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**A Documentary Research on the State of Kuwait's National Archives:  
Pre and Post the Gulf War**

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**A Documentary Research on the State of Kuwait's National Archives:  
Pre and Post the Gulf War**

**by**

**Sakena A. Al-Alawi, B.Ed.; M.L.I.S.**

**Thesis**

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## **Dedication**

I dedicate my thesis to my country, Kuwait. The country that shaped the person I am today and gave me the opportunity to pursue my dreams as a scholar and a professional.

I also dedicate this thesis to my late father who instilled within me love, loyalty, and sincerity towards my country. Watching him ache over the atrocities facing Kuwait during the Iraqi invasion cultivated within me a deep sense of national identity and a determination to better serve my country and its citizens.

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## **Abstract**

### **A Documentary Research on the State of Kuwait's National Archives: Pre and Post the Gulf War**

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The University of Texas at Austin, 2017

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On August 2, 1990, Kuwait was invaded by Iraq after a history of political and economic tensions between the two countries. This invasion is referred to as the Gulf War (1990-1991). Claiming that Kuwait is part of Iraq's territory, the Iraqi military tried to occupy Kuwait and destroyed or confiscated all that attests to and symbolizes Kuwait's history, culture, and identity. Iraq caused massive losses in Kuwaiti lives and property, but the main targets were governmental and cultural institutions that held records and materials representing Kuwait's national archives. What the state of the Kuwaiti national archives was before the Gulf War? What factors led to the complete loss of the national archives during the war? What actions were taken by the international community to restore Kuwait's cultural heritage? What initiatives did the Kuwaiti government take to recollect and rebuild the archives? What other developing countries within and outside the Arab

world have lost their national archives due to conflict? What successes and failures characterized their experiences as nations and people trying to rebuild their archives?

This thesis analyzes Kuwait's case along with the case of other countries that have lost their archives during times of internal conflicts, invasion, or colonization. Based on the analysis, the thesis concludes with recommendations on building the archival profession in Kuwait so that it is resistant to times of emergency and adheres to international standards and best practices. These recommendations can serve other countries that have faced or are facing the challenge of trying to rebuild and/or preserve their national archives in a region of constant political turmoil and instability.



## Table of Contents

INTRODUCTION .....	1
Chapter 1 METHODOLOGY .....	8
1. Rationale and Procedures for Documentary Research.....	9
2. Selection of Documents as Sources of Data .....	10
3. Data Inventory .....	11
4. Site Visits .....	14
5. Interviews.....	16
6. Documentation of Interviews.....	18
7. Email Correspondence .....	19
8. Data Analysis .....	20
9. Limitations .....	23
Chapter 2 BACKGROUND ON KUWAIT.....	25
1. Geography .....	25
2. Political System .....	27
3. History.....	28
4. Causes and Events Leading to the Gulf War (1990-1991) .....	30
5. Impact of the Gulf War .....	33
5.1. Loss of Lives.....	33
5.2. Material Losses .....	34
5.3. Environmental Losses .....	35
5.4. Losses of Artworks .....	35
5.5. Destruction and Theft of Kuwait's Cultural Institutions .....	36
5.5.1. Museums .....	36
5.5.2. Libraries .....	42
Chapter 3 KUWAIT'S NATIONAL ARCHIVES .....	48
1. Pre Gulf War .....	48
2. During the Gulf War (1990-1991) .....	51
3. United Nations Sanctions and Resolutions .....	53

4. Return of Archival Materials from 1991 to 2016 .....	55
5. Post Gulf War: Initiatives for Restoration of Archival Materials.....	88
5.1. Local Individual Initiatives .....	88
5.2. Governmental Initiatives.....	89
5.2.1. Technical Assistance Provided by International Expertise .....	89
5.2.2. Center for Research and Studies on Kuwait .....	91
5.2.3. Regional Initiatives .....	101
Chapter 4 SCENARIOS ANALYZING THE LOSS OF KUWAIT'S NATIONAL ARCHIVES .....	103
Chapter 5 CASE STUDIES .....	109
1. Algeria .....	110
2. Palestine .....	114
3. Afghanistan .....	118
4. Iraq .....	120
5. Bosnia .....	125
6. Common Themes and Lessons Learned .....	129
6.1. Causes of Loss of Archives .....	130
6.2. Damage Incurred by the Loss of the Archives.....	131
6.3. Recovering and Restoring the Archives .....	132
6.4. Significance of the National Archives .....	136
Chapter 6 RECOMMENDATIONS .....	138
1. Archival Legislation .....	138
2. Archival Education .....	148
3. Awareness of the Role of Archives and Archivists .....	151
4. Risk and Disaster Management Plan .....	153
5. Moving Towards Digital Archiving .....	156

CONCLUSION.....	161
Appendix A Guiding Interview Questions .....	163
Appendix B Recruitment Scripts .....	165
Bibliography .....	166

## INTRODUCTION

Archives are a collection of records that document history and serve as the memory of individuals, entities, communities, and nations. The word “archive” “is of western origin, developed from the ancient Greek practice of depositing their judicial records in a government house called ‘Archaeion.’”<sup>1</sup> Since then, archives have become the records that serve as an evidence of the occurrence of historical or past events or that have value for a certain group of people or institutions. The word archive also refers to the place where the memory of public and private establishments is collected, organized, maintained, and preserved to be later recalled or used “to interpret or understand history.”<sup>2</sup>

An archive can be developed by entities as limited as an individual and expanded to include the records of a nation, and in this case, they are known as national archives. The term national archives may refer to the physical structure or governmental institution holding the records or the records themselves.<sup>3</sup> Records that form part of the holdings of national archives are created in the course of business by governmental entities and include rules and regulations, correspondence, reports, scientific data, etc. They could also be related to historical or critical matters that address the identity of the nation and its relationship with other countries, such as fundamental constitutional documents, treaties,

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<sup>1</sup> “The National Archives of the United States,” *Bulletins of the National Archives* no.1, (November 1936): 1.

<sup>2</sup> Society of American Archivists, “What are Archives?,” September 12, 2016, <http://www2.archivists.org/about-archives>. (accessed February 6, 2017).

<sup>3</sup> Shannon Granville, “National Archives,” in *Encyclopedia of Political Science*, ed. George Thomas Kurian (Washington D.C.: CQ Press, 2011).

agreements, manuscripts, sound recordings, etc.<sup>4</sup> The creation and preservation of national archives should serve the goals of 1) protecting the interest and rights of a country and its citizens against any claims that may arise from internal and/or external parties, 2) ensuring that public institutions and administrations are run in an effective and legal manner, and 3) serving as a resource for academic, scholarly and administrative use.<sup>5</sup> Whether national archives achieve these goals depends on the type of the countries government system and its impact on archival policies and practices. Constitutional issues, governance structures, and access restrictions, a feature of autocratic and, in some instances democratic governments, affect the extent to which archives serve these purposes.

The collection of records (in all available formats) for a national archive is typically completed through a collaborative process between the central government and other governmental and non-governmental institutions through set policies mandated by legislative actions. The government should support the established policies with continuous revisions based on the latest standards and best practices in the field, the necessary infrastructure, and trained archivists that are equipped to receive a wide array of record formats and implement appropriate strategies and action plans for organization, classification and preservation. Providing professional development is crucial for the development and improvement of archivists' qualifications and abilities, so they can better fulfill their multifaceted role that is critical for the country and its people. Archivists must develop relationships with governmental administrators and other stakeholders for a

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<sup>4</sup> "The National Archives of the United States," 1.

<sup>5</sup> Ibid., 2-4.

smooth implementation of the records scheduling and accession process. They should follow identified guidelines, standards, and a code of ethics as they conduct appropriate selection and appraisal of received records, as well as destruction of valueless ones, to ensure an accurate, objective, and inclusive representation of what is pertinent to the country's identity and history.<sup>6</sup> They must follow national and international standards as they organize and describe records. They should apply appropriate preservation methods based on the type and format of the collected records. They are also charged with controlling which users are provided access to what records.<sup>7</sup>

Considering the major events from Kuwait's history and the current political instability that is affecting different regions of the world, having policies that ensure archives and archivists serve their function to the fullest has become ever more crucial for preserving what will be the memory and the identity of a country as well as the history of its existence.

Archives in general, and national archives in particular, have a critical role in creating the interrelated notion of a common history, "collective memory, and national identity."<sup>8</sup> They serve as evidence and validation of the nation's conceived perceptions, lived stories, and shared experiences.<sup>9</sup>

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<sup>6</sup> Ibid.

<sup>7</sup> Society of American Archivists, "What are Archives?"

<sup>8</sup> Caroline Brown, "Memory, Identity, and the Archival Paradigm: Introduction to the special Issue," *Archival Science* 13, (April 19, 2013): 86.

<sup>9</sup> Joan M. Schwartz and Terry Cook, "Archives, Records, and Power: The Making of Modern Memory," *Archival Science* 2 (2002): 18.

In recognition of their significance, nations need to establish, adapt, and enforce legislation, policies, and procedures to ensure the collection, preservation, and access to continuously evolving types and formats of archival materials.<sup>10</sup> Archives that the nation and its citizens perceive as an accurate and just reflection of their history and identity have an inherent power that dictates how the country should be governed and provides means for its protection as an entity and a community against those seeking to alter a country's identity or deny its existence.<sup>11</sup>

This was the major lesson learned by Kuwait after the sudden Iraqi invasion in the year 1990, the invasion that robbed the country of not only its historical and cultural heritage, but also its national archives. The purposeful looting and destruction of the national archives was completed with the recognition of their significance and role in protecting the country's history and collective memory. With the loss of the archives, the Kuwaiti government and citizens were denied access to the evidence of their existence as a community within a sovereign state of legitimate borders, while fighting false proclamations and irreplaceable losses.

When the Iraqi government took the decision to invade Kuwait in August 1990, marking the beginning of the Gulf War, Iraqi troops caused massive losses in lives and in the property of cultural heritage institutions in Kuwait. Some of the losses were short term, some were long term, but some were not redeemable. Iraqi troops purposefully targeted the Amiri Diwan (the headquarters of the crown prince), governmental and ministerial

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<sup>10</sup> Ibid., 15.

<sup>11</sup> Ibid., 3.

buildings, royal palaces such as the Dasman Palace, and the Council of Ministers, where historical and governmental records that the country recognized as national archives were either destroyed or looted. Since the end of the war, Kuwait's rulers and consecutive government bodies have been initiating and maintaining local and international efforts to restore these archives. Despite the commitment of the international community, UN resolutions and sanctions on Iraq, the fall of the Saddam regime which caused the war, and all the bilateral and international diplomatic efforts, Kuwait has not been able to recover or retrieve its national archives. Many handovers of looted property have taken place in the past twenty-five years. However most of what was returned belonged to various governmental and cultural entities and did not pertain to Kuwait's national archives. Many local and governmental, regional, and international efforts have been made to preserve what remains, recollect what was looted or destroyed, and salvage what was damaged.

As a Kuwaiti citizen who has completed her undergraduate and graduate studies in the field of Library and Information Science and who through academic and research work has uncovered the realities of the state of the national archives in Kuwait, I have come to the belief that it is a personal and professional obligation to further pursue this topic. I seek to understand the circumstances that led to the loss of our national archives, analyze the scenarios that might have hindered their retrieval and recovery, and make recommendations to rebuild these archives in consideration of international and regional standards and best practices. Looking into the past will allow us to create legislation, policies, and actions that will mitigate the impact of such events going forward. It will ensure that the history, memory, and identity of my nation and other nations who have



faced and are currently facing similar circumstances are not forgotten. It will also ensure that we are all remembered through records that reflect our reality as a community and a country and not just through records that have been distorted by the impact of war and power.<sup>12</sup>

Therefore, this research aims to address the state and status of Kuwait's archives before and after the Gulf War to 1) clearly identify what comprises the country's national archives, 2) review the literature around the initiatives and efforts that have been conducted to restore the archives and the outcomes that have been reached, and 3) analyze the circumstances and propose scenarios that may have led to the failed attempts at securing the return of Kuwait's national archives. This research also seeks to provide recommendations to build a new infrastructure and policy and procedure framework for Kuwait's national archives that meets the current advancements in the archiving field especially as it relates to digital archiving. This will better serve in preserving the past, present, and future of the country through accommodating new forms of records (digitized and born-digital materials) being created by governmental entities and securing safe virtual spaces for these records in times of crisis.

Therefore, this study aims to ask and find answers to the following research questions:

1. What comprises the "national archives" according to the Kuwaiti government?
2. What archival materials lost as a result of the Gulf War have been returned or restored?

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<sup>12</sup> Brown, "Memory, Identity, and the Archival," 86.

3. What are the possible scenarios that have hindered the process of restoring and returning the Kuwaiti national archives?
4. What are the differences in the Kuwaiti governmental practices of collecting, storing, preserving, handling, and accessing archival materials before and after the Gulf War?

## **Chapter 1**

### **METHODOLOGY**

The documentary research method has been employed for the purpose of investigating the research questions. First, I studied the state of Kuwait's national archives before and after the Gulf War. Second, I attempted to identify which of the missing archives have been returned and what remains missing, tracing all efforts that have been made by both Kuwaiti and Iraqi governments to restore Kuwait's national archives, as well as the role of international organizations such as the United Nations (UN) in the process. Based on the reviewed documents, I explored what Kuwaiti national and governmental institutions perceive to be the national archive of the country. Third, I identified the differences in the Kuwaiti governmental practices of collecting, storing, preserving, handling, and accessing archival materials before and after the Gulf War. I then analyzed scenarios that are hindering the process of the restoration and return of the archives. Fourth, I reviewed cases of countries that lost their archives due to war and identified common themes. Based on my review and analysis of these topics as well as the comparative examples, I end the thesis by providing recommendations for improving archival practices and procedures in Kuwait and other countries that have lost their national archives or are currently in conflicts that threaten their cultural heritage and archival materials.

## 1. Rationale and Procedure for Documentary Research

As stated in Mogalakwe's article (2009) "*The Documentary Research Method- Using Documentary Sources in Social Research*," the documentary research method is "used to investigate and categorize physical resources, most commonly written documents, whether in the private or public domain."<sup>13</sup> The use of documentary research is known to be an inexpensive and time-saving tool to gather local, regional, and international sources of data on the topic being studied. Documentary research allows for accessing documents that serve as a recollection and documentation of a phenomenon through a variety of sources and types of data.<sup>14</sup>

Data collection consisted of collecting relevant documents on the Kuwaiti government's perception of the national archives, the state of the archives pre and post the Gulf War, and the impact of the Gulf War on the national archives. This data was then augmented with data from interviews and site visits. The combination of document review with interviews and site visits was a means to achieve triangulation. According to Creswell and Miller (2000), "triangulation is a validity procedure where researchers search for convergence among multiple and different sources of information to form themes and categories in a study."<sup>15</sup> Documents provided timely data on events that were happening

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<sup>13</sup> Monageng Mogalakwe, "The Documentary Research method – Using Documentary Sources in Social Research," *Eastern Africa Social Science Research Review* XXV (1), (January 2009): 44.

<sup>14</sup> *Ibid.*, 44.

<sup>15</sup> John W. Creswell and Dana L. Miller, "Determining Validity in Qualitative Inquiry," *Theory into Practice* 39, no 3 (Summer 2000): 126.

related to the research questions. Interviews were then designed based on the reviewed documents, either to refute, challenge, or clarify the collected data.<sup>16</sup>

## **2. Selection of Documents as Sources of Data**

According to Scott (1990), there are four measures of quality control when selecting documentary sources for a research project. The initial step is to ensure the authenticity of the document. The researcher has to be aware of the document's origin to be able to appraise the quality of the data it provides. Assessing authenticity also means assessing any obvious errors, looking for inconsistencies, determining the availability of a number of versions, and paying attention to possible conflicts of interest.<sup>17</sup> Documents selected for the purpose of this research were mostly public documents, published by international organizations, governmental entities, as well as newspapers. Newspaper articles were compared with articles appearing in different newspapers on the topic from sources in Kuwait, Iraq, and other countries. Their content was also compared for validation with governmental and international sources of information, credited with high levels of accountability and fact-checking prior to dissemination. The second step is assessing the reliability of the document, in what relates to truth and bias.<sup>18</sup> In response to this measure, a number of articles were collected per topic or event addressed. Limitations in regards to

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<sup>16</sup> Dvora Yanow, "Qualitative-Interpretive Methods in Policy Research," in *Handbook of Public Policy Analysis: Theory, Politics, and Methods*, ed. Frank Fischer, Gerald D. Miller and Mara S. (Boca Raton: CRC Press/Taylor & Francis Group, 2007), 411.

<sup>17</sup> John Scott, *A Matter of Record: Documentary Sources in Social Research*. (Cambridge: Polity Press, 1990), 19.

<sup>18</sup> *Ibid.*, 23.

reliability revolve around the political nature of the topic being studied, making it susceptible to information being censored from all sources. The third quality control criterion is “representativeness.”<sup>19</sup> Selected documents were representative of Kuwait, Iraq, and other regional and international perspectives on the topic. Recognizing the impact of diplomatic, and of bureaucratic, and political considerations on published official governmental documents, these were compared with other sources such as newspaper articles and blog posts that either validated or critique the content of such publications. The fourth criterion is “meaning:” the documents to be reviewed have to be comprehensible. The researcher must also have a clear understanding of the content of the documents reviewed.<sup>20</sup> Documents retrieved in the Arabic language were interpreted by me, a native speaker of the language. Documents were then translated for the purpose of the study and the translation was verified for appropriate reflection of meaning.

### **3. Data Inventory**

To respond to the research questions, the data collection process primarily focused on retrieving existing documents that addressed the issue of Kuwait’s national archives from the year 1991 to the year 2016. Documents were located using electronic and non electronic sources. Electronic sources included search engines and library databases such the University of Texas at Austin Libraries, websites of Kuwaiti organizations such as Center for Research and Studies on Kuwait, Amiri Diwan, Ministry of Information, and

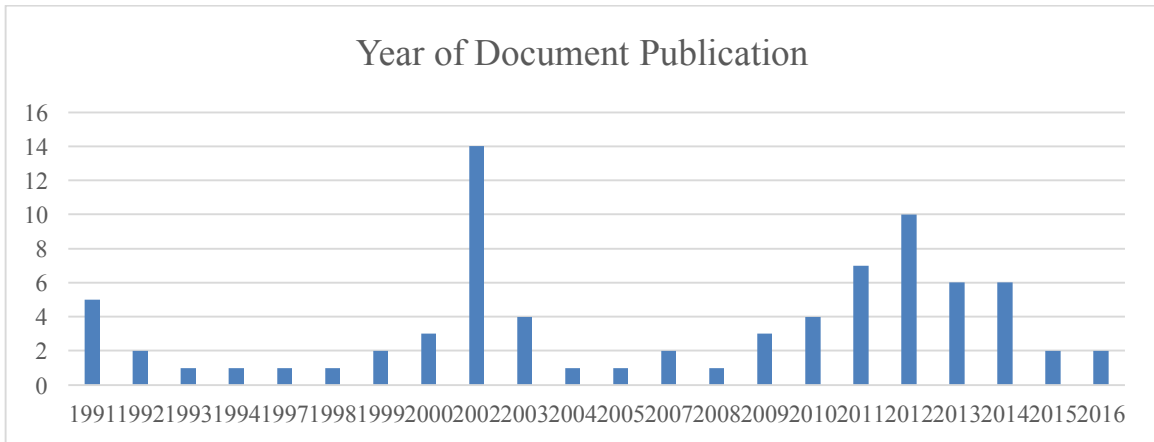
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<sup>19</sup> Ibid., 24.

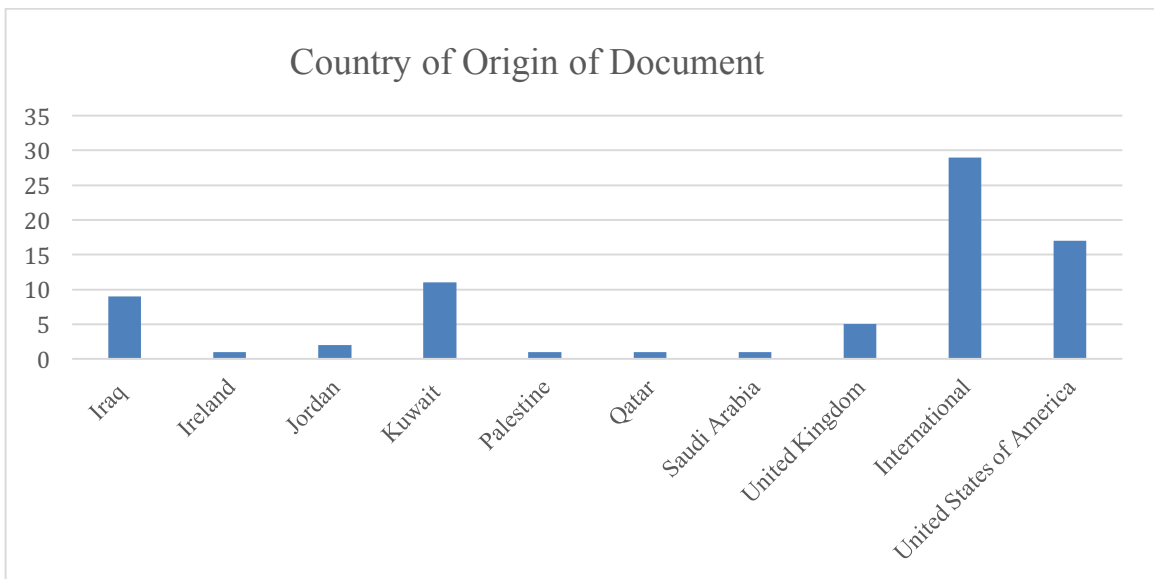
<sup>20</sup> Ibid., 28.

National Library of Kuwait; and local Kuwait newspapers, including but not limited to, *Al Watan* and *Al Anbaa* newspapers. Non-electronic sources included holdings of Kuwaiti governmental institutions, libraries, and international organizations such as the United Nations. Specific key search terms were used, these included: “Kuwait’s national archives,” “Gulf War,” “missing Kuwaiti archives,” “looting Kuwait’s properties,” “destruction of cultural institutions in Kuwait,” “UN resolutions and Kuwait,” “official correspondences between Kuwait and the United Nations,” “official correspondences between Iraq and the United Nations,” etc.

After retrieving the documents, they were sorted into two broad categories: public documents and personal documents. Public documents include: newspaper articles, websites, publications of governmental entities, and publications of international organizations. Personal documents include blog posts as they reflect the personal analysis or view of their author on a particular issue. The documents were then organized by country of origin, year, language and type. Below are tables showing the frequencies of the documents for each of the descriptors used when categorizing the 79 collected documents on the case of the Kuwaiti missing archives published from 1991 to 2016.

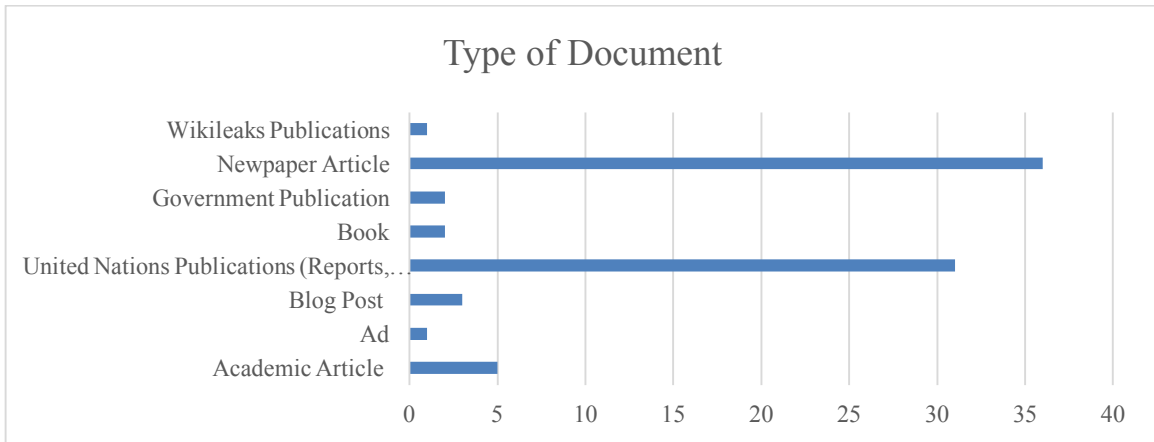


**Figure 1:** Frequencies of documents published per year covering the period after the Gulf War from the year 1991 until the year 2016.

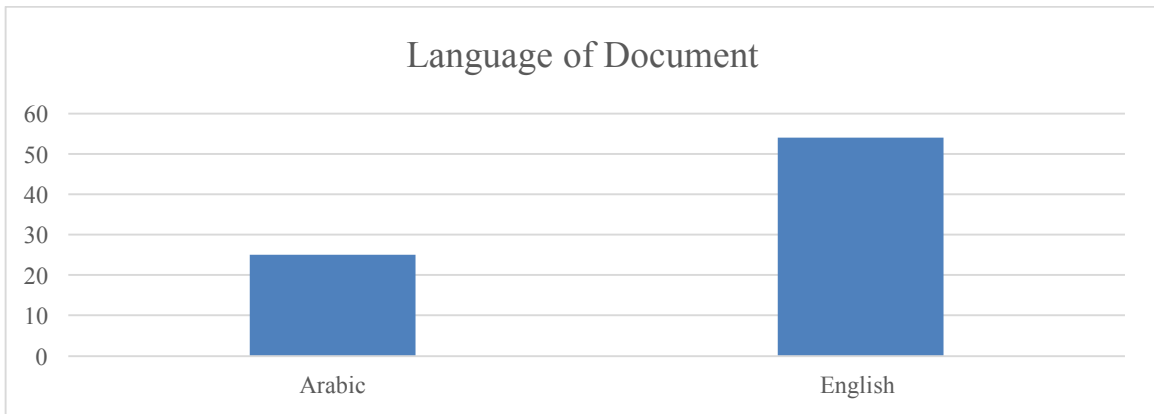


**Figure 2:** Frequencies of documents describing and discussing Kuwait’s missing national archives per country of origin.





**Figure 3:** Frequencies of types of documents collected describing and discussing Kuwait’s missing national archives.



**Figure 4:** Frequencies of the original language of documents describing and discussing Kuwait’s missing national archives.

#### 4. Site Visits

As part of the study, I conducted site visits to locations where documents pertaining to Kuwait’s national archives are collected and preserved. To determine which sites to visit,

I referred to the completed document review and analysis and identified four key locations:

- 1) National Library of Kuwait where the cultural heritage of the country is collected, organized, documented and preserved;
- 2) Center for Historical Documents at Al-Amiri Diwan which is the headquarters of the country's ruler and which preserves documents produced by the country's ruler, his staff, and other historical documents related to Kuwait and the Arab Peninsula;
- 3) Center for Research and Studies on Kuwait which collects and preserves both published and unpublished historical, political, economic, social, and cultural materials in addition to conducting research studies on the state of Kuwait, its establishment, and its history;
- and 4) Kuwait's Ministry of Foreign Affairs that is responsible for the country's diplomacy and relationships with other countries across the world and holds records on Kuwait and its relationship and correspondence with these countries.

The purpose of the qualitative site visits was to learn first-hand about the role and functions of these centers as institutions or governmental entities involved in the process of collecting, preserving, and publishing documents pertaining to Kuwait's history before and after the Gulf War. I also intended to collect information on the organizational structure, tools, processes and mechanisms, as well as human and physical resources that these entities employ for documentation. Guided tours were granted at the Center for Historical Documents at Al-Amiri Diwan and the Center for Research Studies on Kuwait. However, limited access was provided to the departments that are involved in archiving as they are considered highly classified departments. At the Ministry of Foreign Affairs, the

visit was restricted to a meeting and an interview with a ministry official.<sup>21</sup> I accessed the National Library of Kuwait as any public visitor.

All the site visits were documented through note-taking. The site visits allowed for the collection of limited data, however they provided context for interviews as another means of data collection.

## **5. Interviews**

Interviews were also used to complement the data collected from the document review and analysis. I conducted semi-structured qualitative interviews with previous and current personnel and employees at the four locations mentioned above where significant documents to Kuwait's history, culture, and governance in the past and the present were stored. Another interviewee was a professor at the School of Information Studies at the University of Wisconsin at Milwaukee who visited Kuwait after the Gulf War on a mission to provide consultancy on rebuilding libraries and information systems. Interviews took place on site and over the telephone.

To respond to the research questions, the interviews followed a prepared interview guide. The interview guide covered the status of the archives in each of the institutions before and after the Gulf War, focusing on archival policies and practices around collection and preservation. When permissible, interviewees were asked about their background and

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<sup>21</sup> No additional information can be provided on the name or the position of the interviewed Ministry of Foreign Affairs official due to privacy and confidentiality agreement between me and the interviewee. Only verbal consent was obtained prior to conducting the interview.

their level of involvement in the archival processes at their institutions. The questions were listed and structured in a chronological order to ensure topics were addressed in an orderly manner. However, I (the sole interviewer in the study), had the flexibility to alter the order of the questions based on the responses of the interviewees. Based on the responses of the interviewee, I added probing and follow-up questions to ensure that comprehensive information was obtained and that the information was interpreted in an accurate manner. The interview guide was prepared in the English language and translated to Arabic when used with interviewees whose native language is Arabic, to ensure that the language barrier did not affect the responses and that the questions were understandable and relevant to the interviewees. For a list of the interview questions, see Appendix A.

As previously mentioned, I conducted the interviews both on site and over the phone. A total of four interviews were conducted on-site. The locations where the interviews were conducted, number of interviews conducted in each location, and the setting of the interviews are listed below:

<b>Location of the Interview</b>	<b>Number of Interviewees</b>	<b>Setting of the Interview</b>
National Library of Kuwait	Three	A group setting at the public premises of the library
Center for Historical Documents at Al-Amiri Diwan	One	Interviewee's private office at the Center
Center for Research and Studies on Kuwait	One	Interviewee's private office at the Center
Ministry of Foreign of Affairs, Kuwait	One	A private office at the Ministry

**Table 1:** Location, number, and setting of the interviews

A total of four interviews were conducted over the phone, three with previous and current employees of different positions within the Center for Historical Documents at Al-Amiri Diwan<sup>22</sup> and one with a professor at the School of Information Studies at the University of Wisconsin at Milwaukee.

## **6. Documentation of Interviews**

All interviews were conducted in the native language of the interviewees. Interviews that were conducted with personnel at the Kuwaiti institutions were conducted in Arabic, and the interview conducted with the university professor at the University of Wisconsin at Milwaukee was completed in English. The duration of the interviews ranged between one to two hours except for the interview conducted with the previous employee at the Center for Historical Documents at Al-Amiri Diwan, which lasted for 30 minutes. During that interview, I observed that the interviewee had difficulties recalling events and information, repetitively correcting information during the interview. The interviewee then concluded by referring me to other potentially more reliable references who were directly involved in archiving at the Center for Historical Documents. These observations may be explained by the fact that 23 years have passed since the interviewee's time of service at the center.

