

Written and compiled by Trudy Huskamp Peterson, Chair, HRWG

Commentary.

As the lived memory of World War II ends (you have to be over 70 years old today to remember it), a remarkable number of records and personal items from that era are emerging from the dark.

*Four years ago, when renovating the garage at the dacha that was once owned by Ivan A. Serov, who headed the Soviet KGB from 1954 to 1958, and is now owned by his granddaughter, workers found inside the walls “a few hidden suitcases,” reported the *New York Times*. The suitcases contained diaries written by Serov, and in June they were published (in a condensed version) in Russia. In the diary Serov wrote that he read a file on Raoul Wallenberg, the Swedish diplomat who disappeared in Budapest at the end of World War II after saving Jews by giving them Swedish protection, and concluded, “I have no doubts that Wallenberg was liquidated in 1947.” Wallenberg’s family has long asked the Soviets and then the Russians for information on Wallenberg’s fate, and his niece said on her website that she would like to “see the original diaries and ask the F.S.B., the successor agency to the K.G.B., for documents mentioned by Serov.” http://www.nytimes.com/2016/08/07/world/europe/from-a-dacha-wall-a-clue-to-raoul-wallenbergs-cold-war-fate.html?_r=0

*The daily schedules of Heinrich Himmler covering the years 1938, 1943, and 1944 “surfaced” “earlier this year” in the Russian Military Archive in Podolsk “filed under Dnewnik – Russian for diary,” reported *MailOnline*. Himmler was the Reichsführer of the SS, the Nazi agency most directly responsible for the program of genocide. The 1000 pages of annotated entries record “dates, places, meetings and his decision to send millions of people to their deaths.” Extracts of the schedules (called “diaries” by the press) were published in the German newspaper *Bild* in early August. <http://www.bild.de/bild-plus/storytelling/topics/storytelling/wie-bild-den-kriegskalender-von-heinrich-himmler-entdeckte-44878926,var=a.view=conversionToLogin.bild.html>; <http://www.telegraph.co.uk/news/2016/08/02/himmlers-diaries-reveal-schedule-of-massages-and-mass-murder/>

*In 2008 *Bild* announced that it had obtained the blueprints (28 documents) for the Auschwitz concentration camp where over a million people were killed. *Bild* did not make clear how it obtained the documents, saying only it “found the plans around a year ago in Berlin, and they are the only original architect designs.” One of the pages of the blueprints was signed by Heinrich Himmler, *The Telegraph* reported, and “Markings on the backs of the papers suggest they may have been held by the Stasi, the East German secret police, who may have been interested in using them to blackmail German citizens who had been involved with the Nazis during the war.” Kai Diekmann, the publisher of *Bild*, explained to *Spitz* in July 2016 that he had suggested giving the blueprints to Yad Vashem, but archivists at the Bundesarchiv told him “firmly not to let the documents leave the country . . . Because the German government is the legal successor of the Nazi regime, the documents belonged to the German state.” But, he told the paper, “I still believed they should go to Yad Vashem,” and so he invited Israeli prime minister Benjamin Netanyahu to Berlin in 2009 and gave him the documents to take out of Germany. <http://www.telegraph.co.uk/news/2016/07/06/benjamin-netanyahu-given-auschwitz-blueprints-to-smuggle-out-of/>; <http://www.bild.de/news/bild-english/benjamin-netanyahu-given-auschwitz-plans-at-bild-9542884.bild.html>

*In 2013 an archivist at the U.S. Holocaust Museum and an investigator from the U.S. Federal Bureau of Investigation located the diary of Alfred Rosenberg, one of the chief Nazi Party ideologues and the head of Einsatzstab Reichsleiter Rosenberg, which directed the looting of art and cultural goods during World War II. The diary had been used during the Nuremberg trials at the end of World War II, then with the permission of the director of the U.S. prosecutor’s records, one of the U.S. prosecutors took the diary home with him to use when writing about the trial. He never returned it to U.S. government custody. After years of searching for it, it was located and, according to a book on the case published in the spring of 2016, “the

National Archives—which technically owned the diary—officially granted the pages” to the U.S. Holocaust Museum on December 17, 2013. <https://www.ushmm.org/information/exhibitions/online-exhibitions/special-focus/the-alfred-rosenberg-diary>; <https://www.ushmm.org/research/research-in-collections/curators-corner/an-over-15-year-journey-the-robert-m.-w.-kempner-collection>; http://www.nytimes.com/2016/03/31/books/tracking-an-elusive-diary-from-hitlers-inner-circle.html?_r=0

Although at first glance these all look like similar cases, each one shows a different set of circumstances. The Serov diaries seem to have always been personal property. The Himmler “diaries” were official schedules typed before each day by Himmler’s aides and were German official records, then were taken to Moscow as part of the documents seized after the war by the Red Army. The Auschwitz plans were declared by the German archivists to be official records, but they were taken out of Germany by the action of a private citizen. The Rosenberg diary was private property seized by the U.S. Army at the end of World War II, used in the Nuremberg trials by the U.S. prosecutor which made it a part of the official record of the U.S. participation, a private person was authorized to take it away, and it was out of official custody for decades until returned to the U.S. government.

