

Capture and “Return”: Iraqi Records in the United States

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As the Taliban gains traction in Afghanistan, the effects of which will certainly reach museums, archives, and libraries, the lessons of these Iraqi collections loom large.

In the Iraqi case, many of the records document horrific human rights abuses, and we must consider those who experienced this abuse as stakeholders in any decisions about the removal of property from its home country.

In 2008, a joint statement from the Society for American Archivists and the Association of American Archivists identified five Iraqi collections currently housed in the US and urged their return to Iraq.

As archivists, we must work to be less paternalistic. These records should have remained in the region, and should be returned to Iraq as soon as possible.

Collection Name	Year Captured	By Whom	Returned	US Location(s)	Content	Digitized?
Ba’ath Regional Command Collection (BRCC)	2003	Kan’an Makiya and Iraqi Memory Foundation (IMF)	No	2004-8-Army 2008-Hoover Institution	~7 million pages, 1800 videos	Yes, by the US Army
North Iraq Dataset (NIDS)/Captured Iraqi Secret Police Files/Anfal Records	1991	Kurdish rebels (PUK, KDP), then Kan’an Makiya and Peter Galbraith worked to get them out of the country	Yes, in 2007	HRW/DIA: 1992-1998 CU Boulder: 1998-2005 US DOJ (for Hussein’s trial): 2005-2007 Hoover Inst (digital copy): 2005-present	2.4 million pages	Yes, also by US government-Defense Intelligence Agency working with Human Rights Watch looking for evidence of the Kurdish Genocide. Was not prosecuted
Kuwaiti Dataset	1991	US Army	No	Hoover Institution	725,000 pages	Yes, US gov
US-Coalition seized collections	1991-2011	US Military	No*	2007 Sinjar Al-Qaida Collection is at the Army Center for Combating Terrorism, Others at National Defense University, Harmony Database	At least 120 million pages, ~500,000 released to public, more through leaks,	Yes
Iraqi Jewish Archive	2003	US Army	No, was supposed to be in 2018	NARA	>10,000 pages, 2,700 books	Yes, by NARA, and freely available online
ISIS Files	2018	Rumkini Callimanchi, NYT	No	NYT	Thousands of pages	Yes, at least in part

**The amount of publicly available information about these documents is scant, I am assuming they remain here for reasons of “National Security”*

International laws at play in the seizure of documents:

1907 Hague Convention

For more on Int’l law see Caswell (2011) and Saleh (2018)

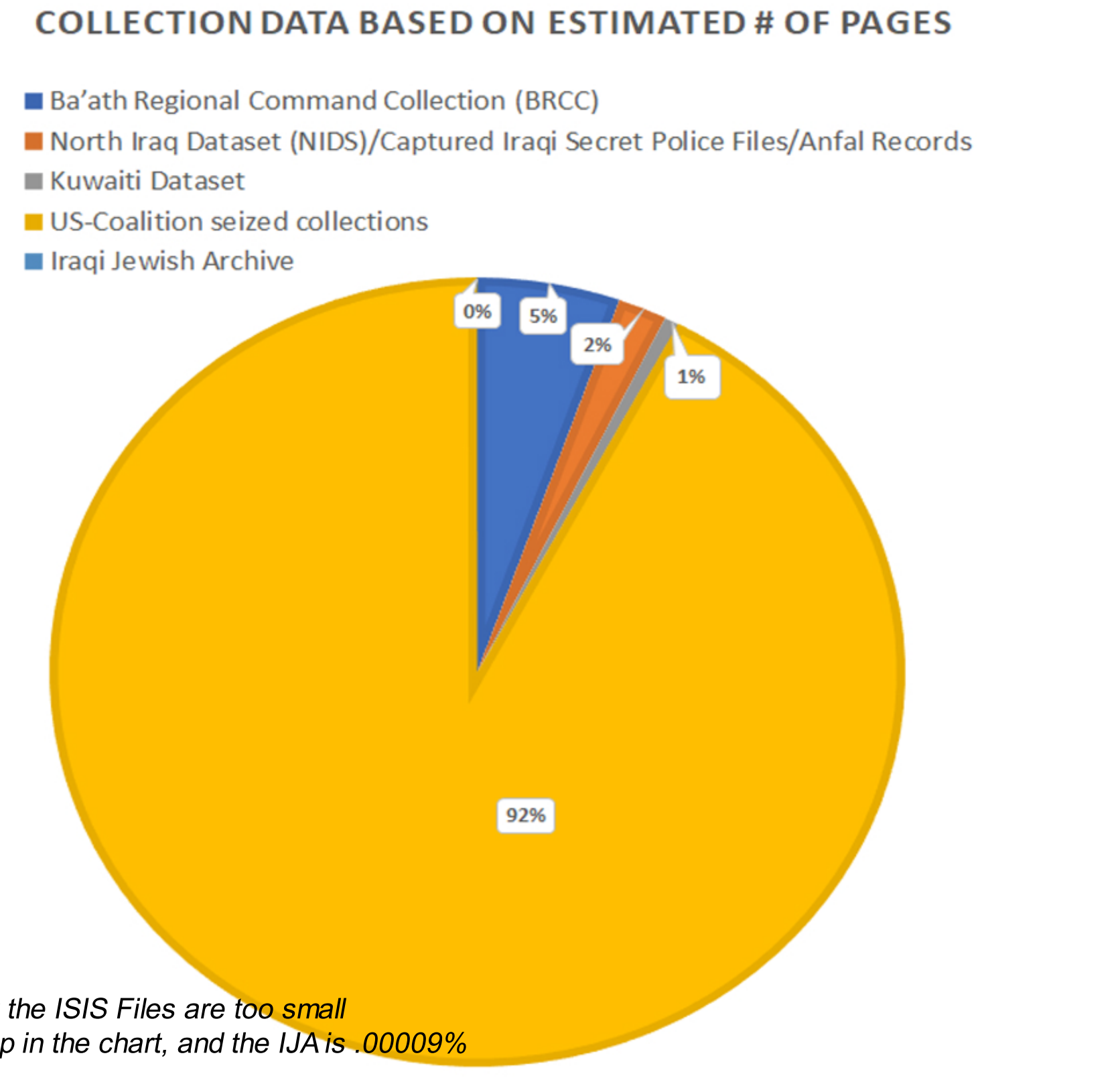
1970 UNSECO Convention:

“The import, export, or transfer of ownership of cultural property effected contrary to the provisions adopted under this Convention by the States Parties thereto, shall be illicit

U.S. Document seizure also happened in:

Afghanistan 2004-9

Haiti, 1994



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