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<sup>22</sup> No additional information can be provided on the name or the position of the interviewees due to privacy and confidentiality agreement between me and the interviewees. Only verbal consent was obtained prior to conducting the interview.

All interviews started with a briefing on the context and topic of the research study and a declaration that the content of the study could potentially be published within the scope of graduate research. Based on the preference of the interviewees to remain anonymous and not provide any form of identification, only verbal consent was obtained to use the information collected during the interview for the purpose of the study.

I documented the interviews through note-taking rather than audio recording. This method of documentation was selected in order to preserve anonymity, to comply with the interviewees' request to not provide any form of identification, and due to the political sensibilities associated with the topic of the study. Thus, note-taking ensured a less reserved environment, conducive for the interviewees to provide unfiltered and comprehensive information.

Upon completion of the interviews, on the same day, the notes were transcribed in an expanded form of full sentences in the native language of the interviewee. After completing the write up process, all documents that were in the Arabic language were translated to the English language. In the case of the interview conducted with the one of the employees at the Department of English Documents at Al-Amiri Diwan (department handling documents written and/or published in the English language), I conducted a follow-up interview via telephone to verify information provided.

## **7. Email Correspondence**

Based on the document review and analysis, a reference to consultancy visits conducted by professors from the University of Pittsburgh to Kuwait was found in a local

newspaper article. The visits were completed after the Gulf War for the purpose of rebuilding information systems in Kuwait. Email correspondence with the two professors mentioned in the article were used as a tool to collect further information, as well as clarify and verify existing information.

## **8. Data Analysis**

In response to the four research questions, a literature review covering the case of Kuwait and other countries that suffered similar circumstances was completed and interviews and site visits were conducted.

In reference to the missing national archives of Kuwait, 79 sources were reviewed covering the period from the end of the invasion in the year 1991 till the year 2016. The majority of these articles were cited in the course of the study. Some articles were omitted because they were a translation of a cited article from Arabic to English and vice versa. Other omitted articles contained information that was deemed inaccurate after comparing their content with more formal sources such as the United Nations publications.

Thirty-nine percent of these sources were UN publications including resolutions and reports covering the case of Kuwait's national archives. Forty-six percent were newspaper articles either translating and republishing the content of the UN publications or reflecting statements from Kuwaiti officials on the issue and its progress. The newspaper articles played a significant role in better understanding and analyzing the situation of the missing national archives of Kuwait. As archival theorist Hans Booms has emphasized, such popular publications are significant in reflecting the public opinion, concerns, and

values of societies.<sup>23</sup> More than 50 percent of the documents were produced by the UN and in the USA, while only 13 percent were produced in Kuwait. This is reflected in the language of the publications, that is predominantly English (68%) rather than Arabic (32%), which is the native language of Kuwait. Minimal publications happened after the war. The publications were first released in the year 1991, and then a decline is observed in the year 1992. The highest frequency of sources is noted in the year 2002, coinciding with the major handover of Kuwaiti property that took place between Kuwait and Iraq. Another increase in publications is observed between the years 2011 and 2014. Only 6 percent of the publications are academic articles, which highlights a worrying lack of focus or interest in the topic from Kuwaiti researchers and university faculty members. Even after the war, the Center for Research and Studies on Kuwait published several books and periodicals on the destruction of cultural heritage institutions including libraries and museums, but the issue of the national archives was not addressed in any of these publications.

The lack of documentation and academic articles was also observed while reviewing the case of the national archives of other developing countries, especially countries of Middle East and the Arab World. Is this reflective of the lack of awareness and understanding of the significance of documentation or archiving in the culture of these nations? Have the communities of these nations internalized a policy of forgetfulness to overcome and adapt to the sufferings resulting from the consistent turmoil of what seems to be a never-ending wartime in the region? Or is the consistent turmoil a result of the *lack*

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<sup>23</sup> Hans Booms, "Society and the Formation of a Documentary Heritage: Issues in the Appraisal of Archival Sources," *Archivaria* 24 (Summer 1987): 104.



of documentation, thus a lack of awareness of history that would allow these nations and their citizens to deal with their present and build their future? Must we “remember our past so that we do not repeat it”?,<sup>24</sup> as Bishop Desmond Tutu quoted from George Santayana, echoing the experience of South Africa.

Countries such as Syria, Yemen, and even Iraq nowadays are torn by civil wars causing massive casualties and attacks on cultural as well as governmental institutions. This reiterates the fact that the region still suffers from political instability, which puts many neighboring countries in a state of continuous risk. With the failure of both the international community and diplomatic efforts across all these cases to ensure that countries torn by war preserve their national archives and cultural heritage, the need for documentation and archiving systems that can preserve this information while overcoming political turmoil and destructive efforts becomes paramount. A clear picture of the past is necessary for these countries to be able to recover and move forward to achieve social cohesion: they need to understand what happened, why it happened, and how they can build better nations after defeating adversities to achieve peace.

After reviewing the data from documents, transcripts of interviews, and site visit observations, I categorized them into themes. Based on the identified themes, an analysis was conducted to identify the scenarios that may have led to the noted lack of progress in recovering most of the lost or damaged archives during the war. Kuwait’s experience was

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<sup>24</sup> Archbishop Desmond Tutu, Opening Speech CITRA 37, Cape Town, October 2003. [http://www.ica.org/sites/default/files/ICA\\_2003-10-21\\_Desmond-Tutu-speech\\_EN.pdf](http://www.ica.org/sites/default/files/ICA_2003-10-21_Desmond-Tutu-speech_EN.pdf) (accessed February 20, 2017).

then compared with several developing countries in the region that faced similar circumstances in order to draw commonalities between their experiences and determine successful initiatives taken to recover the loss of their archives.

Based on the review of literature that compares Kuwaiti governmental archival practices before and after the war, the derived themes and scenarios that explain the unsuccessful attempts of Kuwait and the international community to restore the archives, and the similarities and differences of experiences of other countries that lost their archives, recommendations could be promulgated addressing the significance of the national archives and how its ongoing safety must be reflected in policy planning and implementation.

## **9. Limitations**

As a researcher studying the topic of the loss of national archives, I was given only limited access to certain key institutions during my field visits. It was also difficult to obtain information through the interview process. Most of the interviewees requested that their responses remain anonymous or referred me instead to another institution or individual, which explains the limited number of interviews conducted for my thesis. The reluctance to be interviewed, even many years after the event, can be explained by the sensitivity of the topic. The fact that the war initially took place almost 26 years ago also presented a difficulty in terms of locating people who were directly involved in the archives in these institutions. The employees at that time have either retired, relocated, or are deceased.

Some interviewees also provided contradicting information that required further verification through other interviews or written resources.

It is important to note that the limited access to records and materials within governmental archival institutions hindered a comprehensive review of literature that includes documents belonging to these institutions. As previously mentioned, access to these institutions and their holdings can either be restricted or requires security clearance. Most of the holdings are considered “classified,” “restricted,” or “confidential.” “Classified” documents are “only available to a limited group of insiders, normally senior people with security clearance.”<sup>25</sup> “Restricted” or “Confidential” documents “can be made available only with the permission by the relevant authority.”<sup>26</sup>

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<sup>25</sup> Mogalakwe, “The Documentary Research method,” 46.

<sup>26</sup> *Ibid.*, 46.

## Chapter 2

### BACKGROUND ON KUWAIT

#### 1. Geography



Figure 5: Kuwait's Map<sup>27</sup>

<sup>27</sup> "Kuwait's Map," *University of Texas Libraries*, [http://www.lib.utexas.edu/maps/middle\\_east\\_and\\_asia/kuwait\\_pol96.jpg](http://www.lib.utexas.edu/maps/middle_east_and_asia/kuwait_pol96.jpg) (accessed February 20, 2017).

Kuwait is situated at the northwestern end of the Arabian Gulf. Bordered by Iraq at the north and northwest and by Saudi Arabia at the south and southwest, Kuwait occupies a strategic position in the Gulf region.<sup>28</sup> With a territory of 6960 square miles and a coastline on the Arabian Gulf of 121 miles,<sup>29</sup> Kuwait is divided into six governorates that are populated with 4,197,676 people as per the censuses of the year 2017. More than half of this population are expatriates primarily from the Arab world and Southeast Asia.<sup>30</sup> The official language spoken by the people is the Arabic language and the official religion according to the constitution is Islam. Despite the fact that most of the population is Muslim, people of other religions have the freedom to practice their rituals and beliefs.<sup>31</sup>

The country is mostly a desert except for Al-Jahra Oasis and a few other fertile patches. From the west, the desert plain of Kuwait slopes from 300 meters above sea level to the shores of the Gulf. The southern regions of Kuwait are generally flat, although there are a number of depressions, sand dunes, and escarpments in the northwest.<sup>32</sup> Off the coast of the mainland are nine islands belonging to Kuwait: Failaka, Bobiyan, Muskan, Warba,

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<sup>28</sup> “Geographical Location,” *Embassy of the State of Kuwait - Washington, D.C.*, <http://www.kuwaitembassy.us/kuwait/ginfo/geography.html>. (accessed October 10, 2016).

<sup>29</sup> Ibid.

<sup>30</sup> “Kuwait Population,” *Country Meters*, <http://countrymeters.info/en/Kuwait>. (accessed January 24, 2017).

<sup>31</sup> “Basic Information,” *Embassy of the State of Kuwait - Washington, D.C.*, <http://www.kuwaitembassy.us/kuwait/ginfo/binfo.html>. (accessed October 10, 2016).

<sup>32</sup> “Topography,” *Embassy of the State of Kuwait - Washington, D.C.*, <http://www.kuwaitembassy.us/kuwait/ginfo/topography.html>. (accessed October 10, 2016).

Ouha, Um Al-Maradem, Um Al-Naml, Kubbar, and Qaroo. The largest islands of Warba and Bubiyan are uninhabited and the Failaka has been inhabited since prehistoric times.<sup>33</sup>

## 2. Political System

Kuwait is governed through a constitutional monarchy and a semi-democratic political system. The country's ruler, known as the Amir, is a hereditary position.<sup>34</sup> Since the 18<sup>th</sup> century, the country has been ruled by the Al-Sabah royal family. All the country's rulers up to this point of time have been members of this dynasty.<sup>35</sup>

The three main branches of the government are the executive, judicial, and legislative branches. They are all headed by the Amir. The executive branch is comprised of the Council of Ministers and headed by the Prime Minister, who is appointed by the ruler of the country, along with the deputy prime minister. All the ministers are appointed by the Prime Minister and approved by the Amir.<sup>36</sup> The legislative branch is formed of the parliament, known as Kuwait's National Assembly. This assembly has 66 seats of which 50 are democratically elected by the people every four years and the 16 that serve as

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<sup>33</sup> "Kuwait Island," *Embassy of the State of Kuwait - Washington, D.C.*, <http://www.kuwaitembassy.us/kuwait/ginfo/kislands.html> (accessed October 10, 2016).

<sup>34</sup> "Kuwait Regime," *Kuwait Government Online*. State of Kuwait, 2016, <https://www.e.gov.kw/sites/kgoenglish/Pages/Visitors/AboutKuwait/GoverningBodyTheGovernment.aspx>. (accessed October 10, 2016).

<sup>35</sup> "Kuwait's Rulers History," *Kuwait Government Online*. State of Kuwait, 2016, <https://www.e.gov.kw/sites/kgoenglish/Pages/Visitors/AboutKuwait/GoverningBodyKuwaitGoverners.aspx> (accessed October 10, 2016).

<sup>36</sup> "Kuwait Regime," *Kuwait Government Online*, 2016.

ministers are appointed by the Prime Minister.<sup>37</sup> The judicial branch is governed by a civil law executed by summary courts that exist in each of the six governorates. The Amir appoints the heads of courts after consulting with the supreme judicial council.<sup>38</sup>

### 3. History

Kuwait's history is marked by major milestones since its establishment in the year 1613.<sup>39</sup> Its strategic location on the Arabian Gulf granted it political and commercial importance. With its long coastlines, it was the natural gateway of the Gulf Countries to the Western world.<sup>40</sup> Kuwait attracted major trade routes beginning in the 18<sup>th</sup> century, particularly between India, Baghdad, and the Arabian Peninsula. It gained its strategic position in the trade world after Al-Basra-Iraq, the city that occupied most of the trade routes, was subjected to the Persian siege between the years 1776 and 1779. The siege along with the continued turbulence that Al-Basra faced contributed to the positioning of Kuwait as the lead commercial center of the Arabian Gulf. Indian trade routes with Aleppo, Baghdad, Smyrna and Constantinople were diverted to Kuwait. Iraqi merchants were forced to seek refuge in Kuwait which indirectly grew the country's trading activities.<sup>41</sup>

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<sup>37</sup> "Political Organization," *Al-Diwan Al-Amiri*. State of Kuwait, 2016, <http://www.da.gov.kw/eng/kuwaitinfo/political.php>. (accessed October 10, 2016).

<sup>38</sup> "State of Kuwait," *Embassy of the State of Kuwait - Washington, D.C.*, 2016. <http://www.kuwaitembassy.us>. (accessed October 10, 2016).

<sup>39</sup> Khaled A. A. Al-Yaqoup, *Judicial Punishment for War Crimes* (Kuwait: Center for Research and Studies on Kuwait, 2006), 20.

<sup>40</sup> Futooh Alkhatrash, "Kuwait Between International Stability and Conflicts Since Mid 19<sup>th</sup> Century Till the Beginning of 20<sup>th</sup> Century" [in Arabic], *Knowledge World [Aalam AlMarrifa]* 195. (March, 1995): 14-15.

<sup>41</sup> Abdumalik Altamemi, "The Kuwaiti-Iraqi Relationships: 1921-1990 (A Historical Study)" [in Arabic], *Knowledge World [Aalam AlMarrifa]* 195. (March 1995): 59-60.

Even after the Persians withdrew from Basra, Kuwait continued to attract trade, which amplified Basra's economic stagnation till the 1850's.<sup>42</sup> In the year 1775, The East India Company, a multinational company that led trade between the British Isles to the East, also diverted its trading routes to Kuwait. The location of the state again played an important role, providing strategic entrances to the East through its coastal location in addition to its ability to accommodate British ships. This connection with the East India Company led to the initial contact between the British and the Kuwaitis.<sup>43</sup>

Kuwait's booming trade routes made it of strategic interest to Great Britain. At the time the Ottoman empire was expanding and the Kuwaitis feared their occupation. Great Britain's interest in gaining control over Kuwait for trading purposes and Kuwait's concern of the possibility of an Ottoman expansion to their region set the stage for an agreement signed by both countries on June 23, 1899 declaring Kuwait as a British protectorate.<sup>44</sup> The economic prosperity of Kuwait created tension with the neighboring countries of Iraq and Saudi Arabia, which were both seeking to become the center of commercial trade between the Eastern and Western parts of the world. Iraq fought back by claiming parts of Kuwait's borders around the year 1913.<sup>45</sup> This land grab was obstructed by the British who imposed the Uqair Protocol of 1922, which clearly defined borders between the three countries.<sup>46</sup> Relying primarily on trade for the growth of the economy, Kuwait was deeply impacted by

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<sup>42</sup> Alkhatrash, "Kuwait between International Stability and Conflicts," 15.

<sup>43</sup> Ibid., 15.

<sup>44</sup> Altamemi, "The Kuwaiti-Iraqi Relationships," 49.

<sup>45</sup> Ibid., 50.

<sup>46</sup> Ibid., 51-52.



the international economic depression in the 1920's and consequently suffered an economic collapse.<sup>47</sup> In the late 1930's, oil was discovered and Kuwait's economy had a new resurgence.<sup>48</sup> This discovery helped the country's economy prosper again and Kuwait went on to become one of the largest oil exporters in the Middle East.<sup>49</sup> In the year 1961, Kuwait gained its independence after the country's ruler at the time, Sheik Abdallah Al Salem Al Sabah, signed the declaration of independence with the British High Commissioner in the Gulf and cancelled the protectorate agreement signed to protect Kuwait from foreign threats.<sup>50</sup>

#### **4. Causes and Events Leading to the Gulf War (1990-1991)**

In the year 1980, the first Gulf War broke out between Iraq and Iran, lasting for 8 years.<sup>51</sup> In this war, Kuwait supported and subsidized Iraq on military, economical, and political levels. Kuwait's strategic decision to provide this support was a result of the tensions between Iran and the Gulf Countries and their fear of Iranian control.<sup>52</sup> Kuwait was hoping that this support would also stabilize the relationship between Kuwait and Iraq and end the struggles over their borders.

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<sup>47</sup> Ibid., 52-53.

<sup>48</sup> Ibid., 53.

<sup>49</sup> "Economy," *Al-Diwan Al-Amiri*. State of Kuwait, 2016, <http://www.da.gov.kw/eng/kuwaitinfo/economy.php> (accessed October 12, 2016).

<sup>50</sup> Abdullah Alghunaim et al., *Kuwait Borders and Existence [in Arabic]* (Kuwait: Center for Research and Studies on Kuwait, 1997), 114.

<sup>51</sup> Ibid., 20.

<sup>52</sup> Ibid., 35.

Once the war ended, the Iraqi government was forced to repay the accumulated debt as a result of the war.<sup>53</sup> With an estimated debt of \$80 billion dollars, and a destroyed infrastructure that they were unable to rebuild<sup>54</sup> because of the low oil prices at the time, the Iraqi government sought to overcome these obstacles by raising oil prices in the international market. This attempt was not backed by the State of Kuwait, which heightened tensions again between the two countries.<sup>55</sup>

In the year 1990, Saddam Hussein, Iraq's president at the time, denounced the lack of commitment of the other Gulf Countries to the Organization of the Petroleum Countries (OPEC) agreement after Kuwait dropped oil prices in the international market, which was perceived as an intentional attempt by Kuwait to cause an economic crisis in Iraq. Saddam also accused Kuwait of stealing oil from the bordering fields of Al Rumayla, leading to an aggravated situation between the two countries.<sup>56</sup>

On August 2, 1990, Iraqi troops invaded Kuwait. Saddam formally announced Kuwait as an annex to Iraq, a move condemned by the international community. In response, the United Nations (UN) imposed sanctions on Iraq<sup>57</sup> and authorized military

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<sup>53</sup> Ibid., 17.

<sup>54</sup> Ibid., 20.

<sup>55</sup> Ibid., 17.

<sup>56</sup> Ibid., 17.

<sup>57</sup> Richard Schofield, *Kuwait and Iraq: Historical Claims and Territorial Disputes: A Report Compiled for the Middle East Program of the Royal Institute of International Affairs* (London: Royal Institute of International Affairs, 1993), 141-142.

intervention to enforce an embargo on Iraq. A UN coalition led by the United States drove Iraq's army out of Kuwait within days of launching an offensive attack in February 1991.<sup>58</sup>

The Gulf War inflicted tremendous loss of lives and damage on Kuwait across all sectors: educational, healthcare, cultural, and economic. Many citizens were captured and are still missing today. Damage impacted all government ministries' buildings and major oil refineries. The Iraqi army seized vast Kuwaiti properties ranging from public to private belongings. These belongings were subjected to damage, fire, and theft.<sup>59</sup> The major loss remains in properties that make up the history and heritage of the country. These include government records and archival materials. The UN resolution referred to the war as an Iraqi attempt "to destroy the civil records maintained by the legitimate government of Kuwait."<sup>60</sup>

Although Kuwait has been able to recover economically from the detrimental impact of the war, there has been a continual struggle to ascertain the whereabouts and condition of its historical and governmental documents.

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<sup>58</sup> Ibid., 143.

<sup>59</sup> See: Abdullah Hamad Muhareb, *Documents That Will Never Die: Kuwait's Right to Confront the Iraqi Attack [in Arabic]* (Kuwait: Center for Research and Studies on Kuwait, 2000). Sulaiman Abdullah Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait: Reports of Experts from UNESCO and Arabic and Muslim Organizations [in Arabic]* (Kuwait: Center for Research and Studies on Kuwait, 1993).

<sup>60</sup> John W. Carlin, "How Have We Served the Public," *National Archives and Records Administration, Annual Report*, (1997-1998).

## 5. Impact of the Gulf War

### 5.1. Loss of Lives

During the war two thirds of Kuwait's population fled the country. The population that stayed suffered inhuman treatment and the ones who survived witnessed the destruction of their homes and businesses.<sup>61</sup> The country suffered massive loss of military and civilian lives and many families had no information on the fate of their loved ones. Therefore, Kuwait's primary concern after the war was to locate the missing people that represented a humanitarian crisis for the country. The UN issued several sanctions and resolutions calling upon the Iraqi government to provide information on the whereabouts of the missing people.<sup>62</sup> By the year 2002, Kuwait still had more than 600 missing citizens and third country nationals.<sup>63</sup> In the year 2003, a report issued by the *Washington Report on Middle Eastern Affairs* stated that 617 men and 8 women of the reported missing were executed on Iraqi land three months after being captured. A map to the burial site was given to an Iraqi official, Abu Musab, who excavated the area and confirmed the information. This map, drawn by one of the Iraqi drivers who carried out the execution, provided

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<sup>61</sup> "U.N. Mission Charges Iraq Destroyed Kuwait," *United Press International Archives*, March 28, 1991, <http://www.upi.com/Archives/1991/03/28/UN-mission-charges-Iraq-destroyed-Kuwait/3492670136400/> (accessed August 30, 2016).

<sup>62</sup> United Nations Security Council, "Tenth Report of the Secretary-General Pursuant to Paragraph 14 of Resolution 1248 (1999)," (December 12, 2002).

<sup>63</sup> "Iraq Announces the End of the Process of Returning the Kuwait's Looted Archives and Kuwait and the United Nations Discuss the "First Phase" of Document Submission" [in Arabic], *Asharq Al-Awsat*, October 31, 2002, <http://archive.aawsat.com/details.asp?article=133305&issueno=8738#.WMQH4hiZOV4> (accessed September, 2016). John F. Burns, "Threats and Responses: Reparation; A Cadillac and Other Plunder: Iraq-Kuwait Issue Resurfaces," *International New York Times*, December 30, 2002, <http://www.nytimes.com/2002/12/30/world/threats-responses-reparations-cadillac-other-plunder-iraq-kuwait-issue.html> (accessed September 9, 2016).

answers to Kuwaitis on the status of their loved ones.<sup>64</sup> Although 246 bodies were identified during the following years, about 354 people still remained unidentified by the year 2015 according to *Kuwait News Agency (KUNA)*.<sup>65</sup>

With the mystery largely unsolved, Kuwaitis have striven to keep the case of the missing people alive through official diplomatic efforts and through a space in a special museum where their life stories of the missing are told to international and local visitors.<sup>66</sup>

## 5.2. Material Losses

Kuwait suffered material losses with an estimated worth of \$173 billion dollars. One hundred billion dollars are reported to be public losses which included palaces, museums, power stations, buildings of ministries, the national assembly, and a government complex comprised of six ministries. During the war, the Iraqi troops used government buildings for military and other purposes which in turn led to the destruction and damage observed at that time.<sup>67</sup> The Iraqi troops invaded the Seif Palace, which was the designated headquarters of the Kuwaiti ruler in addition to many of the palaces of the royal family:

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<sup>64</sup> Burt Holden, "No Happy Endings for Kuwaitis Missing in Saddam Hussain's Iraq," *Washington Report on Middle East Affairs*, July, 2003, <http://www.wrmea.org/2003-july-august/no-happy-endings-for-kuwaitis-missing-in-saddam-hussain-s-iraq.html> (accessed September 1, 2016).

<sup>65</sup> Ismaeel Naar, "25 Years on, Iraq's Kuwait Invasion Remains a Source of Bitterness," *Al Arabiyh*, August 2, 2015, <http://english.alarabiya.net/en/perspective/features/2015/08/02/25-years-on-Iraq-s-Kuwait-invasion-remains-a-source-of-bitterness.html> (accessed February 9, 2017).

<sup>66</sup> Holden, "No Happy Endings for Kuwaitis Missing," July, 2003.

<sup>67</sup> United Nations Security Council, "Letter Dated 26 April 1991 from the Secretary-General Addressed to the President of the Security Council," (April 29, 1991). Burans, "Threats and Responses," December 30, 2002. "Stolen Kuwaiti Property Still Appearing in Iraq" [in Arabic], *Al Sharg Al Awast*, January 1, 2003, <http://archive.aawsat.com/details.asp?section=4&article=144503&issueno=8800#.WMQPTBiZOV4> (accessed September 16, 2016).

the Dasman and Bayan Palaces which were burnt and the Mishref Palace which was used for storing weapons.<sup>68</sup> These royal palaces were among the primary targets of the Iraqi troops.<sup>69</sup>

### **5.3. Environmental Losses**

Environmental losses incurred through the torching of oil wells and the puncturing of oil pipelines and oil tankers. The losses were estimated to be around 18 billion dollars, in addition to an estimate of eight billion dollars in private claims.<sup>70</sup> This has not only polluted the environment, but also contaminated natural agricultural and water resources which may have contributed to the increase in health problems among citizens and expatriates who inhabit Kuwait's land.

### **5.4. Losses of Artworks**

Old Masters paintings, and some by modern artists like Picasso, valuable Islamic carpets, and museum pieces were all subject to theft from Kuwait's royal and cultural buildings according to *The International New York Times*, 2002.<sup>71</sup> Some of these items were found in auction houses in European cities such as London and Paris, some were

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<sup>68</sup> Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait*, 61-62.

<sup>69</sup> Ibid., 61-62.

<sup>70</sup> Burns, "Threats and Responses," December 30, 2002.

<sup>71</sup> Ibid.

located in televised pictures of Saddam's residences, and others later appeared in the custody of the people that were closely connected to the Saddam Hussein regime.<sup>72</sup>

## **5.5. Destruction and Theft of Kuwait's Cultural Institutions**

### **5.5.1. Museums**

Kuwait was home to world renowned collections of Islamic art and other cultural treasures that were destroyed or looted during the Iraqi invasion in the year 1990-1991. The country's Islamic Art collection was considered one of the top six collections in the world by Iraqi curators, who had studied the variety and value of existing cultural artifacts in Kuwait and who guided the troops as they invaded museums, libraries, and cultural institutions. The National Museum of Kuwait was one of the primary targets of the Iraqi troops.<sup>73</sup>

The damage inflicted upon the museum were highlighted by the Kuwaiti government and the international media. Sheikha Hussa Al-Salem Al-Sabah, member of the royal family and the daughter-in-law of Kuwait's Amir at the time, Prince Sabah Al-

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<sup>72</sup> Ibid.

<sup>73</sup> Bruce P. Montgomery. "The Rape of Kuwait's National Memory," *International Journal of Cultural Property*, 22 no. 1. (February 2015): 61-84. Kirsty Norman, "The Retrieval of Kuwait National Museum's Collections from Iraq: An Assessment of the Operation and Lessons Learned," *Journal of The American Institute for Conservation* 39, no. 1 Disaster Preparedness, Responses, and Recovery, (Spring 2000): 136.

Ahmad Al-Jaber Al-Sabah described the destruction of the museum as damage to Kuwaitis' "souls."<sup>74</sup>

The National Museum of Kuwait lost most of its Islamic art collection which had an estimated worth of one billion US dollars.<sup>75</sup> The collection included "more than 8000 coins, 10000 books, and 700 ceramic items. Hundreds of tapestries, ivory carvings, glassware and metalwork, as well as manuscripts from throughout the Islamic world."<sup>76</sup>

The House of Islamic Antiquities, which is also a part of the museum, had collections of Arts and Science in Islam: a unique collection of coins from eras before and during the Islamic era, a library that contained old books and calligraphy, in addition to a collection donated by Sheikh Nasser Al-Ahmad Al-Sabah. The world-renowned collection comprised 30,000 pieces, of which 7000 pieces represent different historical eras, subject matters, and geographical regions.<sup>77</sup> Pieces of the collection were gathered from "auction houses in New York, London, Paris, and Cairo over a 15-year period."<sup>78</sup> Fortunately, part of the collection was being displayed in St. Petersburg, Russia before the invasion and was thus saved.<sup>79</sup>

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<sup>74</sup> Martin Chulov, "Kuwait's Lost Treasure: How Stolen Riches Remain Central to Rift with Iraq," *The Guardian*, June 21, 2010, <https://www.theguardian.com/world/2010/jun/21/kuwait-lost-treasures-stolen-riches-rift-iraq> (accessed September 10, 2016).

<sup>75</sup> John Arundel, "On the Trail of Kuwait's Treasures," *The Washington Post*, June 20, 1991, [https://www.washingtonpost.com/archive/lifestyle/1991/06/20/on-the-trail-of-kuwaits-treasures/bc90f19c-438c-433b-ac70-20d86e10ebe7/?utm\\_term=.2589dbe63fb8](https://www.washingtonpost.com/archive/lifestyle/1991/06/20/on-the-trail-of-kuwaits-treasures/bc90f19c-438c-433b-ac70-20d86e10ebe7/?utm_term=.2589dbe63fb8) (accessed September 10, 2016).

<sup>76</sup> Arundel, "On the Trail of Kuwait's Treasures," 1991.

<sup>77</sup> Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait*, 53.

<sup>78</sup> Ibid., 53.

<sup>79</sup> Alan Riding, "Aftereffects: Art Objects; In Kuwait, Lost Items and a Blackened Museum Are Effects of Earlier War," *The New York Times*, May 11, 2003, <http://www.nytimes.com/2003/05/11/world/aftereffects-art-objects-kuwait-lost-items-blackened-museum-are-effects-earlier.html> (accessed September, 2016).

Norman, "The Retrieval of Kuwait National Museum's," 138.



During the first days of the invasion, the Iraqi troops accompanied by the Director of Ruins Management in Baghdad started emptying the National Museum and the House of Islamic Antiquities of most of its collections. They looted almost all that was in the House of Islamic Antiquities, 60-70% of the National Museum collections. They were purposeful in the process as they also stole documentation of both collections,<sup>80</sup> including files, registries and the cabinet keys. They also burned the first and third buildings of the museum after emptying them to remove any evidence of the looting and to make it difficult to restore the museum as it was. The Iraqi troops also burned a symbolic sailboat [Al-Boom] built to represent the nation.<sup>81</sup>

The Iraqi government claimed that all the collections taken from the National Museum were safely stored at the National Museum of Iraq. The selective looting process and the transfer of the most valuable items to be kept in the National Museum of Iraq, while leaving other secondary items in Kuwait's museum, reflect that the operation was premeditated and highly organized.<sup>82</sup> Iraqi invaders stole particular items, especially ones belonging to the Moghul dynasty. This was affirmed by Sheikha Hussa Salem Al-Sabah, who mentioned in an interview in the year 2010 that some of the lost artifacts date back to the Moghul dynasty and include "around 20 gold bracelets, necklaces and ankle rings, pottery, arrow heads and Korans."<sup>83</sup>

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<sup>80</sup> Norman, "The Retrieval of Kuwait National Museum's," 138.