In each instance, the items have a direct link to the massive human rights violations that occurred during World War II. In each case, they need to be carefully preserved in an archives, which is now true of all but the Serov diary. And they need to be made available for study in order to help us all fully understand the horrific events that shaped the middle of the twentieth century and the world born from that tumult.

News of the Human Rights Working Group. The HRWG will meet on Tuesday, September 6, at 9 AM, at the ICA Congress in Seoul, Republic of Korea. The agenda is annexed to this issue of *HRWG News*.

International news.

International Committee of the Red Cross (ICRC). The ICRC “started collecting DNA samples to help identify thousands of people who disappeared during Lebanon’s 1975-1990 civil war” and “called upon the Lebanese authorities to create a ‘national mechanism’ to help match victims’ bodies with their families,” reported *AFP*. ICRC previously launched a project in Lebanon “to set up a database of information about each missing person.” The ICRC also holds DNA from families of the missing in Chile.

<https://www.yahoo.com/news/icrc-collects-dna-identify-lebanons-civil-war-dead-173910965.html>; <https://www.icrc.org/en/document/chile-icrc-stores-dna-search-missing-persons>

Permanent Court of Arbitration. The Court ruled that “China has no historic title over the waters of the South China Sea and that it has breached the sovereign rights of the Philippines with its actions there,” reported *The Wire* and other news media. The Philippines brought the case in 2013, asking the Court to rule on the “nine-dash line” on maps, which China claims is its boundary in the South China Sea.

<http://thewire.in/50969/hague-tribunal-rules-beijings-claims-south-china-sea/>; for the decision, see <https://pca-cpa.org/wp-content/uploads/sites/175/2016/07/PH-CN-20160712-Press-Release-No-11-English.pdf>

United Nations. The United Nations Under-Secretary-General for Legal Affairs published a call for assistance in “identifying documents or other materials that your institution holds which may form part” of a central archives of material relating to the death of former Secretary-General Dag Hammarskjöld. The 2015 UN Panel on Hammarskjöld’s death recommended “the establishment of a central archival holding or other holistic arrangement that would enable access by electronic or other appropriate means to those records and archives by the United Nations and any other authorized parties.” The General Assembly requested the Secretary-General to “explore the feasibility of establishing such an archival holding,” thus the request. To participate in the discussion of this proposal or to provide information on holdings, contact DH-archival@un.org. For background, see *HRWG News* 2015-07.

United Nations Human Rights Council (HRC). At its June meeting, the HRC adopted a resolution on “the promotion, protection and enjoyment of human rights on the Internet” (A/HRC/32/L.20).

https://www.article19.org/data/files/Internet_Statement_Adopted.pdf

United Nations Mission in Kosovo (UNMIK). The international Human Rights Advisory Panel that examined complaints of rights violations committed by UNMIK issued a “strongly critical report,” wrote *BIRN*. It reviewed 527 registered complaints, dating from 2007 to the present, and concluded that the mission “violated human rights and did not properly investigate serious allegations of wrongdoing.” In addition to the information provided by the complainants and the Special Representative of the Secretary-General, the panel “regularly relied on the information published in the online databases of the International Committee of the Red Cross and the International Commission of Missing Persons, as well as information referenced from the publications of the Humanitarian Law Centre.”
<https://assets.documentcloud.org/documents/2993333/U-N-Panel-s-Report-on-Kosovo.pdf>

World/general news.

Business records. Business records are essential to two lawsuits relating to the ongoing conflict between Israel and Palestine. In one, a Palestinian family filed suit in France against the French company Exxelia Technologies “over charges of complicity in war crimes,” reported *Middle East Monitor*. Three children were killed by an Israeli rocket that landed on the roof of the family house in Gaza; the missile had a “Hall effect sensor” made by Exxelia. The lawsuit alleges that the company “sold the component to Israel with knowledge that it would be part of a missile and with knowledge that it was susceptible to be used to commit a war crime.” <https://www.middleeastmonitor.com/20160630-palestinian-family-sues-french-technology-company-for-complicity-in-war-crimes/>

In the second, *Reuters* reported that in New York a group of Israelis and Americans “bereaved in Palestinian attacks” sued Facebook for \$1 billion in damages, arguing that Facebook “knowingly provided material support and resources to Hamas . . . facilitat(ing) this terrorist group’s ability to communicate, recruit members, plan and carry out attacks, and strike fear in its enemies.”
<http://news.trust.org/item/20160708180043-9yfsq/>

Philando Castile was killed by a Minnesota police officer as he sat in a car with his girlfriend, who made a video during the encounter and “live-streamed” it to Facebook. Facebook subsequently took the video off line, then restored it an hour later with a “graphic content” warning. *Techcrunch* interviewed a Facebook spokesperson on the company’s “graphic content censorship policy,” who said, “Facebook does not allow and will take down content depicting violence if it’s celebrated, glorified or mocks the victim. However, violent content that is graphic or disturbing is not a violation if it’s posted to bring attention to the violence or condemn it.” The company said the brief deletion of the video was due to a “technical glitch” not for violation of its censorship standard. <https://techcrunch.com/2016/07/08/facebook-censorship-policy/>

