constituted 85% of the victims and state security forces were responsible for 93% of the total deaths and disappearances.

In 1982, the controversial figure Ríos Montt came into office through a coup d'état. His presidency was marked by some of the worst recorded atrocities, including massacres committed against the Maya-Ixil population that left thousands of men, women and children tortured or killed; hundreds of women subjected to sexual slavery to soldiers; and thousands more internally displaced or expelled outside the borders of Guatemala. On March 19, 2013, the landmark genocide trial against General José Efraín Ríos Montt and senior official Mauricio Rodríguez Sanchez began in Guatemala. On May 10, 2013, Gen. Efraín Ríos Montt was convicted of genocide and sentenced to 80 years in prison while Rodríguez was acquitted. Montt's is the first conviction for genocide in Latin America and the first in the world issued by a local court.

<sup>10</sup> Excerpts taken from *Julio Solórzano Foppa*, *Historic Conviction for Genocide in Guatemala*. See <http://www.sitesofconscience.org/2013/05/historic-conviction-for-genocide-in-guatemala-2/>

The trial, prepared and conducted by the Center for Legal Action (CALDH), achieved much of its success due to the tireless efforts of survivors, victims' relatives, exiles, lawyers, human rights defenders, religious organizations, international institutions, and organizations dedicated to the exhumation of mass graves and research in police files. Among these, the Historical Archive of the National Police (AHPN) has played a significant role. Archivo Histórico de la Policía Nacional (AHPN), which was originally a workspace for the National Police and is suspected of having been used as a clandestine prison and torture center during the civil war, is now an archival space managed by the non-profit human rights organization, AHPN. In 2005, millions of documents were discovered at this Police Archive. Since then, AHPN has worked tirelessly to uncover, preserve, organize and scan the 15 million documents dating from 1975 to 1985, which was the period of greatest intensity of the repression in Guatemala. These documents have been indispensable in many trials – including the Ríos Montt case. The documents were used to strengthen the evidence against those responsible, and also contributed to a broader truth-telling process.

In addition to its work in formal justice and truth-telling processes, AHPN plans to make these archives more widely available to the public by creating a “Memory Center for Reconciliation” on the site where the archives were found. The archives contain the rare records of human rights abuses and crimes against humanity carried out by the Guatemalan government that left an estimated 200,000 people dead. The archive and new center of memory will offer the general public the opportunity to learn the truth about the war and at the same time will give prosecutors and other human rights actors new hope of bringing those responsible for the abuses to justice. The project, which is currently underway has included an extensive consultative process in which the AHPN gathered input from a broad range of stakeholders, learning from the experience of other Sites of Conscience and memory centers in the region. The “Memory Center for Reconciliation” will be the first of its kind in Guatemala, as no other site currently remembers the victims of the civil war.

## Conclusions

Through the examples highlighted above, this memo has aimed to bring to the fore the importance of documentation as a form of memorialization. As noted, documentation can take place during all phases of conflict; however, each phase of conflict may present different challenges and opportunities to the documentation process.

While post-conflict memorialization and justice processes have often relied on in-conflict documentation, given the conditions of war, documentation during conflict may prove to be challenging. However, if the groundwork is laid during conflict, and if a systematic approach to documentation during conflict can be developed, the collection of different types of archival material may serve important memorialization goals during the conflict and in its aftermath.

The documentation of survivors' and eyewitness testimonies, the preservation and documentation of physical sites and the collection of press coverage and media related to the conflict are the types of documentation that can be collected during conflict. These types of documentation can

serve to recognize survivors of conflict raise awareness of the in-country situation and contribute to future memorialization and truth-seeking processes.

War destroys the very fabric of society. Citizens feel a sense of betrayal that may be compounded by feelings of fear, anger and mistrust. For documentation to achieve its goal as a form of memorialization, it is necessary that any documentation initiative be undertaken with the goal of rebuilding trust and relationships among citizens. Irrespective of whether initiatives are state-sponsored or community driven, it is necessary for documentation projects to create broad public ownership through the inclusion of multiple narratives that can be gathered during the course of wide-ranging consultation processes. Because of its political nature, memorialization will always be contested, with different stakeholders competing for narratives of victimhood. Generally, a truth-seeking process such as a truth commission may provide a broad narrative that may limit contestation as it provides forensic evidence of the truth. However, memorialization initiatives *without* being value-neutral can also provide spaces for ordinary citizens to share their experiences while also creating safe spaces for dialogue around truth, justice and questions around the inclusion and exclusion of certain narratives over others. Generally, community-based organizations supported by international partners may be in the best position to undertake such projects, especially in situations where an authoritarian government and opposition leaders/freedom fighters have both committed atrocities.

Documentation and other memorialization projects immediately after conflict or during conflict should seek to rebuild trust within a specific community and between the community and the project initiators. It may take some time after the conflict for communities from either side of the conflict to be able or willing to talk to each other. In Rwanda, for example, almost twenty years after the genocide youth from both ethnic groups are only now coming together to talk about the past and their parents' experiences of the conflict.

The lasting value of such processes can be ensured not only by including multiple narratives, but also by making documentation initiatives accessible to a broad range of stakeholders. When linked to public programs, documentation has the potential to serve as a catalyst for dialogues, creating broad citizen engagement about past events of conflict and repression and promoting visions for a future based on peace and justice. It is through public programming that documentation can contribute to developing a culture where conflict will not recur.

## **About The Syria Justice and Accountability Centre**

The Syria Justice and Accountability Centre (SJAC) is a non-profit, multilaterally-supported organization that envisions a Syria where people live in a state defined by justice, respect for human rights and rule of law.

The SJAC is collecting, preserving and analysing information on human rights violations and other relevant data to contribute to and inform a transitional justice process for Syria. Employing an unbiased and non-partisan approach, the SJAC also builds and maintains close relationships and partnerships with Syrian individuals, organizations, communities and international actors working towards justice and accountability for all Syrians.