<sup>81</sup> Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait*, 55-56.

<sup>82</sup> Ibid., 55.

<sup>83</sup> Chulov, "Kuwait's Lost Treasure," 2010.

Although the National Museum of Kuwait suffered the most damage during the war, damage was also inflicted on other museums and private collections. Pieces were stolen from the Scientific Museum. With direction from a designated official responsible for Iraqi ruins, a private collection of Sheik Nasser Al-Sabah was also stolen from his home. His collection included modern art works and pieces such as a statue by Alexander Calder, a painting by Sydney Nolan, and other manuscripts, paintings, art pieces, and jewelry. A private and valuable Islamic art collection owned by Mr. Jasem Al-Hmeidi was also stolen.<sup>84</sup>

After the war, the National Museum's Assistant Director, Mr. Fahad Wohaibi, stated that during September of 1990, Iraqi invaders loaded 17 trucks of Islamic art masterpieces and artifacts from the 8<sup>th</sup> century, then burned any remaining items. Damage and loss affected 30,000 of the most treasured items of the Islamic world.<sup>85</sup> Mr. Wohaibi also stated that only 114 items survived the theft of the Iraqi invaders and explained that many of the stolen artifacts were irreplaceable. These included: "crystal chess pieces crafted in Egypt during the 10<sup>th</sup> century, pages from a 7<sup>th</sup> century Koran, and a large collection of carpets from Turkey and Persia dating back to more than 500 years. The entire collection of paintings from Mojab al Dossery said to be Kuwait's first artist,"<sup>86</sup> and "most of the museum's archeological works including huge pottery jars from the Greco Roman period and large assortment of artifacts from Failaka island"<sup>87</sup> that date back to the trading

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<sup>84</sup> Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait*, 55-59.

<sup>85</sup> Arundel, "On the Trail of Kuwait's Treasures," 1991.

<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

era. Another location that was exposed to theft was the planetarium; Iraqi troops took telescopes and ancient maps that they later burned.<sup>88</sup>

At the time, it was feared that the stolen artifacts would be sold, therefore Mr. Wohaibi called for the return of these items and requested that the United Nations Educational Scientific and Cultural Organization (UNESCO) monitor any illegal sale of stolen Kuwaiti museum belongings. UNESCO in return provided detailed information and descriptions on missing artworks to concerned agencies and Interpol.<sup>89</sup> However, a comprehensive list could not be compiled to facilitate the work of the Interpol or any recovery mission in Iraq due to the looting of the records of the content of the museums.<sup>90</sup>

The UN delegation that visited Kuwait after the war provided assurance that the collections of the National Museum were in good condition and would be returned. However, the lack of remorse showed by Iraqis for the damage inflicted and the absence of any evident intent to return the stolen treasures continued to raise the concerns of Mr. Wohaibi.<sup>91</sup>

Eighteen months after the theft and destruction of Kuwait's National Museum, international and diplomatic efforts did lead to the return of 17,000 museum pieces according to documents submitted by Iraqi officials to the UN. The return was supervised by the UN through its specially formed agency, UN Return of Property (UNROP), which

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<sup>88</sup> Ibid.

<sup>89</sup> Ibid.

<sup>90</sup> Norman, "The Retrieval of Kuwait National Museum's," 137.

<sup>91</sup> Arundel, "On the Trail of Kuwait's Treasures," 1991.

reported that “books taken from Kuwait Central Library, gold ingots and banknotes, and a civilian aircraft” were also returned.<sup>92</sup>

After the experts and members of the royal family verified the return of most of what was stolen, suspicions were raised over the nature and purpose of the theft. It was speculated that Iraqis’ intent was not to destroy the national museums’ collections, but to add them to the collections of Baghdad’s Museum.<sup>93</sup> Despite the return of most of the collections, some items were destroyed and some were still missing or unaccounted for.<sup>94</sup> Fifty-nine pieces were still recorded as missing among which is a “16<sup>th</sup> century Mogul double edged dagger, gold set with rubies, emeralds and turquoise,” which was later found at an auction in London and returned by the owner to Kuwait after stating that he bought it from Amman, Jordan.<sup>95</sup>

Saddam’s regime attempted a show of good faith in 2003, when they invited Kuwaiti officials to the National Museum of Baghdad to identify items belonging to Kuwait. Kuwaiti officials were not able to locate some of the missing pieces. Sheikha Hussa Sabah Al-Salim Al-Sabah referred to a “234 carat emerald the size of a paperweight; a slightly smaller gem inscribed with exquisite Arabic calligraphy; Mughal-era ruby beads.”<sup>96</sup> She clarified that despite returning some priceless treasures after decades of negotiations, 57 remain missing. The National Museum also reported 487 treasures whose

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<sup>92</sup> “Kuwait’s Art Comes Home,” *The Washington Post*, (February 17, 1992): 8.

<sup>93</sup> Ibid.

<sup>94</sup> Montgomery, “The Rape of Kuwait’s National Memory.”

<sup>95</sup> Riding, “Aftereffects: Art Objects; In Kuwait,” 2003.

<sup>96</sup> Chulov, “Kuwait’s Lost Treasure,” 2010.

location is still unknown. Kuwaitis now believe that these treasures could be part of the private collections of the members of the regime that succeeded Saddam's, as well as around the Arab world, representing the "unfinished business of the first Gulf War."<sup>97</sup>

The return of most of the collections from the National and other museums two decades after the Iraqi invasion of Kuwait did not stimulate a rebuilding and restoration process of the museums of Kuwait. Twelve years after the liberation, Museums in Kuwait were still closed and the galleries still suffered from burn marks. The reconstruction process was not handled with a sense of urgency. Therefore, Sheikha Husa Sabah Al-Salim Al-Sabah took the initiative to establish traveling exhibitions showcasing Kuwait's cultural heritage and treasures to remind the world of the sufferings and violations that were caused by the Iraqi invasion. The House of Islamic Antiquities also resumed similar activities. They reactivated a program of lectures provided by Islamic experts as well as courses in Islamic art.<sup>98</sup>

### **5.5.2. Libraries**

Kuwait's educational centers and libraries were subjected to theft and destruction in the same intentional and organized manner observed at Kuwait's museums and cultural centers. The destruction of scientific, cultural, and educational institutions in Kuwait was

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<sup>97</sup> Ibid.

<sup>98</sup> Riding, "Aftereffects: Art Objects; In Kuwait," 2003.

appalling to many of the international organization experts in cultural and educational affairs that visited the sites after the invasion.<sup>99</sup>

A report was written by UNESCO experts who visited Kuwait to assess the damage to the cultural sector, particularly to the Central Library of Kuwait, as well as the public, the specialized, and the international and regional libraries. The Central Library had 90,000 volumes of books. It also had special collections of rare books, 8000 of which cannot be printed anymore, a complete archive of audio and visual recordings on the Islamic and Arabic culture, recordings of conferences and lectures, old Arabic manuscripts, ten thousand volumes of books, 1600 original manuscripts, and collections of cultural musical instruments that are used in the Gulf region. The report also mentioned that a representative of the Iraq Ministry of Information visited the Central Library before the invasion. This visit was suspicious and could be explained by the later organized looting of the Central Library's belongings under the supervision of Iraqi technical experts. All the library's holdings including the air conditioning equipment were transported to Iraq. More than 50% of the holdings of the public libraries and of libraries of regional and international institutions that had locations in Kuwait were also either stolen or destroyed.<sup>100</sup> It is estimated that 717,764 adult books and 610,851 children's books, which is approximately 46.96% and 42.2% respectively of the books that existed before the invasion, were destroyed or moved to different parts of Iraq. The estimated cost of these books is 2 million

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<sup>99</sup> Muhareb, *Documents That Will Never Die*, 398.

<sup>100</sup> *Ibid.*, 402.

Kuwaiti dinars which is around 6 million U.S. dollars.<sup>101</sup> The Administration of the Arabic Culture in the National Assembly for Culture, Arts, and Literature building which held 10,000 volumes of books, 1500 manuscripts, and microfilms that covered 2500 topics was intentionally flooded and at least 30% of the books and manuscripts were totally damaged beyond repair.<sup>102</sup>

Experts from the Islamic Organization for Education, Science, and Culture also visited Kuwait University, some public, private, and special education schools, the National Committee for Education, Science, and Culture, the Ministry of Education, the National Radio and Television, and other historical, cultural, and governmental locations. The visit lasted from June 18, 1991 till July 4, 1991.<sup>103</sup> Their reports stated that these places were destroyed or burnt after being used as military bases and as storage for weapons.<sup>104</sup>

Professor Mohammed Aman from the University of Wisconsin-Milwaukee went on a mission to Kuwait nine months after the liberation. He and a team of experts were charged with supporting the process of restoring the library and information systems. In his report, the professor mentioned the purposeful damage that he witnessed, as well as the theft and destruction that reached beyond museums, research centers, libraries, newspaper and publication houses to private homes, hospitals, and schools. He stated that what was not stolen was destroyed. Books were used by Iraqi troops as pillows, stands to raise military cars when they needed to change tires, or for burning when they needed heat during

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<sup>101</sup> Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait*, 9-14.

<sup>102</sup> Ibid., 59.

<sup>103</sup> Muhareb, *Documents That Will Never Die*, 404.

<sup>104</sup> Ibid., 404.

the night or for making meals.<sup>105</sup> Another group of professors from the University of Pittsburgh who visited Kuwait in January 1997 to conduct a needs assessment and provide technical assistance in the restoration process also described the damage that they witnessed. Professor Williams said: “When you went into libraries, there would be a few books lying here or there on the floor. But the rest of it would be vacant.”<sup>106</sup>

Reports written by experts of international organizations in addition to documents belonging to the Iraqi regime that were found on these sites affirmed that the looting and the destruction were highly organized and planned. Further evidence was provided by diaries and documents that were left behind by the Iraqi troops. Inventories of the libraries and their constituents, equipment, and furniture that were transferred to Baghdad and other Iraqi cities were also found on these sites.<sup>107</sup>

Military as well as civilians including university professors participated in this violation. The names of the people that were responsible for transferring what was stolen to Iraq were also found in Iraqi documents. These documents were utilized by UNESCO and the Kuwaiti government as evidence of not only the looting and vandalism but also of the Iraqi academics and scientists who served as accomplices in this process.<sup>108</sup>

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<sup>105</sup> Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait*, 81-84. Muhareb, *Documents That Will Never Die*, 408-409.

<sup>106</sup> “Pitt Professors Help Save Kuwait’s Historical Records,” *The Times Beaver Newspaper*, January 6, 1997, <https://news.google.com/newspapers?nid=QLZAdv6BrvsC&dat=19970106&printsec=frontpage&hl=en> (accessed October 10, 2016).

<sup>107</sup> Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait*, 12. Muhareb, *Documents That Will Never Die*, 399.

<sup>108</sup> Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait*, 399.



The volume of destruction and robbery could not be explained by experts as anything other than that this was an intentional attempt to rid Kuwait of all its value in the region. Had this invasion succeeded in dissolving Kuwait's identity and its cultural heritage, the world could have potentially regarded it as an Iraqi province.<sup>109</sup>

Recommendations of international organizations and experts urged an intervention with the Iraqi government for the return of all cultural, media, scientific and educational belongings that were transported to Iraq. They also called for support from Arabic countries and educational, cultural, and media organizations to help Kuwait in the process of regaining its active role in these domains through providing technical and financial support.<sup>110</sup>

After the war, Kuwaiti rulers and citizens, local and international experts as well as organizations, agreed that the invasion was an intentional attempt by Iraq to not only cause damage to Kuwaiti lives, infrastructure, environment, and cultural and educational institutions but also to rob the country's history, identity, and memory through the destruction and looting of historical and governmental documents that represented the national archives of Kuwait.

The following chapter is a description of the state of Kuwait's archives prior to the Gulf War, the damage that was inflicted on these archives during the war, and a recollection of the local, regional, and international attempts to restore and preserve what remained,

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<sup>109</sup> Muhareb, *Documents That Will Never Die*, 403.

<sup>110</sup> *Ibid.*, 404.

retrieve what was missing, and create initiatives to overcome the war's impact on the nation's identity and collective memory.

## Chapter 3

### KUWAIT'S NATIONAL ARCHIVES

#### 1. Pre Gulf War

Prior to the Gulf War, valuable Kuwaiti historical documents and archival materials were distributed across several institutions including the Central Library of Kuwait, the Ministry of Foreign Affairs, the Council of Ministers, the Dasman Palace, and the Amiri Diwan. The Ministry of Foreign Affairs held correspondences with other countries and historical documents, in addition to laws and legislation. Dasman Palace held a number of historical documents on Kuwait.<sup>111</sup> The Amiri Diwan, located in the Seif Palace and considered to be the headquarters and permanent center of the country's rulers, held governmental documents related to the establishment of the state of Kuwait, its history, its rulers, as well as documents on the political, trade, and educational systems.<sup>112</sup> Being the primary location for essential historical documents, the Amiri Diwan had been expanded to include a Center for Historical Documents. The center was established based on a decree issued in the year 1984 under the mandate of his highness Jaber Al-Ahmad Al-Jaber Al-Sabah.<sup>113</sup> The prince's vision was to create a central location for collecting and preserving

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<sup>111</sup> Interview with a previous head of the Center for Historical Documents at Al-Diwan Al-Amiri, November 7, 2016. "All interviews were confidential; the names of interviewees are withheld by mutual agreement."

<sup>112</sup> Ibid.

<sup>113</sup> "About the Center," *Al-Diwan Al-Amiri. State of Kuwait*, <http://www.da.gov.kw/eng/historiccenter/historic-doc-center.php> (accessed November 3, 2016).

all historical documentation discussing the history of Kuwait, its people, land, and culture, as well as documents regarding the history of the Arab Peninsula in general.<sup>114</sup> The initiative to collect the documents was launched by Mr. Bahaa Al-Ibrahim who was appointed by the ruling prince to be the director of the center based on his academic qualifications and interest in collecting documents that pertain to Kuwait's history. Mr. Al-Ibrahim led efforts on an international and local level to collect these documents. His journey started by identifying all the countries that had any type of historical relationship with Kuwait. He travelled to India, Great Britain, Russia, France, Portugal, United States of America, etc. where he visited archival centers and met with researchers that guided him to locations where documents related to Kuwait could exist. Mr. Al-Ibrahim accessed all documents where Kuwait was mentioned and went through a rigorous search to identify the ones significant to Kuwait's history. There were some countries that he had to visit more than once to achieve a comprehensive search: for example, Russia, which he visited five times.<sup>115</sup> He also tried to leverage an agreement between the archival institutions of the Arabian Gulf Countries. The agreement stated that these countries' archival institutions would exchange documents relevant to each other based on a fee. Some countries were cooperative and submitted documents relevant to Kuwait while others did not. After the collection process was completed, the documents were catalogued, classified, and then given two numbers. One number indicated the country of origin and the other indicated the

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<sup>114</sup> Interview with a previous head of the Center for Historical Documents at Al-Diwan Al-Amiri, November 7, 2016.

<sup>115</sup> Ibid.

local classification within the center.<sup>116</sup> However, no finding aids were created to make the scope and content of the materials accessible to the public through an online gateway.

On the local and institutional level, Mr. Al-Ibrahim tried to initiate efforts with governmental entities who were mandated by existing policies to submit their documents to the center. His efforts were unsuccessful despite the law that dictates that government officials must deposit all official documents upon the end of their mandate. This law was not enforced and the fate of these documents remains unclear or unknown.<sup>117</sup> Attempts to collect documents belonging to the rulers' secretariats failed because of the absence of a decision designating any official to collect them, although such documents are considered governmental property and exploiting or keeping them is considered illegal.<sup>118</sup> His endeavors to obtain copies of pertinent documents owned by the Ministry of Foreign Affairs were also unsuccessful.<sup>119</sup>

As a result of Mr. Al Ibrahim's internal and external efforts, however, the center did acquired collections of archival material that included copies of historical documents dating back to the Ottoman empire and copies of records documenting the State of Kuwait and the Arab Peninsula collected from international archives of several countries such as Great Britain, United States of America, Russia, and France. It also held local documents as well as the speeches and the correspondences of the country's rulers that were deposited

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<sup>116</sup> Ibid.

<sup>117</sup> Ibid.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid.

at the center after a specific period of time had passed. All these documents were exclusively stored at the center with no copies available at any other location.<sup>120</sup>

## **2. During the Gulf War (1990-1991)**

During the invasion, all these governmental locations were subjected to targeted looting of documents and infrastructural destruction. The Seif Palace was bombed with missiles and the national assembly was burned. The offices of the Amiri Diwan were also vandalized, looted, and burned. Holdings of the Center for Historical Documents, in addition to specific books and microfilms belonging to the Library of the Seif Palace and Kuwait's Central Library, were seized by Iraqi troops.<sup>121</sup> All that remained was destroyed by fire, cars, water or through the destruction of the buildings.<sup>122</sup>

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<sup>120</sup> Ibid.

<sup>121</sup> Al-Enezi, *The Iraqi Attacks on the Scientific, Educational, and Cultural Institutions in Kuwait*, 61.

<sup>122</sup> Interview with a previous head of the Center for Historical Documents at Al-Diwan Al-Amiri, November 7, 2016.


Kuwait Invasion: The Evidence - Search 11/7/16, 8:16 AM

**KUWAIT** the evidence **البيداهان**  
 PHOTOGRAPHIC EVIDENCE OF THE IRAQI REGIME'S DESTRUCTION IN KUWAIT FROM AUGUST 1990 THROUGH FEBRUARY 1991

HOME INTRODUCTION MISSION BIOGRAPHY CONTACT SEARCH GALLERY

PHOTO GALLERY: Overview The South The Coast The City The Suburbs The North The Human Cost

< 22 of 22 > **The City** See Overview Page 4 for a written description of the damage done to the City. For the City's old fishing harbor and City scenes on the Gulf, see the Coast. For memorials to the martyrs in the City, see Human Cost. Back to thumbnails



**Seif Palace Interior**  
 Iraq troops looted and vandalized the Palace's offices. The government's records were destroyed. A portrait of the Emir, on the left, was slashed. The blackened marble walls are stained with soot from fire damage in rooms above.

2042 [SHARE](#)

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[http://www.evidence.org.kw/search.php?page=2042\\_Self-Palace-Interior&search=seif+palace&mode=22](http://www.evidence.org.kw/search.php?page=2042_Self-Palace-Interior&search=seif+palace&mode=22) Page 1 of 1

**Figure 6:** Photograph of the destruction of governmental records at the Seif Palace<sup>123</sup>

<sup>123</sup> Adel Al-Yousifi, "Kuwait Invasion: The Evidence," 2011, [http://www.evidence.org.kw/search.php?page=2042\\_Self-Palace-Interior&search=Seif+palace&mode=22](http://www.evidence.org.kw/search.php?page=2042_Self-Palace-Interior&search=Seif+palace&mode=22) (accessed November 7, 2016).

The selective looting was explained by the visit of Tariq Aziz, the Iraqi Minister of Foreign Affairs and a close advisor of Saddam Hussein, to the Kuwaiti Ministry of Foreign Affairs right before the war started. His visit lasted for three days as he was seeking to “get acquainted” with the properties of the Ministry. He, along with his team, looked at the Ministry’s documents and visited the Council of Ministers which also held historical documents. It was subsequently believed that the Iraqi minister’s visit was to purposefully search for documents to be stolen upon the invasion, specifically documents that could serve as evidence to prove that Kuwait was part of Iraq’s territory.<sup>124</sup>

### **3. United Nations Sanctions and Resolutions**

After the war, Iraq had to face the repercussions of the damage and destruction inflicted on Kuwait through a number of UN sanctions and resolutions. Kuwait was primarily concerned with the missing people for humanitarian reasons and with the missing archives for their value in representing the country’s memory and identity. The archives had evidence of the country evolving from a colony to an independent state which serves as evidence of Kuwait as a self-governing state and refutes Iraq’s long held claims of it being the stolen part of Iraq’s territory through British imperialism.<sup>125</sup> The archives also contained highly classified information relating to the executive, governmental, and

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<sup>124</sup> Ibid.

<sup>125</sup> Montgomery, “The Rape of Kuwait’s National Memory,” 64.



economic sectors of the country and documents belonging to the Amiri Diwan and the Council of Ministers.<sup>126</sup>

After imposing sanctions on Iraq in accordance with Chapter VII<sup>127</sup> of the UN charter in August 1990, the UN passed a number of resolutions that addressed the return of all Kuwaiti property and archives seized by Iraq. Resolutions 686 and 687 were passed in the period after March 1991. In response to Saddam's consistent defiance of UN resolutions, resolution 1284 was passed in December 1999. The resolution addressed among other issues the case of the Kuwaiti missing people and property. Iraq's obligation to facilitate the repatriation of all Kuwait and third country nationals was reiterated. It also requested that the UN Secretary General report to the council every four months on the repatriation or return of all Kuwaiti and third country nationals or their remains and report every six months on all Kuwaiti property including archives seized by Iraq and to appoint a high level coordinator for these issues.<sup>128</sup> In May 2003, after the US led invasion that ended Saddam's regime, resolution 1483 was issued to reiterate the international community's request that Iraq should return all Kuwaiti property and archives within the shortest period of time possible. On the case of Iraq and Kuwait, the resolution reaffirmed concerns over the lack of information on Kuwait's missing people and called upon the Iraqi people to coordinate with authorities to take serious steps towards locating the missing

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<sup>126</sup> Ibid., 64.

<sup>127</sup> According to the Charter of the UN, Chapter V II is entitled "Action with respect to Threats to the Peace, Breaches of the Peace, and Acts of the Aggression."

<sup>128</sup> United Nation Security Council, "Resolution 1284: The Situation Between Iraq and Kuwait," December 17, 1999, <http://unscr.com/en/resolutions/1284> (accessed April 11, 2017).

people and property.<sup>129</sup> The UN Security Council released semi-annual reports addressing any developments arising from these resolutions.

#### **4. Return of Archival Materials from 1991 to 2016**

The following section is a reconstruction of the major milestones illustrating what Kuwaiti property was returned, the timeline, the process, and the local, regional, and international efforts that contributed to the efforts to locate and return the national archives between the year 1991 and 2016.

##### ***1991***

During the invasion, Iraqi troops vandalized all Kuwait's significant and symbolic properties before the intervention of U.S. troops and the declaration of the cease fire. After the war ended, the loss that Kuwait suffered was described as the loss of "national identity, the pride of its people in their history and achievements."<sup>130</sup>

The invasion, the encroachment, and the destruction were condemned by the international community through the military enforcement of the retreat of Iraqi troops. UN sanctions and resolutions were also imposed upon the Iraqi government. Iraq initially responded to the UN issued resolution by only returning certain looted Kuwaiti property,

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<sup>129</sup> United Nation Security Council, "Resolution 1483: The Situation Between Iraq and Kuwait," May 22, 2003, <http://unscr.com/en/resolutions/1483> (accessed April 11, 2017).

<sup>130</sup> "U.N. Mission Charges Iraq Destroyed Kuwait," 1991.

non of which formed part of the missing national archives.<sup>131</sup> The property returned included:

- Military equipment and vehicles, navy equipment and vehicles, civil airplanes, plane wrecks.
- Antiquities, paintings, museum properties belonging to the royal family, the House of Islamic Ruins and the National Museum of Kuwait, etc.
- Equipment belonging to the Ministries of Health, Social Affairs, Housing and Construction, Transportation, and Oil.
- Equipment and property from the Center of Arabic Calligraphy.
- Properties from the Arabic Center for Educational Research affiliated with the Office of Education of the Gulf Countries.
- Books from the Central Library of Kuwait.<sup>132</sup>

Stagnation in Iraq's response to Kuwaiti and international calls to respond to the issued resolutions and imposed sanctions were witnessed between the years 1991 and 1997.

### **1999**

In the year 1999, the *Kuwait News Agency (KUNA)* issued a report on its losses. KUNA had archives of photographs and articles that they used to sell to Kuwait's Ministry

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<sup>131</sup> "U.N. Mission Charges Iraq Destroyed Kuwait," 1991.

<sup>132</sup> For a Complete List of the Return Items, See United Nations Security Council, "Report of the Secretary-General on the Return of Kuwaiti Property Seized by Iraq," (March 2, 1994). [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/1994/243](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/1994/243) (accessed October 10, 2016).

of Information. The archives date back to the year 1978 and are comprise historical records of news events and personalities in the Middle East.<sup>133</sup>

Iraq stated that the archive was returned to the government of Kuwait in accordance with the United Nations Return of Property Program, which set the mechanisms for the handovers that took place between the two countries from the year 1991 to the year 1996. However, the Kuwaiti government confirmed that only “10 per cent of the photographs (and none of the negatives) in the photographic archive were returned. It also asserted that, overall, they only received about 10 per cent of the articles in the article archive.”<sup>134</sup>

## **2000**

Kofi Annan, the UN Secretary General, published a report on December 15, 2000 confirming that the return of the archives remained a high priority for the Kuwaiti government. Annan also stated that the Kuwaiti government would not accept monetary compensation in lieu of the missing property from museums and cultural institutions, due to the priceless value and unmatched uniqueness of this materials. The Permanent representative of Kuwait at the UN, Mohammed Abulhasan, shared a list of the type of archives belonging to the Amiri Diwan, the Council of Ministers, and the Ministry of Foreign Affairs that the Kuwaiti government was seeking.<sup>135</sup>

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<sup>133</sup> United Nation Security Council, “Report and Recommendations Made by the Panel of Commissioners Concerning the First Instalment of “F3” Claims,” (December 9, 1999): 85-86.

<sup>134</sup> Ibid., 86.

<sup>135</sup> United Nations Security Council, “Third Report of the Secretary-General Pursuant to Paragraph 14 of Resolution 1284 (1999),” (December 15, 2000).

**Annex****Items belonging to the archives****Documents pertaining to the Amiri Diwan**

1. Minutes of the meetings between His Highness the Amir of Kuwait with Heads of State and State guests.
2. Letters exchanged between His Highness the Amir of Kuwait and the kings and presidents of friendly countries.
3. Letters exchanged between the Amiri Diwan and other official bodies in the State.
4. Amiri decrees.
5. Private letters from citizens and other individuals addressed to His Highness the Amir of the State of Kuwait.

**Documents pertaining to the Diwan of the Crown Prince and the Council of Ministers**

1. Minutes of the meetings between His Excellency the Prime Minister, Heads of Governments and State guests.
2. Minutes of the official meetings of the Council of Ministers.
3. Letters exchanged between the Prime Minister and his counterparts around the world.
4. Letters exchanged between the Council of Ministers and the governmental bodies in the State.
5. Official resolutions and statements of the Council of Ministers.
6. Documents and files pertaining to the function of the committees and their follow-ups:
  - (a) Documents pertaining to the Supreme Defence Council: 15 files;
  - (b) Documents pertaining to the Supreme Oil Council: 30 files;
  - (c) Documents pertaining to the Supreme Population Council: 11 files;
  - (d) Documents pertaining to the Supreme Council for Planning: 10 files;
  - (e) Documents pertaining to the Council of Civil Service: 3 files;
  - (f) Documents pertaining to the Supreme Council of the Governorates: 6 files.
7. Set of record books, financial documents and files pertaining to the management of administrative and financial affairs in the secretariat of the Council of Ministers.
8. Set of documents kept in files and related to the administrative affairs of the Diwan:

Figure 7

- (a) Resolutions and circulars issued by the secretariat of the Council of Ministers;
- (b) Names of the employees working at the Council of Ministers.

**Documents pertaining to the Ministry of Foreign Affairs**

The following documents are divided into several types as follows:

1. Confidential documents:
  - (a) Communications of Kuwait's diplomatic missions accredited abroad with the Ministry of Foreign Affairs;
  - (b) Communications of the Ministry of Foreign Affairs with Kuwait's diplomatic missions accredited abroad;
  - (c) Communications of foreign missions accredited to Kuwait with the Ministry of Foreign Affairs;
  - (d) Communications of the Ministry of Foreign Affairs with the foreign missions accredited to Kuwait;
  - (e) Communications of the official authorities in the Government with the Ministry of Foreign Affairs;
  - (f) Communications of the Ministry of Foreign Affairs with the official authorities in the Government.
2. Regular documents.
3. Agreements concluded between the State of Kuwait and foreign countries.
4. Credentials of the heads of diplomatic missions accredited to the State of Kuwait.
5. Minutes of regional and international conferences and meetings in which the State of Kuwait participated (summit, ministerial and specialized committees).

**Figure 7:** A list of archival materials the Kuwaiti government sought in the year 2000.<sup>136</sup>

<sup>136</sup> Ibid.

Not until October, 2002 did a major handover of documents take place. As the military threats to overthrow Saddam's regime became imminent, Iraq sought to show their intent to comply with UN resolutions.

## **2002**

The UN resolution 1284, issued in 1999, mandated that Saddam account for and release all missing prisoners and return all Kuwait property.<sup>137</sup> However, Saddam continued to defy the will and the resolution of the UN Security Council and to circumvent the imposed sanctions.<sup>138</sup> Kuwait did not retrieve the most pertinent archives that represent the identity and the memory of the country until almost 11 years after the war ended. Up to this point, many efforts had been exerted to support the Kuwaiti government in its work to retrieve all lost people, property, and archives, which included several recommendations and correspondences from the UN to both countries.<sup>139</sup> However, no major advancements in these efforts were made until October 2002.

As a result of the negotiations that took place between March and September 2002 (which included UN, Iraqi and Kuwaiti officials), the agreements made during the League of Arab States under the Council of the Secretary General Mr. Amro Moussa, and the Vienna treaty in July, 2002, the Iraqi government agreed to return all Kuwaiti archives in

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<sup>137</sup> United Nation Security Council, "Tenth Report of the Secretary-General," (December 12, 2002): 1.

<sup>138</sup> Ibid. "A Decade of Deception and Defiance: White House Background Paper on Iraq," *The White House*, September 12, 2002, <https://georgewbush-whitehouse.archives.gov/news/releases/2002/09/20020912.html> (accessed November, 21, 2016).

<sup>139</sup> "Annan Considers Iraq's Intent to Return Kuwaiti Archival Documents an Encouraging Development" [in Arabic], *Kuwait News Agency*, June 17, 2002, <http://www.kuna.net.kw/ArticlePrintPage.aspx?id=1262433&language=ar> (accessed September 15, 2016).

accordance with United Nations resolution 14/227.<sup>140</sup> The mechanism and the location for the return of Kuwaiti property was identified. The return process was to follow the mechanisms used previously by the UN during the years 1991-1996, and was to be completed with the participation of representatives from Iraq, Kuwait, and the League of Arab states.<sup>141</sup>

The process of collecting the archives consumed significant amounts of time and effort on behalf of the Iraqi Ministry of Foreign Affairs, as declared by then Iraqi Ambassador to Kuwait Mr. Ghassan Mohsen Hussein. Kuwait's archives had been merged with the Iraqi archives and the embargo of the American army caused the archives to be moved from one place to another several times.<sup>142</sup>

In October 2002, the Iraqi government represented by Mr. Ghassan Hussein returned, under the supervision of observers from the UN and the League of Arab States, what they claimed to be Kuwait's archives. Kuwait identified a four-man panel to receive the archives and a representative of Kuwait's minister for foreign affairs chaired the committee. Other members represented the Amiri Diwan and the Defense and Interior Ministries. One of the committee's main duties was to ensure that the archives arrived in

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<sup>140</sup> United Nation Security Council, "Tenth Report of the Secretary-General," (December 12, 2002). "Baghdad Returns the Looted Kuwaiti Documents" [in Arabic], *BBC Arabic News*, October 18, 2002, [http://news.bbc.co.uk/1/hi/arabic/middle\\_east\\_news/newsid\\_2339000/2339837.stm](http://news.bbc.co.uk/1/hi/arabic/middle_east_news/newsid_2339000/2339837.stm) (accessed September 15, 2016). "Baghdad Returns the Stolen Kuwaiti Documents" [in Arabic], *Asharq Al-Awsat*, October 19, 2016, <http://archive.aawsat.com/details.asp?issueno=8435&article=130743#.WMSzNhiZOV5> (accessed September 16, 2016).

"Iraq Returns Kuwait's National Archives" [in Arabic], *Alyaum*, October 19, 2002, <https://www.alyaum.com/article/1024976> (accessed September 15, 2016).

<sup>141</sup> United Nation Security Council, "Tenth Report of the Secretary-General," (December 12, 2002).

<sup>142</sup> "Iraq Returns Kuwait's National Archives," October 19, 2002.



good order. The process was expected to take around two months, but lasted for 10 days due to the close coordination between the two countries.<sup>143</sup>

The first phase of the return process took place on October 19, 2002. The Kuwaiti government was not confident about the information that was provided on the nature and content of the documents to be returned, so they requested that representatives from each ministry and independent entity be present on site to verify if all the documents were returned and to identify what remained missing.<sup>144</sup>

Five trucks carrying millions of documents (placed in what some sources claim to be around 1648 boxes and bags) were delivered to a no weapon zone at the border between the two countries.<sup>145</sup> Each truck had the capacity to carry 20 tons of papers, but the total weight of the documents was not determined.<sup>146</sup> The records were categorized by the Iraqi government according to content and number of pages.<sup>147</sup>

Iraqi officials declared that the returned archives comprised the complete national archives of Kuwait including documents from:

- “State Security Intelligence (Mabahith Amn al Dawlah) – 69 boxes, containing 182,133 documents;

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<sup>143</sup> United Nations Security Council, “Letter Dated 8 November from the Permanent Representative of Iraq to the United Nations Addressed to the Secretary-General,” (November 11, 2002). “Iraq Announces the End of the Process,” October 31, 2002. “Iraq Returns Kuwait’s National Archives,” October 19, 2002. “Iraq to Return Archives to Kuwait,” *Irish Times*, October 19, 2002, <http://www.irishtimes.com/news/iraq-to-return-archives-to-kuwait-1.1100588> (accessed October 27, 2016).

<sup>144</sup> “Iraq Announces the End of the Process,” October 31, 2002.

<sup>145</sup> Ibid.

<sup>146</sup> “Iraq Returns Kuwait’s National Archives,” October 19, 2002.

<sup>147</sup> Ibid.

- Ministry of Foreign Affairs – 126 boxes, containing 666,762 documents;
- Ministry of Interior -196 boxes, containing 1,03,794 documents;
- Documentation on the Iraq-Kuwait borders – two boxes, containing 5,879 documents;
- Ministry of Oil – 19 boxes containing 83,156 documents;
- Ministry of Defense – 3 boxes containing 1,540 documents;
- Kuwait Citizenship Department – 1,099 bags containing 357,825 files;
- Kuwaiti Citizenship Certificates – 103 bags containing 309,000 certificates;
- Kuwaiti Citizenship Records – 251 registers;
- Kuwait Department of Museums and Antiquities – 1 file containing 123 documents;
- The Register of Kuwaiti Civil Aircraft;
- Ministry of Information, Ministry of Foreign Affairs, Kuwait National Bank, and Kuwaiti newspapers- 2,806 microfilms.”<sup>148</sup>

Other sources reported the return of documents from the Ministry of Transportation, the Department of National Security, files from the Amiri Diwan and the Council of Ministers, and correspondences of the American Office in Kuwait.<sup>149</sup> They also

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<sup>148</sup> United Nations Security Council, “Letter Dated 8 November,” (November 11, 2002): 2.

<sup>149</sup> “Iraq Announces the End of the Process,” October 31, 2002. “Iraq Begins Returning Kuwait Archives and Documents Tomorrow- Saturday” [in Arabic], *Albawaba*, October 18, 2002, <http://www.albawaba.com/ar/السبت-غدا-الكويتية-الوثائق-الارشيف-اعادة-بيدا-ساخرون/العراق> (accessed September 15, 2016). “Tomorrow Kuwait Begins Receiving its National Archives from Iraq” [in Arabic], *Aljazeera Net*, October 19, 2002, <http://www.aljazeera.net/home/print/f6451603-4dff-4ca1-9c10-122741d17432/00ba04e0-52c7-497b-9d80-8673e855941a> (accessed September 16, 2016).

stated that the documents included 32 files consisting of 5879 documents on the topic of the legitimate borders between Iraq and Kuwait.<sup>150</sup> Upon completion of the return process, the four parties (representative of the Iraqi government, representatives of Kuwait government, observers of UN and the League of Arab States) signed 23 records verifying the return process.<sup>151</sup>

It was recorded that the Kuwaiti delegation found, within the returned materials, five files belonging to the Office of Al Amir containing 1,022 documents in the files of the Ministry of the Interior and the Ministry of Foreign Affairs. They also found two files, consisting of 295 documents, belonging to the Council of Ministers.<sup>152</sup>

According to the signed agreements, the Kuwaiti government had the authority to inspect the retrieved documents to determine if Iraq returned all documents including the national archives.<sup>153</sup> Upon inspection, the Kuwaiti government declared that the returned documents did not qualify as archives.<sup>154</sup> The Minister of Communication and Information, Sheikh Ahmad Al-Fahid Al-Sabah, stated that the returned documents did not meet the expectations of Kuwait and did not represent the real archives of the country. He stated that the country's history is connected to the documentation of its ministries and local and governmental institutions. This history was not represented in the returned materials, which

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<sup>150</sup> "Iraq Announces the End of the Process," October 31, 2002.

<sup>151</sup> United Nations Security Council, "Letter Dated 8 November," (November 11, 2000): 2.

<sup>152</sup> Ibid., 2.

<sup>153</sup> United Nations Security Council, "Press Statement on Kuwait by Security Council President," (December 18, 2002).

<sup>154</sup> "Iraq Announces the End of the Process," October 31, 2002. Burns, "Threats and Responses," December 30, 2002.

largely consisted of old identity cards, passports,<sup>155</sup> death certificates, and daily correspondences.<sup>156</sup>

The Responsible Official of Foreign Affairs in the government of Kuwait at the time, Mr. Al- Awadhi, clarified that the real archives of Kuwait were primarily documents from the Amiri Diwan and included original copies of international treaties, and original documentation on the evolution of Kuwait from a Bedouin fief in the 18<sup>th</sup> century to an independent state in 1961. He explained that damaging and stealing all Kuwait's historical documents was an attempt to expunge all legal documents, books, maps, and even the constitution that signified Kuwait as an independent state.<sup>157</sup> The Iraqi invasion was an attempt to recreate history using documentation that only supported Saddam's claim of Kuwait being Iraq's 19<sup>th</sup> province. He clearly stated: "Everything that you might call the memory of the state was gone. This only goes to show that Iraq's purpose is to show that Kuwait has no history, or that the only history that matters is Iraqi history showing Kuwait to be part of Iraq."<sup>158</sup> Sheik Sabah Al-Ahmad Al-Jaber Al-Sabah, First Deputy Prime Minister and Minister of Foreign Affairs of Kuwait at the time, also stated that the returned documents "were mere papers that do not in fact constitute the true body of state archives in question."<sup>159</sup>

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<sup>155</sup> "Iraq Announces the End of the Process," October 31, 2002.

<sup>156</sup> "Threats and Responses," December 30, 2002.

<sup>157</sup> Ibid.

<sup>158</sup> Ibid.

<sup>159</sup> United Nation Security Council, "Tenth Report of the Secretary-General," (December 12, 2002): 2. United Nations Security Council. "Letter Dated 23 December 2002 from the Charged' Affairs a.i. of the Permanent Mission of Kuwait to the United Nations Addressed to the Secretary-General," (December 24, 2002).

## 2003

In March 2003, the U.S. led invasion of Iraq took place for the primary reason of locating weapons of mass destruction and to enforce upon the government of Iraq all the defied resolutions and sanctions including the payment of the accumulated debt from the Gulf War and the return of the Kuwaiti archives.<sup>160</sup>

During the invasion, the UN Security Council was still reporting on the progress of the issues related to the sanctions and resolutions. The report published on June 5, 2003, addressed the hand overs that occurred in December, 2002 and February, 2003 which were primarily antiquities belonging to Kuwait.<sup>161</sup> It also mentioned that the *Kuwait News Agency (KUNA)* reported that a representative of the League of Arab States (LAS) received a list of properties belonging to Kuwait's National Museum from Iraqi officials and delivered it to the United Nations.<sup>162</sup> The Under Secretary of Kuwait's Ministry of Foreign Affairs released a statement to a Kuwaiti local newspaper reiterating the country's concern that Iraqis had not yet provided the Kuwaiti government with the significant documents and official records belonging to the Amiri Diwan, the Council of Ministers, and the Ministry of Foreign Affairs.<sup>163</sup> Despite claims that the first batch of documents returned by Iraqis under the observance of representatives from the United Nations and the LAS were archives, and despite the scheduling of more documents to be returned within a short period

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<sup>160</sup> Montgomery, "The Rape of Kuwait's National Memory," 67

<sup>161</sup> United Nations Security Council, "Twelfth Report of the Secretary-General Pursuant to Paragraph 14 of Resolution 1284 (1999)," (June 5, 2003): 8.

<sup>162</sup> *Ibid.*, 1.

<sup>163</sup> *Ibid.*, 1-2.

of time by the United Nations Iraq-Kuwait Observation Mission (UNIKOM), Kuwaitis were no closer to having their national archives returned.<sup>164</sup>

In agreement with the fact that the Kuwaiti government was the entity entitled to verify whether the archives had indeed been returned, and in accordance with the results of the inspection of the previous returned property which determined that the documents were in fact insignificant, the Security Council adopted resolution 1483 on May 22, 2003. The resolution set out Kuwait's rights and once again outlined Iraq's rights and obligations toward the international community. Under statement 6, the resolution:

“Calls upon the Authority and relevant organizations and individuals to continue efforts to relocate, identify, and repatriate all Kuwaiti and Third State Nationals or the remains of those present in Iraq on or after August 2, 1990, as well as the Kuwaiti archives, that the previous Iraqi regime failed to undertake, and, in this regard directs the High-Level Coordinator, in consultation with the International Committee of the Red Cross and the Tripartite Commission and with the appropriate support of the people of Iraq and in coordination with the Authority to take steps to fulfil his mandate with respect to the fate of Kuwaiti and Third State National missing persons and property.”<sup>165</sup>

International and regional efforts subsequent to the adoption of the resolution led to the Iraqis' acknowledgement of the existence of more of Kuwait's property. They also confirmed their ongoing efforts to locate Kuwait's property and return it. However, the post Saddam government was not able to handle the burden of the resolutions and the

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<sup>164</sup> Ibid.

<sup>165</sup> United Nations Security Council, “Security Council Lifts Sanctions on Iraq, Approves UN Role, Calls for Appointment of Secretary-General's Special Representative,” (22 May 2003).

sanctions resulting from Saddam's rule which had left them with billions of dollars' worth of debt.<sup>166</sup>

## **2005**

Two years after the fall of Saddam Hussein's dictatorship, the efforts that had been exerted from different forces including local, multinational and the U.S. Army, had not led to any further information being proffered about the whereabouts of the national Kuwaiti archives.

In an attempt to follow up on the case, the UN designated general coordinator on the case of the missing Kuwaitis and missing Kuwaiti property in Iraq, Yuli Vorontsov, requested that the United States of America conduct investigative interviews with major representatives and leaders in the Iraqi government. This information was disclosed to *KUNA* after a private session was conducted at the Secretariat General of the United Nations to discuss the latest report of Mr. Kofi Aanan, the Secretary General of the UN. The Secretary General urged all the forces on Iraqi land to intensify the search for Kuwaiti property.<sup>167</sup>

Despite the struggles facing the post-Saddam government, they showed some intent to work to resolve the issues that were prolonging the troubled relationship between the

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<sup>166</sup> Montgomery, "The Rape of Kuwait's National Memory."

<sup>167</sup> "Washington will Conduct an Investigative Interview with Saddam to Know the Fate of Kuwait's National Archives: Vorontsov: Iraqi Bureaucracy Bothers Me a Lot" [in Arabic], *Al Qabas Newspaper*, June 21, 2005, <https://alqabas.com/92716/#.V9xb7ZCwqgM.email> (accessed September 16, 2016).

two countries. The Ministry of Foreign Affairs of Iraq, for example, returned books belonging to the National Assembly Library.<sup>168</sup>

## **2007**

The perseverance of the Kuwaiti government to continue the search for its missing property continued under the mandate of the new UN Secretary General Ban Ki Moon. The Secretary General expressed his increased concerns over Kuwait's missing national archives reiterating that the archives include official records from the Amiri Diwan, documents from the Council of Ministers and the Ministry of Foreign Affairs and other substantial records. He referred to two boxes that were returned on October 2007, which included documents belonging to the Ministries of Defense, Information, and Social Affairs. These boxes were uncovered by US troops in Iraq and returned to the Kuwaiti Ministry of Foreign Affairs according to information provided by the Kuwaiti ambassador to the United Nations, Abdullah Al-Murad, to the UN designated coordinator of the case, Yuli Vorontsov. Some of the recovered documents included classified information that dated back to the period prior to the Iraqi invasion in 1990. Information from the Saudi Kingdom on finding two original Picasso paintings and other valuable property looted from Kuwait during the invasion was also shared by the government of Kuwait with the United Nations.<sup>169</sup> In his report, the newly appointed UN Secretary General, Mr. Ban Ki Moon, discussed the twenty-seventh session of the Gulf Cooperation Council (GCC) that took

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<sup>168</sup> Montgomery, "The Rape of Kuwait's National Memory," 67.

<sup>169</sup> "Moon: Sending Kuwaiti Technical Team to Iraq in the Beginning of the Year 2008 to Lunch the Search for Missing People" [in Arabic], *Al Anbaa Newspaper*, December 12, 2007.



place in Riyadh on December 9 and 10, 2006. The participating countries urged the UN to continue its efforts to resolve the issue of Kuwait's missing archives. The meetings of the League of Arab States and the GCC, held in Riyadh on March 28 and 29, 2007, also condemned the damages that Kuwait suffered during the Iraqi invasion.<sup>170</sup>

Mr. Ban Ki Moon also shared the concern of Kuwaiti officials who feared that the status and location of these documents would remain unknown, given that no information or progress on the case of the missing official documents had been made almost 16 years after the invasion and four years after the fall of Saddam's regime.<sup>171</sup>

## **2008**

On June 2, 2008, the Kuwaiti government received a letter from the Iraqi embassy in Kuwait notifying them that Iraq sought to return hundreds of radio and television tape recordings that, according to them, belonged to the Kuwaiti archives. Although it remained Kuwait's government responsibility to verify if the returned recordings were in fact part of the archives, this raised hope that other Kuwaiti property could still be found.<sup>172</sup>

The UN Secretary General's report in June 2008 addressed the appointment of Gennady Tarasov as the High-Level Coordinator for the repatriation or return of all Kuwaiti and third country nationals and the return of all Kuwaiti property, including archives, after the sudden passing of Yuli Vorontsov. The UN Secretary General

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<sup>170</sup> United Nations Security Council, "Twenty-Fourth Report of the Secretary-General Pursuant to Paragraph 14 of Resolution 1284 (1999)," (May 31, 2007).

<sup>171</sup> *Ibid.*, 4.

<sup>172</sup> United Nations Security Council, "Twenty-Sixth Report of the Secretary-General Pursuant to Paragraph 14 of Resolution 1284 (1999)," (June 19, 2008): 5.

acknowledged the concerns and the calls of the GCC, the Organization of the Islamic Conference and the expanded Ministerial Conference of the Neighboring Countries of Iraq during their meeting to address the unresolved issues of Kuwait. The UN Secretary General also stated that according to the Permanent Representative of Iraq in the UN: 1) Iraq had no intent of keeping Kuwaiti archives, 2) the archives most likely had been destroyed by fire during the last days of Saddam Hussein's regime, and 3) any found documents that were deemed to belong to Kuwait would be returned in accordance with the 1284 UN resolution.<sup>173</sup>

## **2009**

The UN Security General prepared a comprehensive report in April 2009 providing updates after the appointment of the new coordinator designated to follow up on the implementation of UN resolution 1248. The report mentioned no updates on the location of the archives. It was still undetermined if they were destroyed, still in Iraq, or were moved outside the country. However, it stated that on January 21, 2009, the UN Secretary General requested many countries of the Gulf region, Turkey, Syria, the UK, the USA, in addition to the GCC, OIA, and the LAS to provide recommendations or information that could help in locating Kuwait's national archives.<sup>174</sup>

The Secretary General of the LAS informed the UN Secretary General in February, 2009 that he had been conducting consultations with Kuwait and Iraq trying to reach a

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<sup>173</sup> Ibid., 3.

<sup>174</sup> United Nations Security Council, "Comprehensive Report Requested in a Letter Dated 26 March 2008 from the President of the Security Council to the Secretary-General," (April, 8, 2009): 3.

proposal that would resolve this issue. In March 2009, Iran's representative in the UN and the secretaries of state of the United States and the United Kingdom notified the Secretary General that they had no further information about the missing archives. However, the US hoped that the improved environment in Iraq would lead to information being forthcoming on the fate of Kuwait's national archives or facilitate their retrieval.<sup>175</sup>

On March 2, 2009, Iraq returned to Kuwait boxes containing 4,539 audio and video tapes that belonged to the Ministry of Information under the observation of the High Level Coordinator.<sup>176</sup>

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<sup>175</sup> Ibid., 3.

<sup>176</sup> Ibid.

**Annex II****Protocol of receipt of Kuwaiti belongings from the Republic of Iraq consisting of video and audio tape recordings belonging to the Ministry of Information**

[Original: Arabic]

On 2 March 2009, in accordance with relevant United Nations resolutions, the State of Kuwait received from the Republic of Iraq nine boxes containing all of the video (television) and audio (radio) tape recordings (4,539 tapes) belonging to the Kuwaiti Ministry of Information that had been seized by the former Iraqi regime during its occupation of Kuwait in 1990.

Under the supervision of Gennady Tarasov, the High-level Coordinator for compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third-country nationals or their remains, as well as the return of all Kuwaiti property, including archives seized by Iraq, the items were received at the headquarters of the Ministry of Information and in the presence of officials from the Ministries of Information and Foreign Affairs and two representatives of the Embassy of the Republic of Iraq to the State of Kuwait.

**For the Republic of Iraq**

(Signed) Fadil Hamad **Khdhayyir**  
Chargé d'affaires, Embassy of the Republic of Iraq  
to the State of Kuwait

(Signed) Ammar Majid **Jihad**  
Ministry for Foreign Affairs

**For the State of Kuwait**

(Signed) Mansur Ayyad **Al-Utaybi**  
Director, Department of International Organizations,  
Ministry for Foreign Affairs

**For the United Nations**

(Signed) Gennady **Tarasov**  
High-level Coordinator

**Figure 8:** “A protocol of receipt of Kuwaiti belongings from the Republic of Iraq”<sup>177</sup>

<sup>177</sup> Ibid.

Amidst all the consultations and this single return, Kuwait insisted on determining the fate of the archives that belonged to the Amiri Diwan, the Council of Ministers, and the Ministry of Foreign Affairs. Kuwait regretted that after several years the issue had not been resolved and hoped that the cooperation of Iraq would bring their humanitarian, social, and cultural suffering to an end and improve the relationship between the two countries. Iraq on the other hand deemed that the progress made was significant and requested that the mandate of the High-Level Coordinator be terminated and that this report would be the last to be submitted. They confirmed that ending the mandate would not end the cooperation between the two countries.<sup>178</sup>

According to the UN Secretary General, more progress should have been made since the current conditions in both countries supported adherence to the UN resolution: cooperation between Iraq and Kuwait had been established, the situation in Iraq had been stabilized, all concerned parties that could support the search and retrieval process had been identified, a process and mechanism defining benchmarks for progress had been set, and the support of the international community had been granted.<sup>179</sup>

## **2010**

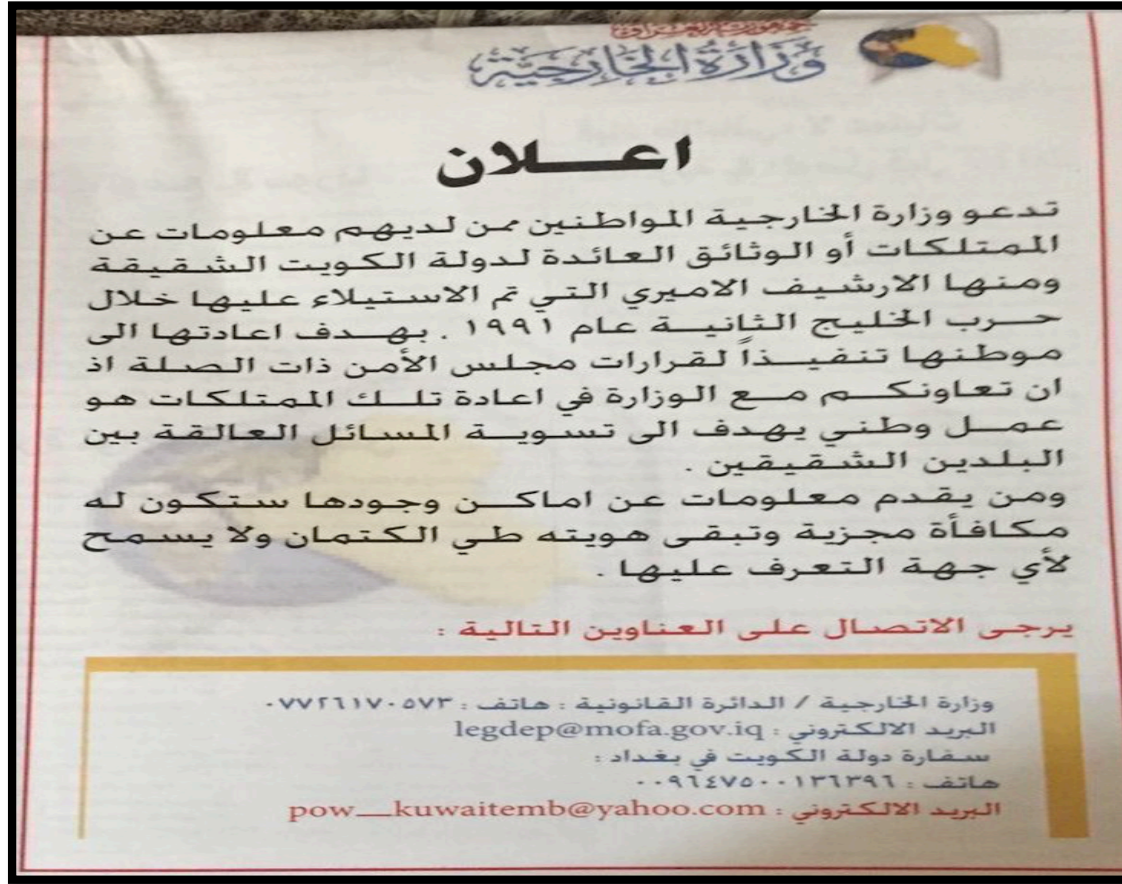
In February, 2010, the Iraqi Minister of Foreign Affairs, Hoshyar Zibari, announced the return of part of the Kuwaiti national archives and that he had launched an initiative requesting all citizens to return any Kuwaiti property or documentation that had been stolen

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<sup>178</sup> Ibid., 5.

<sup>179</sup> Ibid., 4.

during the Gulf War (1990-1991) to the Iraqi government.<sup>180</sup> Mr. Zibari hoped that this request would urge Iraqi citizens to submit any property or documents they held. The initiative would not only assist in resolving the issue with Kuwait but would allow the Iraqi government to respond to UN resolutions.<sup>181</sup>



**Figure 9:** Memo issued to Iraqi citizens by the Ministry of Foreign Affairs<sup>182</sup>

<sup>180</sup> “Memo Issued to Iraqi Citizens by the Ministry of Foreign Affairs,” <http://pbs.twimg.com/media/CY7xdjUWkAAnnTh.jpg> (accessed November 10, 2016).

<sup>181</sup> “Zibari: We Returned the Bodies of 300 Persons and Part of the Archives” [in Arabic], *50 Al Dustoor*, February 4, 2010, <http://www.addustour.com/15655/%3Aزيباري+وقسمنا+من+الارشيف+300عدنا+للكويت+رفات++3Aزيباري+%15655/> (accessed September 15, 2016).

<sup>182</sup> “Memo Issued to Iraqi Citizens by the Ministry of Foreign Affairs.”

## 2011

With the limited progress being made on the case of Kuwait's archives despite consistent national and international efforts, the High-Level Coordinator, Gennady Tarasov, requested that Iraq appoint a body and national mechanism dedicated to locating archives of significance to Kuwait's history and identity. According to Tarasov, taking this initiative would provide evidence that Iraq was being cooperative and was putting forth efforts to support the process.<sup>183</sup> The High-level Coordinator's request was supported by the Secretary General who asked for funding to extend the former's mandate till December 2011; so the initiative was not interrupted. The Prime Minister of Iraq responded to the request, suggesting that an inter-ministerial committee be formed. The suggestion was welcomed by members of the UN Security Council who urged the Prime Minister to begin implementation without further delay and encouraged the two countries to continue collaborating and cooperating to facilitate a smoother process.<sup>184</sup>

The Permanent Representative of Iraq sent a letter on November 16, 2011 informing the UN Security Council that a committee led by a representative from the Ministry of Foreign Affairs and with members from the General Secretariat of the Council of Ministers, the Ministries of Defense, Interior, Finance, Justice, and Higher Education and Scientific Research, and the Central Bank of Iraq had been established to coordinate

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<sup>183</sup> United Nations Security Council, "Thirty-First Report of the Secretary-General Pursuant to Paragraph 14 Resolution 1284 (1999)," (June 20, 2011).

<sup>184</sup> "UNSC Urges Iraq to Fulfill its Obligations Towards Kuwait," *Kuwait News Agency*, June 23, 2011, <http://www.kuna.net.kw/ArticlePrintPage.aspx?id=2175787&language=en> (accessed September 4, 2016). "Ban Calls for Further Steps by Iraq to Fulfills Post-Invasion Pledges to Kuwait," *United Nations News Center*, June 22, 2011, <http://www.refworld.org/docid/4e11bee72.html> (accessed September 4, 2016).

efforts to locate Kuwait's national archives. The letter also mentioned that 136 microfilm cassettes belonging to the archives of Kuwait's official newspaper, *Kuwait Today* had been located. The films were submitted by an Iraqi citizen and were in good condition.<sup>185</sup> The government of Kuwait attributed the results to its perseverance and commitment to retrieve all its national archives and its request that the mandate of the High-level coordinator would be extended to monitor the initiatives taken by the Iraqi government and ensure that more progress is made on this case.<sup>186</sup>

The established committee conducted meetings and negotiations with all concerned parties and in different locations to intensify efforts regarding the return of Kuwait's properties, but no progress was made. Therefore, Kuwait's Prime Minister requested that Iraq be forced to comply with Chapter VII obligations and reiterated the need to extend the mandate of the High-level coordinator.<sup>187</sup>

After receiving the general briefing on the thirty-second report of the Secretary General from the Ambassador and High-level Coordinator, the members of the UN Security Council acknowledged Kuwait's request. They issued a press release supporting the extension of the mandate of the High-level Coordinator and encouraging the

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<sup>185</sup> United Nations Security Council, "Letter Dated 15 November 2011 from the Permanent Representative of Iraq to the United Nations Addressed to the President of the Security Council," (November 16, 2011). "Iraq Confirms its Readiness to Return the National Archives of Kuwait" [in Arabic], *Sawt Al Iraq*, November 23, 2011, <http://www.sotaliraq.com/iraq-news.php?id=32454#axzz4KNIL1V4s> (accessed September 15, 2016). "Iraq Says it's Ready to Hand Over Kuwait Archives," *Gulf News*, November 23, 2011, <http://gulfnews.com/news/gulf/kuwait/iraq-says-it-s-ready-to-hand-over-kuwait-archives-1.935733> (accessed September 2, 2016).

<sup>186</sup> "Iraq Confirms its Readiness," November 23, 2011.

<sup>187</sup> United Nations Security Council, "Thirty-Second Report of the Secretary-General Pursuant to Paragraph 14 of Resolution 1284 (1999)," (December 5, 2011).



government of Iraq to continue cooperating and building on the actions taken to finally set the matter of the archives to rest.<sup>188</sup>

## **2012**

On January 27, 2012, the High-level Coordinator received a letter from the head of the Permanent mission of Iraq to the UN informing him that the Iraqi committee had held a meeting and proposed that the General Secretariat of the Council of Ministers ask all ministerial and non-ministerial entities to submit any documents they owned relating to Kuwait by February 15, 2012. However, the Coordinator was not updated on the results of the recommendation.<sup>189</sup>

During this period, Kuwait did not receive any governmental or historical documents, however other properties were submitted through a number of handovers. The Iraqi embassy announced that the 136 microfilms belonging to *Kuwait Today*, which were previously reported on to the UN and the Kuwaiti embassy, were handed over in February, 2012.<sup>190</sup> The handover also included coins that belonged to the Central Bank of Kuwait and properties belonging to some governmental departments.<sup>191</sup>

More handovers happened later during the year. A letter sent by the Permanent Representative of Iraq to the United Nations informed the President of the UN Security

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<sup>188</sup> United Nations Security Council, “Security Council Press Statement on Iraq/Kuwait,” (December 15, 2011).

<sup>189</sup> United Nations Security Council, “Thirty-Third Report of the Secretary-General Pursuant to Paragraph 14 of Resolution 1284 (1999),” (June 14, 2012): 3.

<sup>190</sup> Ibid., 6. “Iraq Hands Over 136 Microfilms Belonging to the Archives of Kuwait’s Official Newspaper Under the Observance of the UN” [in Arabic], *Al Sumariyya*, February 22, 2012, <http://www.alsumaria.tv/mobile/news/52272/iraq-news> (accessed September 15, 2016).

<sup>191</sup> “Iraq Hands Over 136,” February 22, 2012.

Council that representatives of the Iraqi Ministry of Foreign Affairs handed over “Kuwaiti currency (paper notes and coins), documents and keys for safes belonging to the Central Bank of Kuwait,” and “15 microfilm cassettes containing the archives of *Al Anbaa newspaper* to Kuwaiti authorities.”<sup>192</sup> The handover was completed through ceremonies attended by officials from both countries at the headquarters of the Ministry of Foreign Affairs.<sup>193</sup>

Following up on the handover and during his meeting with the UN High-level Coordinator, Iraq’s Minister of Foreign Affairs, Mr. Hoshyar Zibari, reconfirmed the country’s commitment to Kuwait and to the various international organizations to resolve the issue of Kuwaiti property. He stated that Iraq had returned property and national archives to Kuwait and that the government would persist in its search to locate and collect Kuwaiti property. He hoped that these efforts would lead to Iraq’s exit from Chapter VII and the termination of the role of the UN High-level Coordinator.<sup>194</sup>

Iraqis continued to return Kuwaiti property. A list of the returned property between 2002 and 2012 was shared with the Senior Political Affairs Office at the United Nations, whose head requested that the committees designated to follow up on the issue from both countries meet to coordinate efforts. The Iraqi and Kuwait representatives held a meeting

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<sup>192</sup> United Nations Security Council, “Letter Dated 9 May 2012 from the Permanent Representative of Iraq to the United Nations Addresses to the President of the Security-Council,” (May 10, 2012). United Nations Security Council, “Thirty-Third Report of the Secretary General Pursuant to Paragraph 14 of Resolution 1284 (1999),” (June 14, 2012).

<sup>193</sup> United Nations Security Council, “Letter Dated 9 May 2012,” (May 10, 2012). United Nations Security Council, “Thirty-Third Report,” (June 14, 2012).

<sup>194</sup> “Iraq Says Committed to Honoring all int’l Obligations Related to Kuwait,” *Kuwait News Agency*, May 21, 2012, <http://www.kuna.net.kw/ArticleDetails.aspx?id=2241776&Language=en> (accessed February 2, 2017).

where “57 tapes from the Kuwaiti Television Corporation, 400 books, three albums with photographs of members of the Government of Kuwait and silverware stamped with the logo of the State of Kuwait”<sup>195</sup> were returned to the Kuwaitis. During the meeting, Iraqi representatives expressed their commitment to resolve the matter and requested that the Kuwaiti government provide an in depth description of archival materials missing from the Amiri Diwan and the Ministry of Foreign Affairs.<sup>196</sup>

Kuwait’s Ministry of Information later announced that 27 crates including films belonging to the official radio station of Kuwait were returned.<sup>197</sup> These archival materials represent a large collection of programs produced by the radio station in addition to originals of Kuwaiti and Arabic songs that had been looted by Saddam’s regime.<sup>198</sup> It was also announced that a special committee had been formed with representatives from both Iraq and Kuwait to follow up on the issue of Kuwait’s missing property and archives. The committee consisted of members representing the Ministries of Defense, Foreign Affairs, Finance, and Iraqi Cultural Affairs.<sup>199</sup>

The Iraqi government believed that substantial progress had now been made in returning Kuwait’s properties and archives and that therefore there was no need for the continuation of the sanctions and the role of the High-level Coordinator; the Kuwaiti

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<sup>195</sup> United Nations Security Council, “Thirty-Fifth Report of the Secretary-General Pursuant to Paragraph 14 of Resolution 1284 (1999),” (June 17, 2013): 4.

<sup>196</sup> Ibid.

<sup>197</sup> “Kuwait’s Official Radio Station Receives the Second Batch of the National Archives from Iraq” [in Arabic], *Sabar Newspaper*, July, 30, 2012, <http://www.sabr.cc/2012/06/30/65645/> (accessed September 15, 2016). “The Recuperation of the Archives of Kuwait’s Radio Station from Iraq” [in Arabic], *Al Watan Newspaper*, June 30, 2012.

<sup>198</sup> The Recuperation of the Archives,” June 30, 2012.

<sup>199</sup> Ibid.

government, however, was not in agreement. Their viewpoint was expressed through a letter sent to the President of the Security Council by the head of the Permanent Mission of Kuwait to the UN, highlighting the shortcomings of the Iraqi government in making any progress on all of the matters addressed in resolution 1284. Although the Iraqi government had committed to undertaking various initiatives, there had been no appropriate follow up on their progress. For example, since the establishment of the inter-ministerial committee, there had not been any reporting or information on the work of this committee or the results it had achieved. Therefore, according to the Kuwaiti government, extending the position of the High-level Coordinator would be crucial due to his role in monitoring the work of the Iraqi government and representatives as they attempted to meet their international obligations towards Kuwait.<sup>200</sup>

The High-level Coordinator conducted several meetings urging the Iraqi officials to make use of established committees in both Iraq and Kuwait to uncover new information and developments in the case. The only new initiative was taken in October, 2012, when the Iraqi government published announcements through multiple outlets, calling on its citizens who owned any Kuwaiti belongings to come forth and return them to the government.<sup>201</sup>

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<sup>200</sup> United Nations Security Council, “Letter Dated 20 July 2012 from the Charge d’affaires a.i. of the Permanent Mission of Kuwait to the United Nations Addressed to the President of the Security Council,” (July 20, 2012).

<sup>201</sup> United Nations Security Council, “Thirty-Fourth Report of the Secretary-General Pursuant to Paragraph 14 of Resolution 1284 (1999),” (December 14, 2012).

## 2013

After considering all the sanctions and resolutions since the year 1990, particularly 1284 and 661, Iraq's situation at that time, and the efforts and commitments the country made to comply with the obligations and sanctions that were imposed by these resolutions, the UN Security Council voted unanimously for the adoption of Resolution 2107 on June 27, 2013. The resolution recalled all the previous resolutions issued on the situation between Iraq and Kuwait after recognizing the importance of giving Iraq the opportunity to regain international standing equal to the prewar standing, welcoming Iraq's commitments to implement outstanding obligations under Chapter VII resolutions, and acknowledging the cooperation between Iraq and Kuwait and Iraq's efforts to locate Kuwaiti missing people and property, including its national archives.<sup>202</sup> The resolution led to the termination of the measures of resolutions 686 (1991), 687 (1991), and 1284 (1999) imposed under Chapter VII. Thus, the case of the missing Kuwaiti people and property was moved from Chapter VII of the UN charter (which has the authority to impose military sanctions if the country does not comply) to Chapter VI of the UN charter (which calls for a more peaceful approach to resolving outstanding issues). This meant that measures to be taken to resolve the issue of Kuwait's missing people and property has to be solved through diplomatic efforts and no military intervention can be taken if Iraq does not cooperate.<sup>203</sup> As a result of the vote, the UN ended the mandate of the High-level Coordinator designated

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<sup>202</sup> United Nation Security Council, "Resolution 2107: Situation Between Iraq and Kuwait," June 27, 2013, <http://unscr.com/en/resolutions/2107> (accessed April 11, 2017).

<sup>203</sup> United Nations Security Council, "Resolution 2107 (2013) Adopted by the Security Council at its 6990<sup>th</sup> Meeting on 27 June 2013," (June 27, 2013).

by the Security General. The responsibility of monitoring and coordinating efforts of fulfilling the 1284 resolution addressing the archives was transferred to the United Nations Assistance Mission in Iraq (UNAMI).<sup>204</sup>

The newly adopted resolution reiterated the importance of continuing the efforts to locate Kuwaiti property and archives through the UNAMI and the established committees. The Kuwaiti government requested that the case remained under the umbrella of the UN and international community. To respond to Kuwait's request, the resolution stated that the Secretary General would report on the work of UNAMI and would consider designating a representative on his behalf to join the mission for the purpose of following up on the work and ensuring that adequate resources are available.<sup>205</sup>

This move was welcomed by Baghdad. It meant that Iraq regained its international presence after years of isolation because of the practices of Saddam's regime and its attitudes towards the international community. However, with a failed record of diplomatic efforts with Iraq, Kuwaitis were concerned that removing their case from Chapter VII

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<sup>204</sup> Montgomery, "The Rape of Kuwait's National Memory," 67. "Zibari Will Give a Speech Tomorrow Before Voting to Partly Relieve Iraq From Sanctions Imposed by Chapter VII" [in Arabic], *Kuwait's Ministry of Information*, June 26, 2013, [http://www.media.gov.kw/news/show\\_news\\_details.aspx?id=26150&cid=7](http://www.media.gov.kw/news/show_news_details.aspx?id=26150&cid=7) (accessed September 16, 2016).

<sup>205</sup> United Nations Security Council, "Resolution 2107 (2013)," (June 27, 2013). "UN Security Council Adopts a Resolution that Partly Eases Iraq out of Sanctions Imposed by Chapter VII" [in Arabic], *Kuwait's Ministry of Information*, June 27, 2013, [http://www.media.gov.kw/news/show\\_news\\_details.aspx?id=26166&cid=7](http://www.media.gov.kw/news/show_news_details.aspx?id=26166&cid=7) (accessed September 16, 2016). "UN Council Brings Iraq Closer to End of 1990s Sanctions," *World News*, June 27, 2013, <http://www.reuters.com/article/us-iraq-kuwait-un-idUSBRE95Q0Y320130627> (accessed February 7, 2017). "Unanimously Adopting Resolution 2107 (2013), Security Council Removes Iraq from Chapter VII Obligation over Return Kuwaiti Nationals," *Hobby News*, June 27, 2013, <http://www.easyenglish4u.com/iraq-and-the-un-1> (accessed September 17, 2016). "Memories of Iraq's 1990 Aggression Remain Vivid," *Kuwait Times*, January 8, 2014, <http://news.kuwaittimes.net/memories-iraqs-1990-aggression-remain-vivid/> (accessed October, 11, 2016).

would mean that the path to reach a conclusion to their unresolved matters became more challenging.

## **2014**

The Deputy Special Representative, Gyorgy Posten, the UN Secretary General delegate to UNAMI, was informed that Iraqi interlocutors were facing significant challenges. The people they assumed could serve as reliable sources of information had either moved to other countries, failed to provide information from the past, or passed away. Therefore, information that had been obtained was often second hand and thus inaccurate.<sup>206</sup> Consequently, Iraqi interlocutors were looking for suggestions and recommendation from UNAMI on how to overcome these problems. The Deputy Special Representative affirmed UNAMI's willingness to collaborate on creating a plan reinforced with innovative solutions that could support the process.<sup>207</sup>

After the Deputy Special Representative attended the inter-ministerial committee in Iraq, he proposed that the documents of each individual ministry be thoroughly searched in recognition of the possibility that the Kuwaiti documents could have been merged with the ministries' documents. Despite all the efforts, the only new findings were:

- Two paintings with the seal of Kuwait whose authenticity Kuwait had yet to verify were found by the Ministry of Foreign Affairs.

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<sup>206</sup> United Nations Security Council, "Second Report of the Secretary-General Pursuant to Paragraph 4 of Security Council Resolution 2107 (2013)," (March 14, 2014).

<sup>207</sup> Ibid.

- 100,000 books and scientific journals and 500 theses were uncovered by the Ministry of Higher Education and Scientific Research.
- 247 books, one copper plate, a painting and publications were reported to be in the possession of the Ministry of Culture.<sup>208</sup>

UNAMI recommended that these recovered items be returned to Kuwait during the next meeting of both committees.

Upon the end of his visit, the Deputy Special Representative reported that the Kuwaitis appreciated all the efforts exerted thus far to return Kuwaiti property, but they remain concerned about the overall lack of progress. The items and materials returned thus far did not have any significant cultural or historical value. Kuwaitis reiterated their belief that the theft process was completed in an organized manner, a fact that indicated that interrogations of leading officials of the Saddam regime should lead to information on what happened and might help resolve this issue.<sup>209</sup>

The Secretary General expressed disappointment with the lack of progress and requested that the Government of Iraq develop and utilize more innovative methods in their search process. He also stressed UNAMI's readiness to assist when needed and called for the committees of the two countries to meet more frequently and coordinate more closely to achieve progress.<sup>210</sup>

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<sup>208</sup> Ibid., 4.

<sup>209</sup> Ibid.

<sup>210</sup> Ibid. "Ban Ki Moon Disappointed for not Finding Remains of Missing Kuwaitis in Iraq," *Shafaq News*, March 15, 2014, [http://www.shafaq.com/en/En\\_NewsReader/6f730ad5-fla7-4941-8951-9377a09dbd51](http://www.shafaq.com/en/En_NewsReader/6f730ad5-fla7-4941-8951-9377a09dbd51) (accessed September 4, 2016).



The Deputy Special Representative conducted another visit to Kuwait where he attended several meetings.<sup>211</sup> He emphasized the need for “the use of science and technology and other innovative but cost effective methods.”<sup>212</sup> In response, the Ministry of Foreign Affairs published announcements in 13 local newspapers for three days calling for any information on the missing archives and promising no consequences for those who offered this information.<sup>213</sup>

Another handover happened under the observance of the Deputy Special Representative during a meeting of the joint inter-ministerial committee. The items that were handed over included:

- A large copper plate with the seal of Kuwait,
- 26 tape recordings belonging to Radio Kuwait,
- Three paintings with the seal of the Kuwaiti National Museum,
- 4500 books and publications in both Arabic and English.<sup>214</sup>

While the present Kuwaiti representatives appreciated the return of the artifacts and books, they re-voiced their commitment to persistent in their efforts until they received what they believed represented Kuwait’s national archives.<sup>215</sup> This concern was also shared

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<sup>211</sup> United Nations Security Council, “Third Report of the Secretary-General Pursuant to Paragraph 4 of Security Council Resolution 2107 (2013),” (July, 8, 2014).

<sup>212</sup> Ibid., 2.

<sup>213</sup> Ibid., 3.

<sup>214</sup> United Nations Security Council, “Third Report of the Secretary,” (July 8, 2014). “Iraq Hands Kuwait about 4500 Books, Manuscripts of Cooper & Radio Tapes,” *Iraqi News*, June 17, 2014, <http://www.iraqinews.com/baghdad-politics/iraq-hands-kuwait-about-00-books-manuscript-of-copper-amp-radio-tapes/> (accessed September 1, 2016).

<sup>215</sup> United Nations Security Council, “Third Report of the Secretary,” (July 8, 2014): 3.

by the UN Secretary General. Iraq in return requested that the Kuwaitis provide a detailed description of what remained missing.<sup>216</sup>

## 2016

In July 2016, the UN Secretary General Ban Ki-moon released a report summarizing the latest developments, which included the return of a collection of 100,000 books and scientific journals in addition to 500 theses found by the Ministry of Higher Education and Scientific Research, 247 books, and a copper artifact located by the Ministry of Tourism and Culture. Despite the cooperative environment that was created and maintained between the two countries, the Secretary General was regretful of the minimal progress that had been made and again urged Iraq to use innovative methods in its search.<sup>217</sup>

After being briefed on the developments by the Special Representative of the Secretary General and head of the UNAMI on July 15, 2016, the Council also expressed their regret at the lack of progress over the last 11 years. They however welcomed the newly developed action plan by the government of Iraq which incorporated the recommendations suggested by the Iraqi government. They urged the joint committee to persist in its biannual meetings. They also expressed their commitment to continue to follow up on these issues.<sup>218</sup>

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<sup>216</sup> “Ban Urges Iraq to Fulfill without Delay Hopes of Kuwaiti Families,” *Arab Times*, July 17, 2014, <http://pressreader.com/> (accessed September 6, 2016). United Nations Security Council, “Third Report of the Secretary,” (July 8, 2014). “Iraq Hands Kuwait,” June 17, 2014. “Ban Urges Iraq,” July 17, 2014.

<sup>217</sup> “Ban Ki-moon Urges Iraq to Use Advanced Methodologies in its Search for the Kuwaiti Archives and Missing People” [in Arabic], *Al Masalah*, March 10, 2016, <http://almasalah.com/ar/news/26473/بحث-مون-ومفقوديه-الكويت-ار شيف-عن-للبحث-متطورة-اساليب-لاتباع-العراق> (accessed September 15, 2016).

<sup>218</sup> United Nations Security Council, “Security Council Press Statement on Iraq-Kuwait,” July 29, 2016, <http://www.un.org/press/en/2016/sc12467.doc.htm>, (accessed September 16, 2016).

The recollection of major events from the year 1991 till the year 2016 reveals that Kuwait was able to retrieve collections stolen from cultural institutions such as the National Museum and other museums, and the Central Library. Yet diplomatic efforts and the support of the UN and the international community failed to resolve the case of the missing archives and the missing people which were from the beginning of the highest priority and major source of concern to Kuwait as a nation. Despite the minimal developments achieved over a period of 25 years through a process of collaborations, negotiations, and hand overs, the Kuwaiti government persisted on taking action internally and with the cooperation of other countries to restore what was lost of the archives. Several initiatives were taken on an internal and institutional level to salvage what remained, recollect missing documents, and establish an entity with the main responsibility of collecting and maintaining records, documents, manuscripts, books, maps, and antiquities that are pertinent to Kuwait's history and present.

## **5. Post Gulf War: Initiatives for Restoration of Archival Materials**

### **5.1. Local Individual Initiatives**

During the Iraqi invasion, a committee of Kuwaiti nationals was formed in Muscat, Oman which included Mr. Bahaa Al-Ibrahim, director of the Center for Historical documents, and Mr. Abdullah Alghunaim, who later became the director of the Center for Research and Studies on Kuwait, the center established right after the war to collect,

salvage, and preserve Kuwaiti archival materials.<sup>219</sup> The members of the committee requested that the Arabian Gulf Countries provide them with documents that would deny the claims that Iraq used to justify its attack against Kuwait. These documents became part of the existing archives at the Center for Historical Documents after the war.<sup>220</sup>

Mr. Al-Ibrahim also worked on collecting copies of documents that were stolen or destroyed, a feat he achieved through revisiting the countries from whom documents were originally collected upon the establishment of the center. The collection process was accompanied by more accurate cataloging and classification. However, due to the lack of human resources specialized in archival science the documents have not yet been fully cataloged and classified using the existing library information system. Digital copies of the documents are also not available and limited access is provided to the physical copies of the documents.<sup>221</sup>

## **5.2. Governmental Initiatives**

### **5.2.1. Technical Assistance Provided by International Expertise**

In 1995, the Kuwaiti government called for technical assistance from a group of professors from the Department of Information Science at the University of Pittsburgh. James G. Williams and Michael B. Spring visited Kuwait to support the process of

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<sup>219</sup> Interview with a previous head of the Center for Historical Documents at Al-Diwan Al-Amiri, November 7, 2016.

<sup>220</sup> Ibid.

<sup>221</sup> Ibid.

preserving what remained of the archives. After their visit, professors Williams and Spring in collaboration with professor Kenneth M. Sochats submitted a plan under the title “Development of a Plan for the National Library System of Kuwait” to the Department of Information Science at the University of Pittsburgh and the government of Kuwait. The library’s function would be to “acquire, organize and make accessible, and preserve the national heritage, literature and other information, regardless of form and format, of Kuwait, the Arabian Gulf, the Arabian Peninsula, and the Islamic and Arabic civilization regardless of where and when such information is published.”<sup>222</sup> It would also serve as a national archive providing a secure and safe system for the storage of classified information and documents belonging to governmental entities as well as back-up and recovery in case of emergency or disaster. The archive would have centers for scanning and indexing across the country to facilitate the process of depositing and archiving of records and documents from different governmental institutions and allow for duplication and immediate transfer of records outside of Kuwait. The professors spent a year trying to identify the requisites and requirements needed for such a system. Kuwaitis responded by acquiring the recommended computer hardware and software.<sup>223</sup>

The plan also proposed education and training agreements with the University of Kuwait to develop the knowledge and skills of Kuwaiti stakeholders through academic and

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<sup>222</sup> James G. Williams, Michael B. Spring, and Kenneth M. Sochats. “Development of a Plan for the National Library System of Kuwait,” (Department of Information Science: University of Pittsburgh, 1995). [Unpublished Report].

<sup>223</sup> Ibid.

non-academic programs enabling them to rebuild and protect the official records and documents that went missing or were destroyed as a result of the Iraqi invasion.<sup>224</sup>

### **5.2.2. Center for Research and Studies on Kuwait**

One year after Kuwait's liberation from the Iraqi invasion on February 26, 1991, the late Amir of Kuwait, Sheik Jaber Al-Ahmad Al Jaber Al-Sabah, called for the establishment of a center aimed at collecting and preserving primary and secondary information resources about Kuwait's history and the Gulf War.<sup>225</sup> The decision to establish the center was initially in response to an urgent need to confront false and misleading Iraqi claims about Kuwait being a province within the Iraqi territory.<sup>226</sup> Therefore, this initiative was taken to collect the documents that were left by Iraqi troops as a record of their looting and destruction, and to restore the stolen and damaged documentation that represented Kuwait's identity, particularly all evidence of the country as a sovereign state.<sup>227</sup>

In 1992, His Highness Sheik Jaber Al-Ahmad Al Jaber Al-Sabah issued decree no. 178 to establish the Center for Research and Studies on Kuwait. Six years later, a ministerial decision was issued designating the center as the official entity for collecting

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<sup>224</sup> "Pitt Professors Help Save Kuwait's Historical Records," January 6, 1997.

<sup>225</sup> Abdullah Alghunaim, "The Opening" [in Arabic], *Resalat Al-Kuwait [Kuwait's Letter]*, no. 2 (March, 2003): 1.

<sup>226</sup> Muhareb, *Documents That Will Never Dies*, 17.

<sup>227</sup> Alghunaim, "The Opening," (March, 2003): 1.

and preserving governmental documents.<sup>228</sup> Since its establishment, the center has been collecting hundreds of thousands of books, maps, and historical documents, as well as conducting and publishing research studies on issues related to Kuwait, the Gulf War, the Arabian Gulf and the Arab Peninsula. These included cultural and civilization studies on Kuwait, the overall development of Kuwait's society since its evolution, Kuwait's crises and the war, and major achievements of individual citizens.<sup>229</sup>

In the year 2003, the center started publishing a quarterly journal entitled "*Resalat Al-Kuwait*" which translates as *Kuwait's Letter*. It covers the major activities of the center and includes articles discussing documents from the archive.<sup>230</sup> The center has also developed a website that has been recognized among the best Kuwaiti websites dedicated to Kuwait history and culture.<sup>231</sup>

### ***Defined Goals for the Establishment of the Center***

The decree defined the goals for the establishment of the center along four major lines. The first is concerned with conducting research studies addressing Kuwait's history as well as its cultural, economic, social, cultural affairs and regional relationships. The aim is that these studies should be published locally and internationally to ensure scientific and

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<sup>228</sup> Abdullah Alghunaim, "Invitation to Participate in Collecting Kuwaiti National Documents" [in Arabic], *Resalat Al-Kuwait [Kuwait's Letter]*, no. 2 (April, 2010): 27.

<sup>229</sup> "Introductory Booklet," *Center for Research and Studies on Kuwait*, 2014, <http://www.crsk.edu.kw/AboutCRSK/BrochureForCenter.aspx> (accessed November 4, 2016).

<sup>230</sup> Abdullah Alghunaim, "The Opening" [in Arabic], *Resalat Al-Kuwait [Kuwait's Letter]*, no. 2 (January, 2003): 1.

<sup>231</sup> "Center for Research and Studies on Kuwait Receives Sheik Salem Al-Ali Al-Sabah Informatics Award 2007" [in Arabic], *Resalat Al-Kuwait [Kuwait's Letter]*, no. 23 (July, 2008): 25-26. In 2007, the Center received the Sheik Salem Al-Ali Al-Sabah informatics award for best online website offering studies and research on Kuwait. For the Center's publications including published books and quarterly journal: *Kuwait's Letter*, please visit Center's website at: [www.crsk.edu.kw](http://www.crsk.edu.kw).

other benefits from their results. The second line is focused on the establishment of a library that would serve as a center for all published material related to Kuwait, regardless of language. These materials could include documents, books, periodicals, research studies, and statistical reports. The goal is that the collected items are preserved and organized following the most current methods in the archiving field. Being part of the Arabian Gulf and the Arab Peninsula, the center should also be concerned with preserving and documenting the history and heritage of the Arabian Gulf region and the Arab Peninsula in general. The third goal is to collect and preserve all documents and studies conducted on the Iraqi invasion of Kuwait from all sources. The aim is that the information in these documents and results of these studies should be published after being investigated and analyzed to portray the realities of the Iraqi invasion and its acts of oppression, violence, and destruction as well as refute all false claims and accusations made by the Iraqi government. The fourth goal addressed the role of the center in closely following up on and raising awareness of all publications on Kuwait from all media outlets and in all domains. Thus, it was seen as important to use these collections to inform the Kuwaiti, Arab, and international opinion on different Kuwaiti affairs through publishing a scientific journal and holding informational sessions, exhibitions, conferences etc.<sup>232</sup>

Seeking to adhere to these goals, the center has published more than three hundred research studies focusing mainly on topics such as Kuwait's history, borders, and

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<sup>232</sup> "About the Center," *Center for Research and Studies on Kuwait*, 2014, <http://www.crsk.edu.kw/AboutCRSK.aspx> (accessed November 4, 2016).



liberation.<sup>233</sup> Staff members also continuously work on developing and improving communication channels beyond Kuwait's borders. Through representatives in the U.S.A., UK, and Russia, studies have been done to follow up and analyze all published materials about Kuwait and to exchange all publications and reports in both cultural and intellectual domains. These activities have allowed the center to collect and preserve documents related to Kuwait's history and present and the evolution of its culture in addition to publishing studies in multiple languages,<sup>234</sup> conducting conferences, exhibitions, and educational and informational activities, providing consultancy services, and performing studies for governmental agencies as per their needs and specializations.<sup>235</sup>

### ***Documenting the Period of the Iraqi Invasion***

One of the center's main goals was to document the period of the Iraqi invasion (including the aggression, war crimes, destruction and widespread looting) and to refute Iraq's claims on Kuwait. In its efforts to restore and collect documents that could serve as evidence of the repercussions of the Iraqi war, the center collected about half a million original Iraqi documents left in several occupied buildings by the Iraqi army upon their retreat from Kuwait. These documents contain plans and commands signed by Iraqi leaders to destroy and rob governmental institutions and buildings.<sup>236</sup>

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<sup>233</sup> Bader Al-Modaires, "Center for Research and Studies on Kuwait" [in Arabic], *Al Watan Newspaper*, July 24, 2016.

<sup>234</sup> "Center for Research and Studies on Kuwait: Goals and Activities" [in Arabic], *Resalat Al-Kuwait [Kuwait's Letter]*, no. 1 (January, 2003): 2-3.

<sup>235</sup> "Center's Activities" [in Arabic], *Center for Research and Studies on Kuwait*, 2014, <http://www.crsk.edu.kw/AboutCRSK/CRSKHistory.aspx> (accessed November 4, 2016).

<sup>236</sup> "Recording the Crime of the Century through Documentaries" [in Arabic], *Resalat Al-Kuwait [Kuwait's Letter]*, n o. 1 (January, 2003): 8.

After the documents were collected, they were classified, cataloged, and then analyzed to prove the Iraqi aggression, abuses, and robberies towards both Kuwaiti nationals and institutions and to provide information on war criminals and their activities. Moreover, the center presented studies to international institutions documenting Iraq's violations and refuting many of their allegations including the historical claim that Kuwait is part of Iraq and that the invasion was an attempt to restore their territory.<sup>237</sup>

### ***Archiving Ministerial and Governmental Institutional Documents Project***

Before the Iraqi invasion, there was no national law mandating that ministries and other governmental institutions deposit records for long-term preservation.<sup>238</sup> Therefore, initiatives were taken inviting all governmental and non-governmental institutions as well as citizens to participate in building Kuwait's national archives by submitting relevant documents to the center. On August 23, 1998, the Council of Ministers in Kuwait issued a ministerial decision no. 596 requesting cooperation between the Center for Research and Studies on Kuwait on one side and Kuwaiti institutions and ministries on the other to collect and preserve their archives. Based on the ministerial decision, the center has undertaken several projects to register and archive documents produced by different Kuwaiti institutions and ministries. In the process, documents were collected, registered, cataloged, classified and then saved on magnetic discs. Since the year 1998, more than a hundred million documents have been scanned and preserved from the Ministry of Finance

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<sup>237</sup> "Center for Research and Studies on Kuwait: Hopes and Aspirations" [in Arabic], *Resalat Al-Kuwait [Kuwait's Letter]*, no. 4 (September, 2003).

<sup>238</sup> Interview with the director of the Center for Research and Studies on Kuwait, June 9, 2016.

(4,324,000 papers).<sup>239</sup> Around 2,125,00 records from the General Authority for the Arabian Gulf and South Arabia (GAAGSA) project have been scanned and preserved, and documents have also been archived from Kuwait Municipality with funding support from the Ministry of Public Works and Ministry of State for Municipal Affairs.<sup>240</sup>

Regarding special collections, the center collected about 80,000 documents from Kuwaiti families and individuals as well as pictures covering Kuwait's history from the beginning of the nineteenth century to the 1970's. Access to these documents has been provided to researchers and Kuwaiti nationals. The center also continuously urges individuals and families as well as governmental entities to donate documents (originals or copies) to feed the national memory of Kuwait.<sup>241</sup>

#### ***Archiving the Documents of the General Authority for the Arabian Gulf and South Arabia (GAAGSA)***

As stated previously, among the projects that the center has taken on was working on archiving the documents of the General Authority for the Arabian Gulf and South Arabia (GAAGSA). The overall archive of the GAAGSA was moved to the center in 2014 to be organized and preserved according to defined archival processes, cataloging, and preservation rules. Hundreds of archival boxes containing more than two million documents and about seven thousand manuscripts documenting Kuwait's activities with the countries of the Arabian Gulf and South Arabia, ranging from donations and charity

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<sup>239</sup> "Invitation to Participate in Collecting Kuwaiti National Documents," 27.

<sup>240</sup> Ibid., 27.

<sup>241</sup> Ibid., 27.

work to building infrastructure including schools, hospitals, etc. have been transferred to the center to be registered, rehabilitated, and preserved. This project was given special attention as the documents hold historical value on the role of Kuwait in the region.<sup>242</sup>

### ***Divisions of the Center***

The center comprises several divisions including a library, an archive, and museums. The library was established to hold all research studies and published materials related to Kuwait regardless of language, form, or source. All materials stored in the library are open to the public for the purpose of information and research.<sup>243</sup> There are also several small museums that contain antiques, cultural pieces, old Kuwaiti bank notes, and pictures that were donated to the center. The archive is known for holding millions of documents related to Kuwait, the Gulf, the Arab world, and the Gulf War. Documents are organized and preserved in big, black, sterilized, metal cabinets,<sup>244</sup> and access to them is restricted. The process of collection and preservation is supervised by specialized technical professionals. Annexed to the archive is a division for rehabilitation and preservation of manuscripts and documents. The dedicated preservation division cleans, sterilizes, and conserves fragile documents. The documents are then registered, organized, classified, scanned and then saved on magnetic discs. The division also offers free help to citizens

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<sup>242</sup> “Documents of the General Authority for the Arabian Gulf and South Arabia” [in Arabic], *Resalat Al-Kuwait [Kuwait’s Letter]*, no. 49 (January, 2015): 38-41. The process of organizing the documents was as follows: the bibliographic data of each document was entered into a library automation system and cataloging and classification records were created including country name, organization names, individuals, places, and dates as they appeared in the original document. Upon completion of the archival process, access was given to researchers, scholars, historians, etc. Damaged and fragile documents were sent to the technical lab for conservation.

<sup>243</sup> “About the Center,” *Center for Research and Studies on Kuwait*, 2014. (accessed November 4, 2016).

<sup>244</sup> Al-Modaires, “Center for Research and Studies on Kuwait,” July 24, 2016.

wishing to preserve and maintain their rare and valuable historical documents through chemical and biological treatments. The trained staff uses special equipment from the technical lab to complete the rehabilitation and restoration process.<sup>245</sup> By following German and Japanese expertise and pre-defined procedural steps and treatments, the center has been successful in restoring numerous damaged documents.<sup>246</sup> According to Sheikha Saeeddan, head of the preservation and conservation division, the center uses old treatments performed manually for preservation and conservation such as chemical treatments and water washing.<sup>247</sup>

Recognizing the significant role of the center in collecting and preserving historical records documenting Kuwait's history, His Highness, the Amir Sheik Sabah Al-Ahmad Al Jaber Al-Sabah, the current ruler of Kuwait, has donated funds to acquire the required technical equipment for maintaining and preserving historical documents.<sup>248</sup> The center continues to exert efforts with concerned stakeholders to secure all necessary physical and human resources to pursue its role.

### ***Sources (Provenance) and Types of Archival Materials***

The center receives documents directly from Kuwait's governors, governmental entities, the corporate sector, internal institutions, private and public Kuwaiti sectors both

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<sup>245</sup> Interview with the director of the Center for Research and Studies on Kuwait, June 9, 2016.

<sup>246</sup> "Documents of the General Authority for the Arabian Gulf and South Arabia:" 38-41.

<sup>247</sup> Khaled Al-Enezi, Director, "National Visions: Center for Research and Studies on Kuwait," *Kuwait TV*, Aired (February 23, 2015).

<sup>248</sup> Abdullah Alghunaim, "The Opening" [in Arabic], *Resalat Al-Kuwait [Kuwait's Letter]*, no. 51 (July, 2015): 1.

profit and non-profit, and special collections from families and individuals (civil documents), both originals and photocopies.<sup>249</sup> Since its establishment, the center has collected about 20 million archival documents including government records, civil documents, and other documents from foreign countries such as Ottoman documents, British documents, French documents etc. All these documents represent the history of the State of Kuwait including its governors and the historical events that took place from the era of the early existence of Kuwait and Kuwaiti nationals.<sup>250</sup> The archival materials also include commercial correspondence, accounting records for merchandising, school records, etc. The majority of the existing archival documents are manuscripts.<sup>251</sup>

The materials found in the archive of the center can be classified into the following categories:

- Photographic Archives which the center started the process of collecting and classifying in the year 2008 (according to the center's publications). No information exists on whether this process has been completed or not.
- Governmental Archives: out of the 10 million collected documents, the center finalized the registration and cataloging process for 10000 documents up to the year 2008.
- Documents submitted by Kuwaiti families that include historical records, of which 35000 have been archived up to the year 2008.

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<sup>249</sup> Interview with the director of the Center for Research and Studies on Kuwait, June 9, 2016.

<sup>250</sup> Ibid.

<sup>251</sup> Al-Enezi, "National Visions," (February 23, 2015).

- Journalism Archives which include what was published on Kuwait in different newspapers over the past years, and which are estimated to mount up to five million documents.
- The Archives of the General Authority of the Arabian Gulf and Southern Arabia (GAAGSA) that include more than one million and a half documents.<sup>252</sup>

### ***Operational Procedures***

The center collects any form of information written or said about Kuwait whether it is an article in a daily newspaper, a documentary film, a TV interview, an academic article, etc. All documents and other archival materials are accepted following the principles developed by the British archivist, Sir Hilary Jenkinson, which is based on passive custody of documents and the desire to keep everything.<sup>253</sup> Thus, no appraisal and selection of records is completed in the process of acquisition and collection development.<sup>254</sup>

Electronic publishing has been implemented as the primary means for disseminating and accessing the center's publication. Electronic publishing is also used to provide fast, cost effective, and easy access to books and research studies.<sup>255</sup> However, what is published is based on a selective process determined by the center.

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<sup>252</sup> "Center for Research and Studies on Kuwait Board of Directors Meeting" [in Arabic], *Resalat Al-Kuwait [Kuwait's Letter]*, no. 22 (April, 2008): 26-27.

<sup>253</sup> Reto Tschan, "A Comparison of Jenkinson and Schellenberg on Appraisal," *American Archivist* 65 no. 2 (Fall/Winter 2003): 177.

<sup>254</sup> Interview with the director of the Center for Research and Studies on Kuwait, June 9, 2016.

<sup>255</sup> "Center for Research and Studies on Kuwait: Hopes and Aspirations:" 2-3.

Although the center is open to the public including researchers and scholars, as noted previously, most archival materials have restricted access. Original documents are not accessible and are kept in secured areas. The center can provide copies only. Detailed information on preservation, archival boxes, filing system, and the original order of these documents is considered classified information.<sup>256</sup> The reservation towards sharing information on archiving practices and opening access may be explained by the impact of the Iraqi invasion on previously preserved records. The ability of Iraqis to obtain information on the location and constituents of governmental and cultural heritage institutions cost Kuwait significant losses during the war.

### **5.2.3. Regional Initiatives**

In the year 2008, Kuwait hosted the 24<sup>th</sup> annual meeting of the Gulf Cooperation Council (GCC) Documentation and Studies Center under the patronage of the Minister of the Amiri Diwan Affairs and the Supreme Chairman of the Center for Historical Documents and the Amiri Diwan Libraries, Sheikh Nasser Sabah Al Ahmad Al Jaber Al Sabah. In this meeting, the Secretary General of the Center, Dr. Fahad Bin Abdullah, highlighted the importance of documentation in the era of globalization and its role in preserving culture and traditions. He also emphasized the important roles and

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<sup>256</sup> Al-Enezi, "National Visions," (February 23, 2015).



responsibilities of documentation centers in collecting and preserving these materials and urged all member states to develop national archives.<sup>257</sup>

The Assistant Undersecretary of the Historical Documents' Center and the Amiri Diwan Libraries and Deputy Secretary General of the GCC Documentation and Studies Center discussed the need to collect, classify, and preserve documents through digitization and digital preservation efforts. He stressed the need to adhere to developments in the field of archiving and thus provide more secure repositories for records and historical documents to prevent further loss or destruction. He also encouraged member states to share knowledge and expertise in the domain of documentation.<sup>258</sup>

In 2015, a project was inaugurated between Bibliotheca Alexandria (BA) and the Amiri Diwan of Kuwait represented by the Center of Historical Documents to treat damaged records belonging to the Amiri Diwan. Within the scope of the project, an agreement was made between BA and the Center for Historical Documents in Kuwait to restore two archives for the prince. The restoration process was initiated in March 2015 when the first batch was received and subjected to a special chemical treatment. The process was finalized in June 2015 and the first salvaged batch was returned to Kuwait. The second batch that included an estimated 2000 papers was received by the BA in June 2015 and is in the process of undergoing restoration.<sup>259</sup>

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<sup>257</sup> "GCC Historic Documentation Meeting Kick off in Kuwait," *Kuwait News Agency*, May 13, 2008.

<sup>258</sup> Ibid.

<sup>259</sup> "Restoring the Records of the Amiri Diwan of the State of Kuwait at the BA Manuscripts Museum," *Alexandrina Bibliotheca*, June 15, 2015.

<http://www.bibalex.org/en/News/Details?DocumentID=18058> (accessed December 1, 2016).

## Chapter 4

### SCENARIOS ANALYZING THE LOSS OF KUWAIT'S NATIONAL ARCHIVES

As the case of the national archives of Kuwait remains an unresolved national, regional, and international issue, different scenarios have been studied to understand the lack of progress achieved. The scenarios presented below are based on the analysis from Douglas Cox (2012) and Bruce Montgomery (2015) together with my interpretation of the literature reviewed, analysis of the information obtained from the interviews completed, and the observations made during the site visits.

The first scenario speaks to Iraq's intention in the invasion. According to this scenario, the Iraqi government purposefully set out to destroy Kuwait's national heritage and identity. It is believed that Saddam's regime sought to eliminate any existing records that supported the idea of Kuwait as a sovereign country and not an extension or province of Iraq. During the Gulf War in the year 1990, the Permanent Representative of Kuwait at the UN stated that Iraq's aim was to "wipe out the Kuwaiti identity by changing the demographic composition of the country."<sup>260</sup> He believed this was evident through the bombing of all governmental and ministerial buildings and the seizing of citizen documents such as passports and identification papers, diver licenses, etc. He also stated that Iraqis burnt "the archives of many ministries dealing with citizen's affairs, including some departments of the Ministry of the Interior."<sup>261</sup>

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<sup>260</sup> Montgomery, "The Rape of Kuwait's National Memory," 72.

<sup>261</sup> Ibid., 72.

The second scenario addresses Kuwait's ambiguity in identifying and reporting on the type and amounts of the missing national archives. Although Kuwait has consistently reiterated through different official resources that the materials they have received from Iraq do not constitute materials from the national archives, the government has only provided one list describing the type and volume of the lost archives in the year 2000. The government also failed to keep an ongoing inventory and clear description of the missing records as the handovers took place. The lack of clarity of what was initially missing, what was retrieved, and what remains missing hindered the recovery process. Kuwaiti officials have reported that inventories of documents were destroyed or looted, which left officials responsible for archival entities such as the Center for Historical Documents in Kuwait with minimal information to report to international organizations on the amount and type of records lost.<sup>262</sup> This however does not justify the lack of clarity in their reporting even after the major handover took place in the year 2002. Kuwaiti representatives examined what was returned and concluded that the Iraqis kept the valuable records and rare books and returned what was insignificant to them. However, there was no specialized team from the Library and Information Science field to appropriately retrieve these possessions and take follow up measures such as creating updated lists and inventories.<sup>263</sup> The Kuwaiti government did not provide detailed descriptions on what was received, either. The lack of detailed description can be explained as a political tactic used by the government of Kuwait

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<sup>262</sup> Interview with a previous head of the Center for Historical Documents at Al-Diwan Al-Amiri, November 7, 2016.

<sup>263</sup> Ibid.

not to limit the search to specific records and to allow for flexibility in assessing the significance and authenticity of the records retrieved.<sup>264</sup> The Kuwaiti government may have also chosen to refrain from providing detailed descriptions of classified records that were part of the national archives, fearing that information pertinent to the country's history and security might become public information.

The third scenario addresses the US led invasion of Iraq in the year 2003, not long after the major handover of documents and artifacts happened between Iraq and Kuwait. During this invasion, archives were either destroyed or looted by the Baathist regime or confiscated by US troops. Several reports have stated that Saddam merged Kuwait's national archives with the Iraqi archives. Therefore, the archives may have been destroyed, may now be housed with members of the fallen regime, or may be in the US with the seized records. Therefore, to obtain information on Kuwait's national archives, the US could have investigated the members of the Baathist regime or conducted a search through the captured documents to provide Kuwait with any relevant information or closure to this issue. The UN ambassador at the time, Tarasov, requested that leaders of the Baathist party be interrogated, providing specific names of members who could potentially have information. However, no update on his request was provided. After the US government moved seized Iraqi records to the Combined Media Processing Center in Qatar for translation and organization, they released boxes of records belonging to Kuwait in the

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<sup>264</sup> Douglas Cox, "More of Finding Kuwait's Missing National Archives," *Document Explanation Blog*, January 23, 2012, <http://www.docexblog.com/2012/01/more-on-finding-kuwait-missing.html> (accessed October 21, 2015).

year 2007. These records were handed over after only 15 percent of the seized documents were translated. Kuwait did not receive any clarification on whether this was just the beginning of a handover of documents or whether this was all that the US government found belonging to Kuwait in the documents transferred to Qatar.

Other seized Iraqi records still exist in different locations across the US. Some records were confiscated by US troops while they searched for evidence of the existence of weapons of mass destruction, and other documents still exist in the Pentagon.<sup>265</sup> The Iraq Memory Foundation, which was contracted by the US to collect all documents relating to Saddam's Baathist regime, took millions of documents from the Baathist headquarters, transferred them to the US, and later placed them at Stanford University's Hoover Institution. After completing massive work on digitizing and cataloging these documents, the institution claimed that there were no documents related to the Kuwaiti archives.<sup>266</sup> Although one of the reasons for justifying the US invasion was to "locate, identify, and repatriate" the Kuwaiti archives, the UN and the international community have been pressing the new Iraqi government for information when most of the archives remain under US custody.<sup>267</sup>

Since, the Saddam regime was known for its accurate and thorough documentation, there also must be a call to examine or re-examine all the locations holding Iraqi documents for information on the Kuwaiti archives or documents belonging to the actual Kuwaiti

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<sup>265</sup> Montgomery, "The Rape of Kuwait's National Memory," 72.

<sup>266</sup> Ibid., 72.

<sup>267</sup> Douglas Cox, "Finding Kuwait's Missing National Archives," *Jurist*, January 23, 2012, <http://www.jurist.org/forum/2012/01/douglas-cox-kuwait-archives.php> (accessed October 21, 2015).

archives. Analyzing seized records rather than solely relying on locating documents belonging to Kuwait may also lead to further information on potential scenarios explaining the fate of the Kuwaiti national archives.

The fourth scenario discusses the information indicating that the Kuwaiti archives were merged with the Baathist archives. The archives of the Baathist regime were destroyed by loyalists and archivists of the Iraqi regime and by the bombing of governmental buildings during the US invasion. If the Kuwaiti archives were merged with the archives of the Baathist regime, then they could have had the same fate as the Iraqi archives that were kept with leaders who following Saddam.<sup>268</sup> It is also possible that Kuwait's national archives were moved to several locations during the period of the embargo and the US invasion. Some records could have been lost during the transfer process, while others may remain with the archives that survived the confiscation of the US troops and the destruction of followers of the Baathist regime. Similar to the visit that Kuwaiti officials conducted to identify Kuwaiti belongings in Iraq's national museum, the Kuwaiti government could have requested that a committee be sent to search for the archives in question. Kuwaiti officials could better determine their own archives rather than relying on foreign entities throughout all these years. Such initiatives may not have taken place due to the political circumstances, the ongoing tensions between the two countries that could jeopardize the safety of Kuwaiti officials on Iraqi territory, or the lack of available experts and archival personnel in Kuwait that could lead this process.

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<sup>268</sup> Montgomery, "The Rape of Kuwait's National Memory," 70.

The fifth scenario considers the possibility that some archival materials were stolen by Iraqi soldiers or individuals during the invasion. It also suspects that Kuwaiti nationals may have taken materials for different reasons, including preservation, interest, or to prevent Iraqis from accessing them. During this period of turmoil, many of the governmental premises were left unprotected, subject to looting by many individuals, whether they were part of the military troops or not. In the year 2004, a member of the ruling family submitted a collection of records found in Dasman Palace to the Center for Research and Studies on Kuwait. These records were thought to be part of the lost archive, but were later uncovered in Kuwait.<sup>269</sup> In December 2016, Iraqi security seized an archeological manuscript from a previous Iraqi militant, who was intending to sell it for 45 million US dollars.<sup>270</sup> These uncovered records, whether part of the national archives or the cultural heritage, raise questions about whether Iraqi and/or Kuwaiti individuals could still hold Kuwaiti property.

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<sup>269</sup> “Document and History: How Did Sheikh Adulaziz Al-Rasheed Document Kuwait’s History” [in Arabic], *Resalat Al-Kuwait [Kuwait’s Letter]*, no. 5 (January, 2004): 3-5.

<sup>270</sup> “The Iraqi Police Captures a Rare Archaeological Manuscript Looted from Kuwait During the Iraqi Invasion” [in Arabic], *Kuwait News Agency (KUNA)*, December 23, 2017, <http://www.kuna.net.kw/ArticleDetails.aspx?id=2583042&language=ar> (accessed January 19, 2017).

## **Chapter 5**

### **CASE STUDIES**

The following section is a review of the cases of five developing countries within and outside the Arab world, which forcefully lost their national archives during events of internal and external conflicts. The countries are: Algeria, Palestine, Afghanistan, Iraq, and Bosnia. These countries were selected based on comparative factors with Kuwait, whether in region, religion, culture, or shared history. Reviewing these cases will provide information on the different circumstances that can threaten the survival of national archives (as records and as institutions): on whether the issue of the lost archives in these countries was resolved or not; and on what actions led to the success or failure of the efforts made to recover and restore the archives. This information is significant in tailoring recommendations that will lead to achieving the desired state of archiving in Kuwait. A state where the field is equipped with all the components needed to better serve the past, present, and future of the country and to prevent any detrimental consequences that could occur in times of emergency or disaster. The comparative case studies will include an analysis and syntheses of the similarities, differences and patterns across the cases of these five countries. The specific case of each country will be initially described, providing the context by which the archives were lost and the actions taken to recover them. The understanding of each case will aid in deriving common themes upon completing the comparative analysis.



## 1. Algeria

Algeria is a country located on the coastal line of North Africa. It is bordered by the Mediterranean Sea and seven other Arabic and African countries: Libya, Morocco, Mali, Niger, Tunisia, Mauritania, and Western Sahara.<sup>271</sup>

The country was under French rule between the years 1830 and 1962. Beginning in the year 1954, the Algerians started a revolution for independence that ended the French colonial era in the year 1962.<sup>272</sup> Although they achieved independence, Algerians lost their national archives, including not only management and administrative records dating back to the colonial era, but also collections that document Algeria's history from the Roman Empire up to the independence from the French.<sup>273</sup>

Before the end of French rule in the years 1961-1962, French troops drowned, burned, threw away, and stole documents. According to Algerian archivists, the French took over 200,000 boxes containing 600 tons of documents, while the French estimated that they moved 150 tons of documents in 53,000 boxes. Part of the documents were either kept with the national French archives in Paris or in Aix en Province near Marseille but most were integrated with the French ministries' documents. French parties opposing

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<sup>271</sup> "Algeria," *African Studies Center, University of California Los Angeles*, February 11, 2015. <http://www.international.ucla.edu/africa/countries/96696> (accessed April 16, 2017).

<sup>272</sup> "An Algerian Official Accused France of Hiding its Archive Smuggled During Colonial Era" [in Arabic], *Drewaza News*, October 31, 2016. [http://mobile.derwaza.cc/Home/Details/5817741a8c42532508d7f764\\_1](http://mobile.derwaza.cc/Home/Details/5817741a8c42532508d7f764_1) (accessed January 11, 2017).

<sup>273</sup> Todd Shepard, "'Of Sovereignty': Disputed Archives, 'Wholly Modern' Archives, and the Post-Decolonization French and Algerian Republics, 1961-1962," *American Historical Review* 120, no. 3 (June 1, 2015): 878-879.

independence also bombed governmental buildings and the Library of the University of Algiers.<sup>274</sup>

The Algerians initiated and continued attempts to retrieve and restore their archives through diplomatic efforts and local initiatives. In the 1980's the French Minister of Foreign Affairs discussed the possibility of returning the archive of the colonial period, however these discussions did not come to fruition after opposing French parties ended the negotiations. Those who argue against the return of the archives contend that what was created, documented, and collected in Algeria under French colonialism belongs to France, since during this period Algeria was a mere state within a French colony and not a nation. Others see a political reason behind the French seizing of the archives. Uncovering the archives of the colonial era could have a negative impact on France's interests in the modern world, with the ongoing debates about the un-humanitarian conditions to which many colonized countries were exposed. Other groups in France considered Algerians' concerns and had alternative propositions. Some differentiated between archives that address sovereignty and ones that address management and called for the return of all documents that relate to Algeria as an independent nation. Others claimed that during this period of time France and Algeria had a shared history and thus there must be a shared custody of documents. Arguments were also made for the need to store archives within the territory where they were produced, which in this case is Algeria.<sup>275</sup>

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<sup>274</sup> Ibid., 869-872. "An Algerian Official," 2016.

<sup>275</sup> Shepard, "'Of Sovereignty': Disputed Archives," 873-876.

All these ongoing debates within France have not led to any progress on this case. The French have tried to mislead the public along the way by giving distorted information on the quantity of documents looted. They also claimed that the archives dating back to the Ottoman Empire had been returned, which has been consistently denied by the Algerians.<sup>276</sup> In 1982, the Algerian government called for assistance from UNESCO “to redefine and organize the archives.”<sup>277</sup> In the year 2009, the Algerians and the French signed an agreement to solve the dispute over the national archives.<sup>278</sup> Within the scope of the agreement, the French requested that Algerians find the archives of interest, and secure the financial and technical resources needed to complete the search and the copying of archival materials. It was impossible for the Algerian government to meet these conditions. The French also did not honor their commitment to provide the Algerians with copies of the archives that have been digitized.<sup>279</sup> The Algerians only received a list of the archives in France, which according to the Director General of the Algerian national archives does not incorporate all the material they are seeking.<sup>280</sup> In February 2016, an Algerian minister declared that his country had received only 2 percent of its national archives.<sup>281</sup> The Algerian government is still determined to attain the goal of retrieving its national archives,

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<sup>276</sup> “France Accused of Hiding its Archive Smuggled During Colonial Era,” *Middle East Monitor*, November 1, 2016, <https://www.middleeastmonitor.com/20161101-france-accused-of-hiding-its-archive-smuggled-during-colonial-era/> (accessed November 11, 2016). “Shaikhi: The Algerian Archive Smuggled by France Has Been Placed in Location Unknown to Many” [in Arabic], *Algerie Press Service*, October 2016, <http://www.aps.dz/ar/algerie/35591> (accessed November 11, 2016). “An Algerian Official,” 2016.

<sup>277</sup> Shepard, ““Of Sovereignty”: Disputed Archives,” 878.

<sup>278</sup> “France Accused of Hiding,” 2016. “An Algerian Official,” 2016.

<sup>279</sup> “Shaikhi: The Algerian Archive,” 2016. “An Algerian Official,” 2016.

<sup>280</sup> “France Accused of Hiding,” 2016. “Shaikhi: The Algerian Archive,” 2016.

<sup>281</sup> “An Algerian Official,” 2016.

as evident in ongoing negotiations documented up to the year 2016.<sup>282</sup> During an interview with a local news agency, the Director General of Algeria's national archives, Abdul Majid Shaikhi, claimed that the French moved the documents from their original known locations and dispersed them across unknown locations during the past 5 years.<sup>283</sup> After the failure of all the diplomatic efforts between the two countries, Shaikhi feared that the Algerians will only have access to documents when they eventually become public. Depending on the type of document, this will be 20 to 100 years from the date of archiving. While other documents will remain classified and thus effect how Algerian history will be written.<sup>284</sup>

Recognizing the impact of archives on the meaning of national sovereignty after decolonization, the damage to the collective memory of the country, the loss of evidence that Algeria "existed legally and territorially" prior to French colonialism, and the questions arising between internal Algerian parties around the period of French colonialism, Algerians have been working since their independence on establishing "a shift from archiving the state to archiving the nation" in the post-colonial era.<sup>285</sup> The issue became of great concern in October 1988, when public demonstrations ended the one party rule of the National Liberation Front. This event stimulated questions and debates about the nation's past. The public realized that they were hindered from accessing and studying their country's history, especially the colonial era. However, France believed that Algeria

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<sup>282</sup> "Shaikhi: The Algerian Archive," 2016.

<sup>283</sup> "France Accused of Hiding," 2016. "Shaikhi: The Algerian Archive," 2016. "An Algerian Official," 2016.

<sup>284</sup> "Shaikhi: The Algerian Archive," 2016.

<sup>285</sup> Shepard, "'Of Sovereignty': Disputed Archives," 877-878.

had copies of documents sufficient for Algerians to document the colonial era,<sup>286</sup> despite the heated debates that were happening in France about the Algerian archives as well.

Algerian archivists have been working on collecting sources from all over the world to create a national archive. Many individuals and families are submitting documents they own to the National Archives Centers of Algeria, including historical documents, audio and video cassettes, etc. A Swiss mediator between the French and Algerians also committed to submit the archival documents that he has. The Algerian Archival Sector has also initiated a digitization process of the existing archives, but the process is slow due to the lack of specialists in the field of archiving and the minimal technical and financial resources. Currently, there is a plan to reorganize the national archives of Algeria to include five locations, which will improve access for citizens and research institutions.<sup>287</sup>

## **2. Palestine**

Palestine is an Arab state located in the Middle East bordered by Lebanon, Egypt, and Jordan as well as the Mediterranean and Red Sea. Palestine has been under the occupation of several empires, followed by British colonization until the year 1948, when it became an occupied territory within Israel.<sup>288</sup> The consecutive occupations have led to the migration of many Palestinians as refugees to countries all over the world. As a result of this instability, Palestine does not own any of its historical documentation. Most of the

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<sup>286</sup> Ibid., 874.

<sup>287</sup> “Shaikhi: The Algerian Archive,” 2016.

<sup>288</sup> Donald Neff, “Middle East History: It Happened in April; 1949 Lausanne Conference Seals Fate of Palestine,” *The Washington Report on Middle East Affairs*, XIV.8 (April 30, 1996): 37.

Palestinian archives are in Israel, and the archives documenting the colonial era are in Great Britain. Archives could also exist in other countries whose empires ruled the area and in different countries where Palestinians settled as refugees all around the world.<sup>289</sup> Many non-governmental organizations have worked on collecting historical documents belonging to Palestine. Prior to the year 1982, the Palestinian Research and Studies Center established in Lebanon made efforts to gather information and documents from Lebanon, but the Palestine Liberation Organization (PLO), which was representing the occupied Palestinian territory at the time,<sup>290</sup> did not preserve the work of the center.<sup>291</sup> Israel, through diplomatic efforts, returned archives in 1985. However, the PLO also treated them with negligence: the archives were received by the PLO, and then later moved from Lebanon to Algeria along with the documents the archives provided to the PLO by the Palestinian Research and Studies Center in Lebanon. All the collected documents were placed in a camp in the desert where they were subsequently destroyed. The Palestinian Authority (established in 1994) has not shown any intent to collect historical documents on Palestine, nor to get in contact with organizations that have worked on collecting such documents.<sup>292</sup> Negotiations to retrieve the archives from Israel continued until the year 2008, but they were halted due to political turmoil and thus the handover never happened. In the same

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<sup>289</sup> Aziza Nofel, "Palestinian Archives Remain Scattered," *Al-Monitor*, September 2, 2015, <http://www.al-monitor.com/pulse/originals/2015/09/palestinian-plan-retrieve-archive-diaspora-inside.html> (accessed January 20, 2017).

<sup>290</sup> PLO is a political organization established to represent the Palestinian national resistance movement. It was based in Lebanon from late 1960s till 1982. For more information, see Palestine Liberation Organization, January 18, 2017, <http://palestineun.org/about-palestine/palestine-liberation-organization/> (accessed February 20, 2017)

<sup>291</sup> Nofel, "Palestinian Archives Remain Scattered," 2015.

<sup>292</sup> Ibid.

year, American and Canadian archivists took the initiative to meet with officials from the Palestinian and Israeli states to set a plan for a project to digitize records and provide training for archiving institutions in both states.<sup>293</sup>

On a local level, a proposal to build a national archive and a national library for Palestine was made in the year 1994 upon the establishment of the Palestinian Authority. The preparatory phase lasted two years with the participation of local and international experts. In 1997, a British expert joined the Palestinian experts to initiate the development of a strategic plan. The plan did not progress to implementation due to ongoing political instability. In 2004, a decree from the Palestinian Council of Ministers was issued to establish a center for national archives. However, official involvement to move this decree to implementation was limited.<sup>294</sup> In 2009, a conference on the significance of archives to preserve the memory of the Palestinian state and its institutions took place. During the conference, a plan was announced to lobby for the importance of creating legislation and policies for the establishment of archives and in the process to ensure access and transparency. In 2012, more movement happened in this area and a collection process was initiated.<sup>295</sup> Despite all these local efforts, researchers and archivists, up to the year 2015, were still reporting the absence of comprehensive Palestinian archives.<sup>296</sup> To complete their research studies on Palestine, scholars reported that they had to resort to sources

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<sup>293</sup> Nikki Swartz, "Archivists Assist Israel, Palestine," *International Management Journal* 42, no. 6 (November/December 2008): 24.

<sup>294</sup> "Welcome Note" [in Arabic], *Palestine National Archives, Ministry of Culture*, July 25, 2012, <http://www.pnac.pna.ps/ar/index.php?p=main&id=118> (accessed January 21, 2017).

<sup>295</sup> Nofel, "Palestinian Archives Remain Scattered," 2015.

<sup>296</sup> Ibid.

available in Great Britain and Israel and to gather information from churches, municipalities, courts, and local newspapers. They also relied on oral memory, listening to people's stories.<sup>297</sup> In the case of the Palestinian people, who have been displaced across the world and whose state has been under a continuous state of occupation, the documentation of oral memory may be a means to turn into text major events in the history of the state of Palestine and support the establishment of comprehensive and representative national archives.<sup>298</sup>

Starting in March 2016, the head of the Palestinian national archives, Mohammad Bheiss Aramin, initiated the implementation of his plan to collect Palestinian archives from countries from the Arab World and beyond, after successfully creating a "complete index of all manuscripts documents, and other archival materials that Palestine seeks to retrieve." He hopes that these countries will provide the necessary support in the process.<sup>299</sup>

All these initiatives and efforts from individual officials, non-governmental organizations, as well as researchers and archivists have been hindered by the lack of financial, technical, and human resources, lack of political efforts from Arab countries, and lack of intent from the Palestinian authorities to retrieve any existing archives whether in neighboring or other countries such as Turkey.<sup>300</sup> For Palestinians, the absence of the

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<sup>297</sup> Ibid.

<sup>298</sup> Patricia Galloway, "Oral Tradition in Living Cultures: The Role of Archives in the Preservation of Memory," in *Community Archives: The Shaping of Memory*, ed. Jeannette A Bastian and Ben Alexander (London: Facet Publishing, 2009): 65- 86.

<sup>299</sup> Nofel, "Palestinian Archives Remain Scattered," 2015.

<sup>300</sup> Ibid.



archives means the absence of evidence that they existed as a community within defined territories before occupation and that they now have rights under the occupation.<sup>301</sup>

### 3. Afghanistan

Afghanistan is located in Southwest Asia and bordered by Pakistan, Tajikistan, Iran, Turkmenistan, Uzbekistan, and China. The country has suffered from a long history of wars and invasions. In more recent history, it has been occupied by Great Britain between 1831 and 1921, then by Russia between 1979 and 1989. Soon after the end of the Russian occupation, a civil war erupted lasting from 1989 to 1996. As a result of the civil war, the government of Afghanistan was overthrown and the country witnessed the rise of extremist groups, which led to the US invasion in 2001 until today.<sup>302</sup>

The consecutive invasions and wars have drained the cultural heritage of the country. The established national library, museum and archives were not prepared for any kind of manmade or natural disasters. Therefore, the civil war caused massive losses as the properties of the libraries and museums were looted and burned.<sup>303</sup>

However, the efforts of an American couple, Ms. Nancy Hatch Dupree and her husband Mr. Louis Dupree, during the Russian invasion may have saved many collections

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<sup>301</sup> “Statement on National Archives on the Arabic Document’s Day” [in Arabic], *Palestine National Archives, Ministry of Culture*, November 23, 2009, <http://www.pnac.pna.ps/ar/index.php?p=main&id=64>, (accessed January 21, 2017).

<sup>302</sup> Laila Hussein Moustafa, “From Peshawar to Kabul: Preserving Afghanistan’s Cultural Heritage During Wartime,” *RBM: A Journal of Rare Books, Manuscripts, and Cultural Heritage* 17 no. 2 (September 21, 2016): 134-135.

<sup>303</sup> *Ibid.*, 136.

during the war against Russia and helped preserve them later during the civil war. This American couple, who went to Afghanistan and were expelled during the invasion of the country by Russia in 1979, established the Agency for Coordinating Body for Afghan Relief (ACBAR) from the city of refuge Peshawar. The agency aimed to collect “published documents and books about Afghanistan as a way of preserving the country’s heritage and helping Afghan refugees to learn and connect with their country and culture.”<sup>304</sup> Upon her return to Afghanistan in 2005, Ms. Dupree asked the government to move the documents back to the country. After a petition, she was offered a building that was named the Afghan Center at Kabul University, which operates as a non-governmental institution within the premises of the university. The center now collects intellectual productions of Afghans and works with local and international organizations to collect looted or privately owned documents, books, and other materials that have value for preservation. In 2007, the center also initiated the process of digitizing material through grants and collaborations with international universities.<sup>305</sup> Access to the holdings of the center are open to any student or scholar from the country or from around the world. The center has future plans to digitize all legislative documents and historical photos. They are also trying to reach out to non-governmental organizations, private donors, and governments to garner more technical and financial support and to help with infrastructure improvements.<sup>306</sup> The work has been

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<sup>304</sup> Ibid., 138.

<sup>305</sup> Ibid., 138-141.

<sup>306</sup> Ibid., 138-141.

hindered by a lack of educational programs in the field of Library Sciences in Afghanistan, and the limited opportunities available to staff for professional development.<sup>307</sup>

The Afghani experience sheds light on the importance of awareness and of collaboration in the preservation of cultural heritage and archives; the impact of individual and non-governmental initiatives in preserving cultural heritage, especially in volatile areas with minimal resources. It emphasizes the challenges faced to sustain such initiatives when there are no educational programs in the field of archiving, not only in Afghanistan but also in the region. It also highlights the need for more research on how to preserve archives and cultural heritage in times of conflict.

#### **4. Iraq**

Iraq is bordered to the north by Turkey, to the west by Syria and Jordan, and to the south by Saudi Arabia and Kuwait.<sup>308</sup> In 1920, Iraq was declared a nation by a League of Nations and placed under the authority of the United Kingdom. Iraq gained its independence in the year 1932, but internal political turmoil dominated the scene until the Baathist regime came back into power in 1968.<sup>309</sup>

Archival materials have been collected over the centuries in Iraq, covering the periods of the Ottoman Empire, British occupation, the monarchical era, and the modern

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<sup>307</sup> Ibid., 142.

<sup>308</sup> Richard L. Chambers et al., "Iraq," in *Encyclopedia of Britannica*, March 15, 2017, <https://www.britannica.com/place/iraq> (accessed April 16, 2017).

<sup>309</sup> Julie Biando Edwards and Stephan P. Edwards n "Culture and the New Iraq: The Iraq National Library and Archive, "Imagined Community," and the Future of the Iraqi Nation," *Libraries and the Cultural Record* 43, no. 3 (January 22, 2017): 333-334.

era.<sup>310</sup> The first national institution for collecting documents and books, known as the Iraq National Library and Archive (INLA), was built under the British mandate in 1920.<sup>311</sup> After independence, the center was abandoned and no governmental entity was responsible for the archives and library. In 1976, the INLA was moved to a new building in Baghdad, under the responsibility of the Ministry of Culture Information. Since Saddam Hussain became the leader of the Baathist regime in 1979, the institution was under corrupt management and neglect, with no budget to pursue its activities due to Saddam's involvement of the country in consecutive wars which drained the government's financial resources and shifted the expenditure priorities to other sectors.<sup>312</sup>

During the US invasion, the INLA was purposefully burned and looted. Different speculations on the causes of the damage and theft were offered: 1) poor people were compensated by leaders of the Baathist regime to conduct such acts, 2) archivists and library staff were forced to destroy all the documents related to this regime before the invasion,<sup>313</sup> 3) supporters of Saddam burned all the archives of the Republic including the records of the Baathist regime (from the year 1958 and 1979) and court proceedings, and 4) records of Iraq's relations with its neighboring countries and cultural artifacts were stolen by members of the regime prior to the invasion. Other stories say that the damage was inflicted by "independent vandals, and American and Kuwaiti forces alike."<sup>314</sup> The

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<sup>310</sup> Ibid., 330.

<sup>311</sup> Ibid., 333.

<sup>312</sup> Ibid., 334.

<sup>313</sup> Ibid., 329.

<sup>314</sup> Ibid., 329.

mystery of what happened during the US invasion remains unsolved, along with the unanswered question of why some collections were destroyed and others were left untouched.<sup>315</sup>

Before the invasion “the library and archives were reported to have held 417,000 books, 2618 periodicals from the Ottoman era to modern times, and 4142 rare books and manuscripts.”<sup>316</sup> The archives were scattered before the war and the INLA was left unprotected during the invasion.<sup>317</sup> As a result of the destruction, Iraq National Library and Archives lost 60 percent of its total archival material, as well as 25 percent of its books, newspapers, rare books, and most of its historical photographs and maps.<sup>318</sup>

The restoration process was initiated by the Director of the Iraq Library and Archive, Saad Eskander, in the year 2006. By 2007, the center served as a space that provided access to the public to conduct studies and do research. It also included a “facility for transferring documents to microfilm, a cataloging operation, and a department that locates documents from Iraqi government ministries.”<sup>319</sup>

The Iraqi archives have been seized by several entities since the first Gulf War. Records indicate that the Kurds captured around 18 tons of Iraqi records in northern Iraq (including records of the Iraqi secret police from three northern Kurdish governorates), which were later confiscated by the US troops and digitized by the US Defense Intelligence

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<sup>315</sup> Ibid.

<sup>316</sup> Wikipedia, “Iraq National Library and Archive,” December 9, 2016, [https://en.wikipedia.org/wiki/Iraq\\_National\\_Library\\_and\\_Archive](https://en.wikipedia.org/wiki/Iraq_National_Library_and_Archive) (accessed January 21, 2017).

<sup>317</sup> Ibid.

<sup>318</sup> Ibid.

<sup>319</sup> Ibid.

Agency.<sup>320</sup> Then during the US invasion, US troops seized millions of Iraqi records. In May 2003, the US army discovered a body of Jewish records in the basement of the Iraqi Security Services. They were damaged but have been restored in the US and transferred to the US National Archives. In 2007, the US military captured records from northern Iraq. No record of their quantity or their current location exists. The records were scanned and submitted to the Army's Center for Combatting Terrorism.<sup>321</sup>

Having connections with the Bush administration, The Iraq Memory Foundation (IMF)—a US based foundation run by Iraqi exile Kanan Makiya—<sup>322</sup> retrieved a collection of 2.4 million pages of official Iraqi documents taken by the Kurdish groups during 1991, a collection of 750,000 documents captured in Kuwait in 1991, and 3 million pages from Baath Party Regional Common Headquarters after the fall of Saddam's regime in 2003. The Iraq Memory Foundation did not have the capacity to hold and preserve these documents.<sup>323</sup> The IMF initiated negotiations with several academic entities to take them. The negotiations were concluded with an agreement with the Hoover Institution at Stanford University.<sup>324</sup>

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<sup>320</sup> Society of American Archivists, "ACA/SAA Joint Statement on Iraqi Records," April 22, 2008, <http://www2.archivists.org/statements/acasaa-joint-statement-on-iraqi-records> (accessed February 2, 2017).

<sup>321</sup> Ibid.

<sup>322</sup> Michelle Caswell, "'Thank You Very Much, Now Give Them Back': Cultural Property and the Fight Over the Iraqi Baath Party Records" *American Archivists* 74 (Spring/Summer 2011): 212.

<sup>323</sup> Caswell, "Thank You Very Much," 212-217. Society of American Archivists, "ACA/SAA Joint Statement on Iraqi Records," April 22, 2008

<sup>324</sup> Society of American Archivists, "ACA/SAA Joint Statement on Iraqi Records," April 22, 2008. Caswell, "Thank You Very Much," 212-217.

A legal, ethical, and political debate on where these documents, seized by different parties, belong is ongoing.<sup>325</sup> There is an argument that they should be returned to Iraq so they will be accessible to the Iraqi people, who have the right to access their history to reconcile with the past and start a democratic future.<sup>326</sup> This argument is supported by the Iraq National Library and Archive, the Society of American Archivists, and the Association of Canadian Archivists.<sup>327</sup> The other argument is with keeping these records in seizure due to the financial, military, and political instability in Iraq. This argument considers the ethical reason for preserving these records in a safe environment; allowing researchers, scholars, human rights activists and lawyers to access these records. The records could also be investigated by an international criminal court for justice to be served after years of oppression.<sup>328</sup> To achieve these purposes and prevent the reveal of any information on the humanitarian atrocities of Saddam's regime that may impact Iraqi families, these records must be preserved following high ethical standards. According to proponents of this argument, such standards can be ensured if the records are kept with international academic institutions.

As the director general of INLA stated, the absence of common symbols for Iraqi people will have a great impact on their future and will continue to fuel sectarian and religious conflicts in the nation.<sup>329</sup> The restoration of secular national institutions such as

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<sup>325</sup> Caswell, "Thank You Very Much."

<sup>326</sup> Edwards and Edwards, "Culture and the New Iraq. Caswell, "Thank You Very Much."

<sup>327</sup> Society of American Archivists, "ACA/SAA Joint Statement on Iraqi Records," April 22, 2008.

<sup>328</sup> Caswell, "Thank You Very Much."

<sup>329</sup> Ibid.

the Iraq National Library and Archive and the National Museum will provide people with a sense of belonging to their nation rather than to their sect. Rebuilding libraries (including those in schools), focusing on the importance of education, and exposing the public to tools for seeking and finding information is not only a means to end internal conflict but would also contribute to ending the home-grown terrorism that the world is currently fighting. Mr. Eskander also believes that the war against terrorism cannot be won solely by force. Instead, what is needed is the spread of humanitarian and cultural values. He believes that national institutions such as libraries, museums, and archives allow for building an identity beyond the boundaries of religion, sect, ethnicity, or region. The identity that existed prior to the US invasion was based on terror and force, but the identity that is being reconstructed today may be the national identity that the Iraqis are striving for. Therefore, a successful attempt to rebuild and preserve the national archives and library as a national non-sectarian entity could have a profound impact on the Iraqi citizens and Iraq as a nation.<sup>330</sup>

## 5. Bosnia

Bosnia is a country on the Balkan Peninsula located in southeastern Europe. The country was first populated by the Slavic people from the 6th through the 9th centuries.<sup>331</sup> Then the Banate of Bosnia was established in the 12<sup>th</sup> century, which became the Kingdom of Bosnia in the 14th century. The Kingdom was annexed into the Ottoman Empire, and

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<sup>330</sup> Edwards and Edwards, "Culture and the New Iraq."

<sup>331</sup> "Bosnia to 1180," *Bosnia Facts Information*, 2017, [www.bosniafacts.info/early-history/bosnia-101180](http://www.bosniafacts.info/early-history/bosnia-101180) (accessed April 17, 2017).



remained under its control from the mid-15th to the late 19th centuries.<sup>332</sup> One effect of the Ottoman rule was to bring the Islamic religion to the region.<sup>333</sup> This was followed by occupation of the Austro-Hungarian Monarchy, which lasted up until World War I.<sup>334</sup> Between the two world wars, Bosnia was part of the Kingdom of Yugoslavia. After the end of World War II, the country was granted republic status in the newly established Social Federal Republic of Yugoslavia. When Yugoslavia was broken up due to a series of political upheavals, Bosnia proclaimed independence in 1992. Soon after gaining independence, the war started between the Bosnians and the Serbs.<sup>335</sup> Between the years 1992 and 1995, the Serbs launched targeted violence on the Bosnia region in Yugoslavia, committing humanitarian carnage later perceived as attempts of ethnic cleansing. The loss of hundreds of thousands of lives was combined with the destruction of all cultural and historical heritage belonging to the Bosnians.<sup>336</sup>

In 1992, Bosnia's National and University Library was bombed and burned. The fire destroyed "1.5 million volumes, including over 155,000 rare books and manuscripts, the country's national archives, deposited copies of newspapers, periodicals, and books

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<sup>332</sup> "The Medieval Bosnia 1180-1463," *Bosnia Facts Information*, 2017, [www.bosniafacts.info/early-history/the-medieval-bosnia](http://www.bosniafacts.info/early-history/the-medieval-bosnia) (accessed April 17, 2017).

<sup>333</sup> "Ottoman Rule 1463-1606," *Bosnia Facts Information*, 2017, [www.bosniafacts.info/early-history/ottoman-rule](http://www.bosniafacts.info/early-history/ottoman-rule) (accessed April 17, 2017).

<sup>334</sup> "Austro-Hungarian Rule," *Bosnia Facts Information*, 2017, [www.bosniafacts.info/early-history/austro-hungarian-rule](http://www.bosniafacts.info/early-history/austro-hungarian-rule) (accessed April 17, 2017).

<sup>335</sup> "Chronology of Events (1985-1995)," *Bosnia Facts Information*, 2017, [www.bosniafacts.info/modern-history/chronology-of-events-1985-1995](http://www.bosniafacts.info/modern-history/chronology-of-events-1985-1995) (accessed April 17, 2017).

<sup>336</sup> Hariz Halilovich, "Reclaiming Erased Lives: Archives, Records, and Memories in Post-War Bosnia and the Bosnian Diaspora," *Archival Science* 14 (August 1, 2014): 231.

published in Bosnia, and the collection of the University of Sarajevo.”<sup>337</sup> Sarajevo’s Oriental Institute, which held the largest collection of Islamic and Jewish manuscript texts and Ottoman documents, was also bombed.<sup>338</sup> The Serbs also bombed the southwestern region of Bosnia, Herzegovina. The archives of Herzegovina were destroyed,<sup>339</sup> and other cities in the region reported that 90 percent of their archives were destroyed.<sup>340</sup> Therefore, the war was a blatant attempt to destroy any form of evidence that non-Serbs have a history in this area. “A lot of our heritage, national heritage, lay down there in ashes,”<sup>341</sup> a librarian at the University stated. Archives, museums, libraries, and other cultural institutions were bombed. It was “an attempt to eliminate the material evidence, . . . that could remind future generations that people of different ethnic and religious traditions once shared a common heritage in Bosnia.”<sup>342</sup> Citizens also recalled difficulty getting basic identity documents, basic property ownership documents, and evidence of their existence before the war. Documentation of people who were killed and their identification records could not be located, which represented a crisis for families who were unaware of the fate of their relatives.<sup>343</sup>

Despite the severe atrocities carried out on Bosnia’s historical and cultural heritage, Bosnians remained determined to reconstruct what was destroyed amidst the war.

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<sup>337</sup> Andras Riedlmayer, “Erasing the Past: The Destruction of Libraries and Archives in Bosnia-Herzegovina,” *Middle East Studies Association Bulletin* 29, no. 1 (July 1995): 7.

<sup>338</sup> *Ibid.*, 7.

<sup>339</sup> *Ibid.*, 8.

<sup>340</sup> Halilovich, “Reclaiming Erased Lives,” 232.

<sup>341</sup> Riedlmayer, “Erasing the Past,” 7.

<sup>342</sup> *Ibid.*, 8.

<sup>343</sup> Halilovich, “Reclaiming Erased Lives,” 238.

Surviving staff members of the National and University Library reported that only 10 percent of the national library's holdings survived the mass destruction. Forty-two librarians started conducting inventories of what remained and identifying ways by which the surviving holdings could be preserved in the present conditions.<sup>344</sup> The staff members of Sarajevo's Oriental Institute continued to work despite the close to total loss of the holdings of the center. Using other locations, they held lectures to share their recollections of the holdings and plans for restoration and reconstruction of the center. All these institutions have called for the support of the international community but have found only a modest response upon the end of the war.<sup>345</sup> UNESCO only endorsed the rebuilding of the National Library, with no concrete support on the ground. The Helsinki Citizens' Assembly, a non-governmental organization (NGO), established donation sites for materials in Europe. Similar initiatives were taken by groups in France. The Turkish Library offered to conduct a search within its own library for Bosnia related materials and provide copies upon the reconstruction of the National Library. In 1994, Iran provided financial support for the reconstruction of the Oriental Institute. British academics also established a private foundation to assist with conservation needs while the US provided tax deductible contributions.<sup>346</sup> Zepa, a village subjected to ethnic cleansing, was recreated as a cyber village, "Zepa Online." Zepa online is an "online memoria" containing archival records on the history of the village and the violence and aggression it faced during the

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<sup>344</sup> Riedlmayer, "Erasing the Past," 8-9.

<sup>345</sup> Ibid., 8-9.

<sup>346</sup> Ibid., 8-9.

war. Two decades after the end of the war, Zepa Online has become a community archive for all the people who were once part of this village. It represents their collective memory and a new way for communal archiving.<sup>347</sup>

In the case of Bosnia, archives need to be reconstructed because of ethnic and religious conflict within the country. This division is reflected by the highly segregated centers that are being constructed to represent particular ethnic groups.<sup>348</sup> While some argue that the archives cannot represent a one-sided view of a two-sided political conflict, it is important to allow these initiatives for restoration and reconstruction to take place despite their differences. In such instances, the reconstruction of memories and cultural heritage may serve as a means for social healing; it may also bring forth evidence that would allow for social justice to be served.<sup>349</sup>

## **6. Common Themes and Lessons Learned**

All the cases presented above in addition to the main case for this study, Kuwait, went through the detrimental loss of their national archives and still suffer today.

At times of war, military interventions or invasions aim to end the existence of a regime, a community, or the sovereignty of a nation as a whole; therefore, in most of these instances the libraries, museums, cultural institutions, and most significantly the national archives of the attacked entity become the primary targets of invaders. It is more often in

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<sup>347</sup> Halilovich, "Reclaiming Erased Lives," 243-245.

<sup>348</sup> Ibid., 234.

<sup>349</sup> Ibid., 235.

the interest of the invaders to confiscate the archives rather than destroy them. The archives not only provide an entry to understand the politics, military, and intelligence of the other country, it also represents a shift in power.<sup>350</sup> When the country loses its national archives, it loses control over what symbolically and practically has an inherent power over nations, communities, and their internal and external political relationships. There is elimination of a country's history, memory, culture, and identity.

### **6.1. Causes of Loss of Archives**

Although the purposes of the invasion vary, the consequence remains the same, the loss of the national archives. Kuwait lost its archives during the Iraqi invasion that was based on the false claim that the country is part of Iraq's territory. Iraq lost its archives as the country was invaded to end the regime of a dictator. Afghanistan lost its archives due to a long series of occupations, whether through colonialism or military invasions. Palestine did not experience periods of sovereignty to be able to build its national archives. Algeria also was under more than a 100-year colonial rule, which rid the country of all its archives before and during the colonial era. The attack on Bosnia was considered an ethnic cleansing and an attempt to annihilate a whole community from existing within a country.

What is common between all these countries, except for Iraq, is that they all lost their archives due to targeted looting and destruction by the attacking party or control from colonizing or occupying entities. In Iraq, although it is still speculated by whom and how

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<sup>350</sup> Douglas Cox, "National Archives and International Conflicts: The Society of American Archivists and War," *American Archivists* 74 (Fall/Winter: 2011): 496.

the archives were stolen or destroyed, there are indications that some of the archives were destroyed by loyalists to the Baathist regime in order to remove any evidence of their ruling mandate. This makes it a country in which part of its archives were destroyed by its own government and citizens.

## **6.2. Damage Incurred by the Loss of the Archives**

A number of the countries whose cases have been reviewed were inhabited by some of the oldest recognized civilizations on earth with a long history of the ruling empires that governed them. This makes these countries rich in their historical and cultural heritage through the belongings of their museums, libraries, and national archives. The reported damage is the destruction of massive amounts of the records, manuscripts, artifacts, antiquities and books that document their history, and therefore their irredeemable loss not only represents a loss to the repertoire of these nations but a loss in documenting historical eras of the world. Therefore, collecting and preserving national archives should be an international responsibility because the “loss of archives anywhere in the world is an irreplaceable tragedy for all mankind.”<sup>351</sup>

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<sup>351</sup> Ibid., 454.

### **6.3. Recovering and Restoring the Archives**

#### ***Failed Diplomatic and International Efforts to Restore and Recover Archives Lost During Wartime***

In all these cases, the seizure and destruction of national archives is a highly politicized and selective matter. Invaders are purposefully selective in what they loot or destroy and what they ultimately return. Although the consequences of both war and natural disasters on the archives are the same, the conditions of the incidents are different. The intentional underlying factors at times of war make the recovery and reconstruction process more difficult, since they represent the return and recovery of the country's history and identity, thus denying the invaders the power they obtained through their attacks.

Despite international policies such as the Hague Convention in 1954 calling for the protection of cultural property in the event of armed conflict or war,<sup>352</sup> all these countries have been unable to restore their archives despite the support of the international community, diplomatic efforts, or even bilateral and multilateral communications. The intervention of the international community through resolutions and in the case of Kuwait, imposing sanctions on Iraq, also failed to achieve a major breakthrough in any of these cases.

#### ***Lack of Technical and Financial Resources***

In developing countries, when archiving is addressed in national policies, these policies are often not implemented because of an inability to secure the human, physical,

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<sup>352</sup> Ibid., 454.

and/or financial requirements for the establishment and support of archival institutions. Lack of budget and of trained human resources have been identified as major obstacles for countries in their attempts to preserve their archival collections.<sup>353</sup> Algeria was not able to pursue its negotiations once France requested that they secure the technical and financial resources to search through the archives available in France. Officials in Palestine who proposed initiatives to the government to build national archives also reported that competing priorities, government's negligence, and the absence of technical expertise in the field, combined with the lack of financial capacity, hindered their ability to secure necessary financial and human resources. Iraq's national archival institutions suffered from corrupt management and budget cuts, which reduced staffing, ended all acquisition of new material, and led to the faltering of many cultural institutions including the INLA. Afghanistan initially did not have an official location for its national archives. It only had a national library and national museums. During the civil war and the invasion by the Soviet Union, the Afghans were not aware of how much of their archives and cultural heritage was being lost. Attempts to recover archives and cultural heritage after the war were led by international rather than local experts. The lack of involvement may be due to a lack of capacity but it may also reflect a lack of understanding of the significance of what they lost and the importance of their role in re-collecting and recovering what will represent their existence and continuity as a country and a community. Bosnia's recovery process after

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<sup>353</sup> Hans van der Hoeven and Joan van Albada, *Memory of the World: Lost Memory – Libraries and Archives Destroyed in the Twentieth Century*, (Paris: UNESCO. General Information Programme and UNISIST, 1996): 40.



the Serbian war was characterized by the involvement of local and international non-governmental organizations, which may indicate the lack of availability of financial and technical resources on a governmental level. Kuwait officials of major archival institutions stated that they have a limited budget for operating, with few academically specialized or trained human resources in the field of archiving. This has hindered these institutions from functioning at their full capacity.

### ***Absence of Comprehensive Risk Management and Emergency Plans***

Minimal technical and financial resources, in addition to the absence of archival institutions with clearly defined departments, resources, and functions in these countries, explain the lack of risk and emergency management policies and practices against natural and man-made disasters. This not only created an initial increased risk for the loss of archives during times of war, but also hindered efforts to restore and reconstruct the archives on a governmental level.<sup>354</sup> All archival institutions, especially those of countries in politically turbulent regions, must learn from these experiences and take a closer look to determine whether they have adequate emergency planning in place. Emergency plans must go beyond the environmental factors and natural disasters that might damage archives. Standards for environmental risk exist and can be implemented and maintained if the resources are available. Constructing adequate buildings staffed with human resources, who follow up on the state of the materials and adjust environmental conditions and placement accordingly, would minimize environmental threats. Fortunately, countries

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<sup>354</sup> Moustafa, "From Peshawar to Kabul," 136.

in the region rarely face natural disasters that cause irreplaceable or sweeping damage to buildings and their belongings. However, the most recurrent emergencies are the ones that result from times of conflict where the damage is purposeful and predictable. Emergency plans must then consider the heightened risks that war or conflicts pose on archival and cultural heritage institutions and develop plans that provide options to prevent damages and lootings similar to what happened in Kuwait from reoccurring. These may include addressing the physical location of the institutions, possibilities for transferring belongings to alternative locations that cannot be reached by invaders or attacking entities, securing physical copies of records inside and outside of the country, as well as maintaining digital copies in virtual mediums. In addition, the involvement of professionals such as historians and academics as well as ordinary citizens and non-governmental organizations in the field of archiving has proven to support the preservation and conservation process. Political and military turmoil often leaves the government and militants primarily concerned with defending the sovereignty of a country and the security of its citizens. Thus, the involvement of parties outside the government and its institutions may support the prevention of targeted destruction and theft. Such plans should be reviewed regularly, taking into consideration any new standards developed, any technological developments that can improve the preservation process, and any circumstances around neighboring countries that raise concerns about the possibly of an expanding conflict.

Reviewing the cases of the countries, the significance of risk management plans is key for prevention since once the damage occurs the record reveals that these countries failed to retrieve any of the records or materials that were significant to them through

bilateral negotiations or international diplomacy. Better results were achieved through individual and non-governmental initiatives, and this was especially true in the cases of Bosnia, Palestine, and Afghanistan. Citizens and non-citizens of these countries, driven by either their academic interest or personal awareness of the significance of archives, have undertaken initiatives that helped collect and/or preserve these countries' national archives. These examples reveal the importance of educating citizens on the importance of archives and emphasizing the role of archivists and archives for the continuity of nations and communities.

#### **6.4. Significance of the National Archives**

Despite the fact that some of these countries lacked national archival policies and the technical and financial resources to build and sustain national archives, they all emphasized the significance of the national archives and their power in establishing a collective memory, history, and documentary heritage for the nation and for their citizens. They all suffered from a loss of identity with the loss of their national archives. The disappearance of archival treasures was irredeemable despite all the national and international efforts and “both legal and archival guiding principles,”<sup>355</sup> developed by the international community. What the country was before the destruction of the archives could not be restored after the destruction. Therefore, more policies and practices must be

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<sup>355</sup> Leopold Auer, “Disputed Archival Claims. Analysis of an International Survey: A Ramp Study,” (Paris: *UNESCO. General Information Programme UNISIST., Records and Archives Management Programme*, 1998): 24.

enforced on a national and international level to preserve countries' rights in protecting their cultural heritage and national archives during and after times of war.<sup>356</sup> Preserving and restoring archives (as institutions and as records) is critical for the healing process that the nation and its people need to go through in order to build a better and more peaceful future. There also should be activities to promote awareness on national and international levels of the importance of archives, so that other countries and their people do not have to go through similar experiences and face the struggles of being unable to retrieve what they lost.

Based on the analysis of Kuwait's experience and the experiences of the countries analyzed above, the following chapter presents recommendations to be implemented in Kuwait and other countries in the region who have faced and are still facing similar circumstances in what relates to the state of their national archives. The recommendations address the legislative, technical, and educational aspects as well as risk management plans for comprehensive national initiatives to establish archival systems.

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<sup>356</sup> Ibid., 24.

## **Chapter 6**

### **RECOMMENDATIONS**

A number of recommendations emerge from the analysis of the archiving field in Kuwait before and after the Gulf War and the cases of other countries that faced similar circumstances and suffered the consequence of losing their national archives. Overall, these recommendations seek to put in place comprehensive and robust archival policies, so that future losses and destruction of these countries cultural heritage can be prevented, mitigated, or reduced.

Since Kuwait lost its national archives in the years 1990-1991, at a time when the country's documentation was primarily physical in form, the study has not yet referred to digital and digitized records and digital means of preservation. However, as the recommendation section tries to address the gaps in the archiving system in Kuwait, each recommendation will incorporate the technological advancements in the area of digital archiving and preservation, in order to plan for the continued protection of all documents, including born-digital and digitized materials. The recommendations will also address digital preservation as a means to preserve all archival materials beyond the physical space, a plan which reduces risks, facilitates access, and secures safe virtual spaces in case of emergency.

#### **1. Archival Legislation**

Legislation needs to be established that sets out a clear rationale and mandate for archival work. Legislation provides the essential framework that enables a national records

and archives service to operate with authority in its dealings with other agencies of the state. Legislation expresses the purposes and scope of the different activities that governmental institutions involved in archiving carry out.<sup>357</sup> Developing countries either have not developed archival legislation or their legislation was not adapted to the recent developments in the archiving and technological fields. This has made it necessary to review and modify existing legislation so that it will not become obsolete and impossible to implement. However, it is significant to note that there are fundamental values and standards in execution that must be respected in spite of recent developments.

Abdulkareem Bejajah proposed a study on Arabic and African countries that lacked archival legislation. The study was initiated after the request of the GCC during the meeting of the Regional Association for Archival and Research Centers in the year 2010. The product of the study is a referential framework that could serve countries who either are developing legislation or have developed legislation but need to revise their legislation according to the technological developments in the field of archival science. The proposed legislation is based on models from Algeria (from the year 1974 till the year 2001) and the United Arab Emirates (from 2002 to 2009). It is also based on the publications of international organizations on archival legislation such as UNESCO and the National Archive of Italy. The proposed framework was adapted to the needs and context of the Arabic Countries.<sup>358</sup>

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<sup>357</sup> Abdulkareem Bejajah, "Optimal National Archives Law" [in Arabic], *Ayaseer Net*, February 8, 2010, <http://www.alyaseer.net/vb/showthread.php?t=22462> (accessed February 12, 2017).

<sup>358</sup> Ibid.

Bejajah believes that the creation of archival legislation can be accomplished through founding a national body comprised of archiving specialists and officials representing different entities of the government. The role of this body would be to ensure the implementation of archival legislation, and in turn to implement the policies and practices that would govern the archival processes throughout the records lifecycle. This governing body would also propose ongoing amendments to the legislation thus allowing the archival infrastructure to adapt to changes in the field of archival practice and the evolving conditions within a country. This body, according to Bejajah, would regulate the archival profession, ensure that local archives policies and practices are following international standards and advancements, and would serve as a mediator between the government and the institutions and professionals advocating for securing human, financial, and technical resources for the ongoing development of the archiving field.<sup>359</sup>

In Kuwait, there is a need for the establishment of legislation that would govern the operation of the two main archival centers: Center for Historical Documents at the Amiri Diwan and Center for Research and Studies on Kuwait. The distinction between the roles, functions, and holdings of these centers need to be clearly defined and reflected in the names of the centers. In addition, it is critical that the respective relationship between the two centers on the one hand, and that of governmental, non-governmental institutions as well as cultural centers on the other, is also clearly defined. This will facilitate the process of depositing and preserving significant records and other archival materials and will

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<sup>359</sup> Ibid.

clearly identify which is the appropriate repository for these materials. Institutions accordingly must identify: 1) topics and types of records they produce, 2) how long they are preserved and under what conditions, 3) the risk management policies and practices, and 4) the periods and criteria by which records are kept before obtaining official permission to either destroy them or transfer them to one of the two main archival centers of the government.<sup>360</sup> The Kuwaiti people have the right to be aware of and understand what the constituents of each center are, how and by whom each center is governed and what materials they have access to, so they can participate as citizens in the democratic process of acknowledging their history as a nation and a community, monitoring and contributing to its present, and setting the foundation for a future they aspire to. As a citizen of the country, I have lived and studied the sufferings of the loss of the “national archives” after the Gulf War. However, till today, the regular Kuwaiti citizen is not aware of what these centers are, what their functions are, whether the “national archives” of the country are materials found in both centers or in one of them.

Considering the state of Kuwait’s archives before and after the Gulf War and the observations I made during the field visits to archival centers, new legislation will have implications on the following three main components of the archival profession and its practices: selection and appraisal, access, and archives professionals.

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<sup>360</sup> Ibid.



### *Selection and Appraisal*

The archival process in governmental and cultural institutions starts with selection and appraisal mechanisms that evaluate the significance and the value of the material and the benefit accrued by their long-term preservation to communities and nations where they belong. Archival legislation typically sets policies for archival centers to define the information they collect in terms of functions, activities, or subjects, after which it becomes the role of the archivist to identify appropriate sources that document them, complete an analytical appraisal of what was acquired, and apply the appropriate procedures for long-term preservation.<sup>361</sup>

The Center for Research and Studies on Kuwait accepts all types of documents and materials that address the culture, history, and community of Kuwait. The collected materials are not subject to a selection and appraisal process. Therefore, archival legislation must focus on setting a policy for the collection, selection, and assessment of material the center collects from individuals, governmental and/or cultural institutions, or other countries. The process could start through the development of an acquisition policy that focuses on collecting all material on specific topics, from certain sources, or of specific formats.<sup>362</sup> The other alternative is to primarily acquire all materials, since Kuwait is still recovering and uncovering materials relevant to its archives, and in a further step conduct

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<sup>361</sup> Gerald F. Ham, "Archival Selection: A Most Demanding Task," in *Selecting and Appraising Archives and Manuscripts* (SAA 1993), 2.

<sup>362</sup> The UNESCO/PERSIST Content Task Force, "Guidelines for the Selection of Digital Heritage for Long-Term Preservation" (March, 2016): 8.

a selection and appraisal process based on factors they identify as pertinent to the context, the community, or the nation and its legal boundaries.

The Center for Historical Documents at the Amiri Diwan has the role of collecting any documents in any format that represents, discusses or mentions Kuwait. However, I could not obtain information on whether the collected documents are subject to an appraisal process to evaluate the significance, reliability, and authenticity of their content.

Any current selection and appraisal policies set through legislation must also take into consideration born-digital materials and their characteristics. Born-digital materials come from a variety of sources and authors and they are easily manipulated; which necessitates assessment based on a number of factors including source, quality of content, authenticity, reliability, significance, along with their representativeness as documents of the history, present, characteristics, ideas, thoughts, and achievements of a given community.<sup>363</sup> Other factors to be considered are the availability of appropriate financial, human, and technical resources to preserve the digital material and ensure access to updated versions of it through a number of outlets and institutions.<sup>364</sup>

### *Access*

Legislation related to access should address the fundamental right of citizens to have open access to public records. This right has not always existed. Access to public records evolved from being a privilege for an exclusive group of people, to a right under

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<sup>363</sup> Ibid., 6-7.

<sup>364</sup> Ibid., 10-11.

many acts such as the Freedom of Press Act of Sweden (1766).<sup>365</sup> Some countries have succeeded in democratizing access to records over the years, acknowledging the right of people to be aware and involved in the records collected and preserved to represent them and their country. According to the Society of American Archivists (SAA), access policies ensure that materials can be accessed by governmental and cultural institutions, officials, researchers and scholars, students, and the general public for many purposes including “providing legal and administrative evidence, protecting the rights of individuals and organizations, and forming part of the cultural heritage of society.”<sup>366</sup>

However, many regimes have not yet evolved from their restrictive attitudes towards archives. Their legal and political systems still control who gets access to what material. In Kuwait, the presence of archival materials at the Center for Historical Documents, in the headquarters of the ruling prince, the Amiri Diwan, means that access to the public is completely restricted for security purposes. Visitors are only allowed to enter after obtaining a clearance and even then, that permits only limited access. The Center for Research and Studies on Kuwait has been selective over the years in what it published from the collected archival material. Archival materials can be exclusively accessed through their published materials online and in print, with no disclosed guidelines or selection criteria of why these records are being published through this method and at this point in time. During my field visits to the Center for Historical Documents, the Center for

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<sup>365</sup> Claes Gränström, “Legislation for Preservation and Access in a Digital World Archival and Related Legislation,” n.d., [www.unesco.org/webworld/memory/3legis.htm](http://www.unesco.org/webworld/memory/3legis.htm) (accessed April 1, 2017).

<sup>366</sup> Society of American Archivists, “SAA Core Values Statement and Code of Ethics,” May 2011, <http://www2.archivists.org/statements/saa-core-values-statement-and-code-of-ethics> (accessed March 1, 2017).

Research and Studies on Kuwait, and other governmental institutions, I was allowed limited yet varying access to the archival materials of these institutions, their operations, and their archival processes. Therefore, there is a need for a comprehensive policy and legislative framework to organize archival processes with special emphasis on securing and widening access while addressing legal, political, and governmental considerations. The policies must distinguish between archival materials that impact national security and sovereignty and materials that have a historical and cultural significance that can be of added value to the world repertoire on Kuwait, the country and its citizens. When more open access policies are considered, the nation will enjoy long-term benefits resulting from the participation of the public (including citizens, researchers, historians, and students) in the collection and preservation of archival material. The use of technological developments, including digitization efforts and the bringing in of born-digital materials, would allow for the practical application of open access policies. Providing online access to materials help people overcome physical boundaries and the constraints placed on visiting certain locations due to security concerns. Providing access to the use of materials for knowledge, academic, or diplomatic purposes would also increase the awareness and appreciation of Kuwaiti citizens for archival institutions, their professionals, and their holdings. When all segments of the Kuwaiti community, whether local or foreigners, are invested in the archives the consequences of another disaster directly impacting the archives can be alleviated. The presence of archives as represented in the works of journalists, historians, directors, researcher, and students would serve as evidence of the

existence of archives, and make it more difficult to erase their presence in the event of an attack or mandate or natural disaster.

### *Archives Professionals*

Archival legislation must also address the professional needs, including the qualifications necessary for the implementation of legislation and policies of the archiving field. It must identify the types of human resources necessary to carry out archival work. These include researchers and academic professionals, and technical and processing professionals. When legislation secures the necessary human resources at the institutional, governmental, national, and regional levels, then governments become accountable for providing the necessary funding for archival centers as well as academic and training institutions to employ needed and qualified personnel.

Legislation has to also clearly define the role of archivists, identify their rights and duties, and address professional and ethical regulations needed to protect both the archives and archivists.<sup>367</sup> Kuwait and all the countries whose cases have been reviewed within the scope of this study have lacked the human resources to develop and maintain a local, regional, and national archival infrastructure. This lack of human resources had its impact before and after the war through the absence of adequate procedures for the preservation of archives at times of disaster. All of Kuwait's "national archives" were dispersed in limited physical locations with no proper awareness of their contents and no risk management plans in case of emergency or disaster. Most governmental institutions

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<sup>367</sup> Bejajah, "Optimal National Archives Law," 2010.

holding archival materials kept only one copy of documents with no clear descriptions as to their scope or content. Although addressing these inconsistencies may not have completely prevented the damages that incurred during the war, they could have alleviated them. After the war, many handovers took place at which Kuwait did not have the needed human resources to receive the materials, register them, and compare them to any records of the materials that existed before the war. All the initiatives that the government took after the war, such as the establishment of the Center of Research and Studies on Kuwait, may have been provided with the necessary funding but were not provide with the required human resources. Therefore, professionals were not in place to collaborate with the government in establishing legislation and in implementing comprehensive archival policies.

The lack of human resources can be mainly attributed to the lack of academic programs with an emphasis on archiving. Therefore, if the intention of the Kuwaiti government is to revisit and reestablish a comprehensive archival system comprised of legislation, policy, centers, and human resources to rebuild its national archives, there must be an emphasis on developing agents for the system through archival education. This education should not be limited to mandating the inclusion of archival studies within the scope of information schools, but should address efforts aimed at raising awareness on the significance of archives and the archival profession.

## 2. Archival Education

Archival education, in the form of awareness raising initiatives on the significance of the field and its professionals compounded with comprehensive academic programs, are the foundation for the development of a solid archiving system in any country. The state of archival education programs in higher education institutions varies significantly between different regions of the world. According to Paul Conway, the state of archival education in the U.S. was much improved by the late 1980's. In 1986, course offerings in archival science could be found in 68 universities in the SAA directory, although one third of them were single course introductions or summer institutes.<sup>368</sup> Eighty one percent of the full time faculty members in North America earned a doctorate degree and twenty American Library Association (ALA) accredited schools had doctoral programs in the field of Library Information Science.<sup>369</sup> Even today, countries in the Middle East, the Near East and other developing countries are far from reaching this stage in both the number of course offerings, programs, and education of their faculty members. Many countries still suffer from limited opportunities for training on the basic principles and practices in the field.

This is rooted in the limited number of faculty and practitioners, the disjunction in their relationship, and the absence of specialized education programs. The situation in Kuwait reflects this reality where Library and Information Science (LIS) schools do not emphasize the development of academic and practical experience in archival perspectives

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<sup>368</sup> Paul Conway, "Archival Education and the Need for Full-Time Faculty," *American Archivist* 51 (Summer 1988): 256.

<sup>369</sup> *Ibid.*, 259.

as part of their academic programs. Therefore, there is an urgent need to introduce, develop, and teach coursework that directly addresses archival principles and practices in both undergraduate and graduate programs. LIS schools in Kuwait can start by revising the scope and sequence of their current curricula to include archival perspectives and build towards the development of a comprehensive archival education system. The government of Kuwait provides scholarships for top students to pursue their graduate and doctoral studies in recognized international universities in the United Kingdom, Australia, and North America. Recognizing this opportunity, LIS schools in Kuwait now require that students who are offered these scholarships focus their graduate and post graduate work on areas of expertise lacking among their current faculty members. Kuwaiti faculty should also start encouraging their students to pursue studies in different areas of archival science. Such an initiative will add to the base of faculty members and practitioners, thus overcoming the lack of personnel who are qualified to work in the field as academics and practitioners.

Although a lengthy process, revamping education programs and educating the next generation of archival educators and practitioners, is needed so that needs of the field are assessed first from a local perspective prior to any larger initiatives taking place. This will lead to more solid outcomes than the ones achieved through the initiatives taken after the end of the Gulf War. Kuwait attempted to restore and recover its archives and archival institutions through building partnerships with countries in the region, requesting technical support from international experts, and establishing centers designated for the collection and preservation of the archives. However, while the government was concerned over the



lost archives, they did not take into consideration the lack of trained archival professionals that are needed to lead or collaborate on achieving and sustaining all these efforts. These initiatives were therefore faced with a lack of local experts equipped to develop policies, frameworks, and implementation plans. The result is centers that serve as spaces for collecting and storing archival materials, but that do not meet international standards or apply best practices in the field. The expertise that graduates would bring from their local experience and international exposure has the ability to transform the archival education programs and thus the archiving system of Kuwait. Trained professionals would also take into consideration the current standards and practices pertaining to the use of technology and its impact on archival policies and practices. It is therefore important that archival education programs address the theoretical and practical aspects of today's most innovative archiving systems, digital archiving. With the evolution of digital formats of archival records and new digital systems that aid in their preservation , archival education programs must integrate knowledge into their programs that can “help understand, at the most granular level, the fundamental nature of the born-digital materials.”<sup>370</sup> Such knowledge would allow future professionals to understand and embrace models of how digital records exist within computer systems.<sup>371</sup> They would also be able to use their understanding of archiving processes and become active participants in the design of tools<sup>372</sup> to overcome

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<sup>370</sup> Ciaran B. Trace, “Beyond the Magic to the Mechanism: Computers, Materiality, and What It Means for Records to “Be Born Digital”” *Archivaria* 72 (Fall 2011): 8.

<sup>371</sup> *Ibid.*, 8.

<sup>372</sup> *Ibid.*, 8.

two of the major issues that the archiving field in Kuwait must address: securing long-term preservation and increasing access.

As Kuwaiti citizens and professionals in the field whether in an academic setting or in archival centers, their mission must go beyond fulfilling their duties as individuals. They should work in collaborative environments, including as part of professional associations, to advocate for the introduction and development of education programs, improving practice in the field, securing professional development opportunities, as well as conducting awareness raising activities to involve the community (regardless of age, gender, or education) in the archiving process.<sup>373</sup> This will make the efforts national rather than governmental, and one in which individuals in all sectors of Kuwaiti society are involved in all initiatives taken to rebuild the archives.

### **3. Awareness of the Role of Archives and Archivists**

The appreciation of the role of archivists stems from an awareness of the significance of archives, and thus a recognition of archivists' contributions in collecting, preserving, and providing access to what pertains to the history, present, and future of a country. A lack of awareness is often manifested through an undermining of the role of archives and archivists. This in turn is accompanied by the lack of education programs in the field of archiving, the lack of national policies and legislations that govern, organize, and support this field, and the lack of technical or financial support provided by certain

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<sup>373</sup> Conway, "Archival Education," 255.

governments for its development. The consequence is a lack of physical spaces to store and preserve archives, minimal number of professionals that can appropriately manage these archives, and minimal resources for them to complete the preservation process and provide access to the public through evolving technological resources. The cases of the countries reviewed for this study present two distinct profiles. Some have the awareness of the significance of archives, especially after experiencing their purposeful destruction, but lack the capacity to take effective action to enhance the field of archiving. Others' limited awareness is reflected through the fragmented initiatives they take when they have the financial resources to start building a comprehensive and structured archiving system for their country and citizens. A vicious circle of a lose-lose situation for the field of archiving and the role of archivists is thus created. In the latter situation, the archivists must advocate to increase public and governmental awareness of their role and the benefits of effectively and efficiently running comprehensive archival programs, while archivists in the former case remain victims of the lack of resources, which in turns impedes them from fulfilling their roles.

Both awareness and capacity must coexist in order for policies and practices to be put in place.<sup>374</sup> The countries studied may not be in the perfect state to implement drastic changes in the field but it is always important to make a start. As we have seen, there were many grassroots initiatives undertaken after several of the countries studied were subjected to the detrimental consequences of war on their cultural heritage and archives. These

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<sup>374</sup> David B. Gracy II, "Archives and Society: The First Archival Revolution," *American Archivist* 47, no.1 (Winter 1984): 8.

initiatives can serve as a stepping stone and as David B. Gracy II said to the American people when the field had minimal resources to work with: “We must begin somewhere, let it be here. We must begin sometime let it be now,”<sup>375</sup> and the US is now one of the leading nations in the field whether in education, policy, or practice.

In the case of Kuwait, the government has the physical and financial resources as well as the intention to support initiatives in the field of archiving to preserve what is left of its cultural heritage and prevent the country from facing a similar loss in case of disaster or emergency. The missing element is the general and technical awareness and education on the significance of archives and the best policies and practice. These should be translated through public involvement as well as through education programs that provide the field with the needed academic and professional workforce to build and sustain all components of the field and its sacred belongings.

#### **4. Risk and Disaster Management Plan**

Archival institutions must develop risk and disaster management plans that address the potential threats to the physical, as well as digitized and born-digital materials, from man-made, natural disasters, or environmental conditions.

For the purpose of this study and considering the case of Kuwait and the countries which lost their archives at times of war and conflict, this section will focus on risk management plans at times of war. After reviewing the documentation on Iraq’s invasion

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<sup>375</sup> Ibid., 10.

of Kuwait and the cases of the other countries, it seems that the archives and archival institutions that looted and damaged during times of war, were the victim of intentional attacks and of collateral damage. Intentional destruction or looting is more prevalent due to the symbolism that the destruction of archives has for both the attacking country and the country being attacked. The destruction of archives represents the confiscation or elimination of the cultural heritage of a country. The commonalities between what Kuwait and all other countries that have faced or are currently facing similar circumstances is the loss of their cultural heritage and the absence of disaster management plans that would prevent and alleviate such a loss. Unfortunately, most countries in the Middle East do not have disaster management plans for their cultural heritage institutions.<sup>376</sup> The findings of a survey conducted in the year 2014, reported that “eighty-six academic, national, and public libraries, and archives in nineteen Middle East countries” are not prepared for either human or natural disasters, while “84% do not have a written disaster management plan in place.”<sup>377</sup> Therefore, the recommended legislation, archival education programs, standards for the profession of archivists, and the physical and financial resources in Kuwait and other countries in this turbulent region must mandate the development of disaster and risk management plans by archivists, emphasize the significance of such plans through archival education programs and awareness raising activities, and ensure the availability of the

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<sup>376</sup> Laila Hussein Mustafa, “Cultural Heritage and Preservation: Lessons form World War II and the Contemporary Conflict in the Middle East,” *American Archivist* 79 no. 2 (Fall/Winter 2016): 321.

<sup>377</sup> *Ibid.*, 321.

necessary infrastructure and other physical and financial resources for their implementation.

Learning from the experience of Kuwait and other countries, risk and disaster management plans are an ongoing process. The following recommendations can be taken into consideration. In particular, the training of the staff of cultural heritage and archival institutions in adequate archiving practices and procedures is a prerequisite for the development and implementation of such plans.

Risk and disaster management plans must require appropriate documentation and comprehensive registries of all the belongings of cultural heritage institutions. The registries must be updated periodically and could be submitted regularly to international organizations concerned with the preservation of cultural heritage and archival materials. The success of non-governmental organizations and individual citizens or activists in some of the cases studied, suggests the positive impact that non-governmental organizations or individuals could have on educating the public on the significance of such property and their ability to contribute during times of conflict. Non-governmental organizations could be a liaison between governmental entities, military forces, academics and other professionals and citizens that can support the collection and preservation process during wartimes.<sup>378</sup>

Other tactics that could be incorporated in risk and disaster management plans include identifying secure physical and virtual storage spaces for all archival materials. The

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<sup>378</sup> Ibid., 335.

location of physical spaces must be carefully selected, taking into consideration both natural disasters and military attacks. Physical locations holding one or more copies of the belongings of cultural heritage institutions must be dispersed across the country and should be authorized to have copies of significant records at trusted locations outside the country. Access and exit points to these locations must be highly secured and restricted at times of threat or conflict. If online access to records is provided to everyone, the physical location of archives may be highly restricted areas where only professionals and governmental officials who have security clearance have access. People who have access must be aware and have means to transport certain collections to remote areas or bury them underground.<sup>379</sup> Cultural heritage materials preserved via virtual spaces must have an alternative repository outside the country to which these materials can be immediately transferred.

## **5. Moving Towards Digital Archiving**

As previously mentioned, the Kuwaiti government sought assistance after the war from international experts in the field of information and computer science from the University of Pittsburg. The experts worked on developing a plan for establishing an information system for information organizations. They proposed a comprehensive library system to preserve and provide access to information resources created and collected by the National Library of Kuwait as well as providing systematic archiving of data to cost-

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<sup>379</sup> Ibid., 335.

effective storage media. They recommended that the activities performed to complete both tasks are documented through records made available for further analysis.

The recommendations made by these experts in the year 1995 have become obsolete in the year 2017. After identifying the Center for Research and Studies on Kuwait and the Center for Historical Documents at the Amiri Diwan as trusted entities to preserve the Kuwaiti national archives, the Kuwaiti government must provide the necessary resources for these entities to implement digital archiving systems that have the capacity to preserve and ensure access to materials. “Digital archiving, the practice of preserving (long-term or indefinitely) authentic digital cultural objects for present and future use”<sup>380</sup> allows for the preservation of digital evidence of a countries’ memories.<sup>381</sup> To determine the optimal digital archiving system that can be adopted and implemented, both centers must conduct a needs assessment based on the Open Archival Information System (OAIS) reference model, the available human, technical, and financial resources, and the informational technology infrastructure. The OAIS reference model identifies the functions that a digital archiving system must provide, which include “ingest process, data management, archival storage, administration preservation planning, and access, and each of these is further subdivided into subtasks.”<sup>382</sup> It is a structure that supports the long-term viability of the repository as well as the digital information. It is not merely simple storage but provides long-term preservation.

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<sup>380</sup> Patricia Galloway, “Digital Archiving,” in *Encyclopedia of Library and Information Sciences*, Third Edition, (Taylor and Francis: New York, 2009): 1518.

<sup>381</sup> *Ibid.*, 1518.

<sup>382</sup> *Ibid.*, 1520.



The Kuwaiti government has adopted a model of electronic government for all correspondence and transactions between all governmental entities. The products of the electronic government are born-digital records. The Center for Research and Studies on Kuwait also has a collection of magnetic discs on which they store publications that have been digitized or are born-digital. While the Kuwaiti government is moving towards the digital world through the procedures adopted by some of its entities, this must be generalized to include all institutions. Institutions must begin digitizing all the documents they hold that have historical, informational, and administrative value and all materials recollecting and retrieved from the Iraqi government.

Compiling newly digitized material with current born-digital material such as emails, social media entries, photographs, videos, and websites is not sufficient to achieve sustainability in access and preservation. The implementation of a digital preservation program will ensure adequate storage, management, and most importantly access to archival materials of diverse forms and formats.<sup>383</sup> Digital preservation must be preceded by clear documentation from the creation of the record till its transfer to the archives. Documentation would include information on the overall creation environment covering who created the record, where, how, and why it was created, and the software and hardware used to create it. The records must also be associated with sufficient metadata for the purpose of long-term preservation and access.

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<sup>383</sup> Paul Conway, "Preservation in the Age of Google: Digitization, Digital Preservation, and Dilemmas," *Library Quarterly* 80, no. 1 (2010): 64.

Cloud technology is gaining awareness and popularity as a low cost digital storage medium, providing an interconnected network where the contributors to the repository and its users can easily communicate. The cloud also has features that are particularly significant at times of emergency. It allows for the duplication of archival materials in a number of locations and synchronization of content across several cloud service providers, whether internal or external.<sup>384</sup>

Archival materials in Kuwait contain non-classified as well as classified materials whose security and safety present a concern for the Kuwaiti government. Therefore, the government could use its resources from academic and IT professionals to develop its own cloud storage space and have trusted people from within or outside the two archival centers control it and/or access it. The cloud would include born-digital and digitized materials that have archival value. It would also serve as a virtual storage space that provides security against any physical damage that can affect archives at times of war. All countries, especially ones that were able to recover archival materials after times of war, must embrace the new technology of digitizing existing material by converting them from original physical formats including paper, photographs, film, sound, and video formats to digital formats and transfer them to a cloud storage space or any virtual storage medium they deem adequate for their country. As mentioned previously, preservation is not the only benefit to storing archival materials in virtual storage mediums. The availability of the

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<sup>384</sup> Neil Beagrie, Andrew Charlesworth, and Paul Miller, “How Cloud Storage Can Address the Needs of Public Archives in the UK,” *The National Archives Guidance on Cloud Storage and Digital Preservation* (2014) :11. <http://www.nationalarchives.gov.uk/documents/archives/cloud-storage-guidance.pdf> (accessed March 10, 2017).

archives in a virtual medium facilitates access to the public, overcomes geographical boundaries and diversifies and maximizes their use by a wider audience and for broader purposes.<sup>385</sup> It also maintains the ability of cultural institutions to adapt and accommodate to new innovations in the field by facilitating the transfer of these materials from one technological system to another.<sup>386</sup>

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<sup>385</sup> Ibid.

<sup>386</sup> Ibid.

## CONCLUSION

Archives support the proper functioning of governments; they guide decision making, preserve the rights of citizens and nations, secure the national identity of a country, its collective memory, cultural heritage, and document all the historical periods of its development.

Developing countries of the Middle East, the Near East, and the Gulf region are facing obstacles as they strive to either recover or develop the field of archiving on an institutional and national level to meet international standards and the need of their countries. Most countries of the Arab world have suffered from a history of continuous turmoil leading to detrimental effects on archives and the field of archiving. Current literature available on the Arab world in particular reveals that the initiatives taken in the field of archiving remain fragmented across institutions, often existing in the form of institutional repositories (IR). Even these repositories have been assessed to be at early stages of development.<sup>387</sup> After going through an intentional destruction and looting of their archives, Kuwait and other countries are still recovering their cultural and archival institutions and their belongings. However, their efforts suffer from the absence of an enabling environment resulting from the lack of legislation and policies, technical and human resources, infrastructure, and equipment necessary to implement a comprehensive

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<sup>387</sup> Syed Sajjad Ahmad and Saleh Al-Baridi, "An Overview of Institutional Repository Development in the Arabian Gulf Region," *OCLC Systems and Services: International Digital Library Perspectives* 28, no. 2 (2012): 79. Scott Carlson, "An Assessment of Institutional Repository in the Arab World," *D-Lib Magazine* 21, no. 5/6 (May, 2015).

archiving system that takes into account the lessons learned, incorporates best practices, and adheres to international standards.

Reviewing the state of archival institutions in Kuwait and the circumstances that the country has been through before and after war, and comparing the situation to other countries of the region that have been through similar circumstances, allowed for a better analysis of the gaps in the main components of the archiving system and for providing recommendations for improvement.

Moving forward, it is important that all countries in the region collaborate and seek support from international organizations. It has become an urgent need to develop a comprehensive archiving system, one that is sustainable from all threats and disasters especially ones inflicted during times of war. The constant turmoil posing daily threats on countries' cultural heritage necessitates that Kuwait and other countries secure safe havens of their archives and cultural heritage. The loss of the archives of any country is not a national loss but a loss for the whole world. All countries should respect these institutions as well as the materials and records they hold and collaborate to allow each country to write its own history and preserve its culture and identity, so there are no gaps in what we leave for future generations about the times, geographical areas, and communities we lived with.

## Appendix A

### Guiding Interview Questions

The purpose of the interviews is to explore:

- What certain governmental institutions perceive as Kuwait's national archives.
- Whether the archives were placed in a central location or dispersed over several governmental institutions.
- What policies and procedures were governing the management of the archives before the Gulf War vs. after the Gulf War.

What archives remain missing as a result of the Gulf War and what archives were returned or restored after the Gulf War.

Introductory questions:

- Does your organization/institution have a documentation center to preserve records related to the organization/institution?  
If the answer is YES, interviewer will proceed with the questions outlined below.  
If the interviewee's response is negative (NO), the interviewer will request recommendations on institutions/ organizations that have documentation centers.
- Describe the state of the archives prior to the Gulf War:
  - What was the number of holdings at your institution?
  - How were they organized?
  - How did you receive the documents? From whom or what entities?
  - What is the policy followed by the center for archiving documents?
  - What should the age of the document be for it to be eligible for archiving?
  - Did you create finding aids for your holdings?
  - Did you allow approved researchers (such as historians, researchers, scholars, academics etc.) to access the holdings?
  - Did you keep the original order of the documents as they were received by the provenance?
  - Did you register the documents that formed the content of the archives?
  - Did the center (or anybody else) publish reports, articles, etc. about the design, management, and records' life cycle of the center?
  - How many employees did you have at the center? Did they undergo any form of special training? Were they hired based on specific academic qualifications?
  - Where was the location of the archives?

- What were the mechanisms used to store documents? Were several locations used to store the documents? How many copies of the documents were stored? Were the copies stored in the same physical location?
  - Did this archive include all of what is considered to be Kuwait's national archives? If not, did any other center/location hold documents that qualify to be part of the country's national archive? Which centers? Where were they located?
- Describe the state of the archives after the Gulf War:
    - Describe the state of the center upon examination right after the Gulf War ended.
    - Were any documents left or found? Or were all the documents damaged or looted?
    - Do you have any pictures documenting the state of the archives (center) after the Gulf War?
    - Are there any publications that discussed or addressed the archives after the war? If yes, where can these publications be found? Were they written by individuals, governmental institutions, or specialized centers?
    - What is the estimated percentage of missing documents?
    - What items have been returned to the archives? What is their estimated percentage?
    - What actions were taken to restore the missing documents?
    - Did the center use international or local consultant expertise to rebuild the archive?
    - What are the mechanisms used to store documents? Do you use physical or electronic based storage? If physical storage is used, are different locations used to store copies of the documents?

## **Appendix B**

### **Recruitment Script**

Hello, my name is Sakena Al-Alawi. I am completing my graduate studies at the University of Texas at Austin in the School of Information. I am conducting a documentary research on the state of the Kuwaiti national archives before and after the Gulf War (1990-1991). I have identified four locations that have been and remain involved in collecting and preserving documents pertinent to Kuwait's identity, history, and present. These locations are: Kuwait's National Library, Ministry of Foreign Affairs, the Center for Historical Documentation at the Amiri Diwan, and the Center for Research and Studies on Kuwait. I am therefore hoping to be granted access to conduct site visits in this location, \_\_\_\_\_ . I also intent to conduct interviews with current and previous employees at these locations.



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