The World Bank and the Woodrow Wilson International Center for Scholars published a report of a meeting held in March, titled *Natural Resource Governance in Latin American and the Caribbean—Social and Environmental Policies for Inclusive Growth*. “All participants agreed that transparency is a key element of good natural resource governance, and that it should be applied broadly—not just with regard to revenue management, but throughout the entire value chain.” A specialist from the Inter-American Development Bank argued, “Improving information management can lead to greater vertical accountability, by providing stakeholders with timely access to the sector and project information they need.” However, another speaker warned, “Looking forward, it is necessary to enhance the analytical capacity of stakeholders so they can gain access to, interpret, and also contribute basic data necessary to ensure transparency. Companies have far greater ability to generate data because they have the financial and human resources to collect it. This, however, reflects the asymmetries surrounding extractive industry governance and also raises questions about the credibility of the information gathered.”
https://www.wilsoncenter.org/sites/default/files/nrg_report_-_final.pdf

Medical records. The *Journal of the American Medical Informatics Association* published the results of a study of medical reporting at a Michigan hospital. It found that the “rate of inaccurate documentation was significantly higher in the EHRs [electronic health records] compared to the paper charts: 24.4 percent

versus 4.4 percent.” Younger doctors made fewer errors. <http://www.healthcareitnews.com/news/doctors-make-more-note-taking-mistakes-chrs-paper-records-jamia-study-finds>

“Researchers have developed a new method to pinpoint outbreaks of dengue fever by tracking phone calls to public health hotlines,” *Thomson Reuters Foundation* reported. The “low-cost statistical method . . . is particularly adapted for nations lacking the resources to effectively monitor the spread of diseases.” One of the authors of the report on the method noted, “Thousands of lives are lost every year in developing countries for failing to detect epidemics early because of the lack of real-time data on reported cases.” <http://www.reuters.com/article/us-health-dengue-tracking-idUSKCN0ZO26Z>

Nuclear issues. Five years after the disaster at the Fukushima nuclear plant in Japan, the Scientific Committee on Oceanic Research Working Group issued its review of the state of the ocean. It found that “radiation levels are decreasing rapidly except in the harbor area close to the nuclear plant itself,” based on “academic, industry and government studies.” The authors noted that assessments need to be continued to measure future levels of radioactivity against the data now collected. Preserving the complex scientific data on nuclear contamination from all sources must be global priority. http://www.eurasiareview.com/04072016-fukushima-and-the-oceans-what-do-we-know-five-years-on/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

Press freedom. Reporters without Borders released its annual World Press Freedom Index. Finland topped the list of 180 countries and Eritrea was last. <https://rsf.org/en/world-press-freedom-index>

Privacy. A study by the Blancco Technology Group found that of 200 second-hand hard disk drives and solid state drives purchased from eBay and Craigslist in the first quarter of 2016 “67 percent of the used drives contained personally identifiable information and 11 percent held sensitive corporate data,” reported *PRNewswire*. <http://www.prnewswire.com/news-releases/67-percent-of-used-drives-sold-on-ebay-and-craigslist-hold-personally-identifiable-information-and-11-percent-contain-sensitive-corporate-data-300290463.html>

Bilateral and multilateral news.

Australia/Indonesia/United Kingdom/United States. In 2014 a group of Indonesian exiles, human rights activists, members of victims’ organizations and exiles established The Foundation IPT 1965. It organized an International People’s Tribunal on the 1965 Crimes against Humanity in Indonesia, explaining that this was a response to an “absence of an official domestic process of transitional justice based on truth telling,” reported *CNN NewSource*. A panel of international judges held a four day hearing in The Hague in November 2015; in July the panel released its report, concluding “that Indonesia’s mass killing of 1965 were crimes against humanity, and that the United States, United Kingdom and Australia were all complicit in the crimes.” It said that the “official secrecy” made it difficult to determine how many people were killed and that the government should “apologize to victims and their families, investigate the crimes against humanity, and ensure any survivor receive appropriate compensation.” It is not clear who will preserve the records of the hearing and the work of the judges. <http://www.wdsu.com/national/tribunal-indonesia-guilty-of-1965-genocide/40813540>

China/Taiwan. According to *The China Post*, “Taiwan is set to restrict access to its national archives for scholars from mainland China (including Hong Kong and Macau) beginning August 1.” The director of the Academia Historica, which holds presidential and vice-presidential records as well as records relocated from the mainland to Taiwan in 1949, said that the restriction is in line with “mainland China’s restriction of archive access to Taiwanese scholars.” <http://www.chinapost.com.tw/taiwan/local/taipei/2016/07/30/473868/Top-archive.htm>

Iraq/United Kingdom/United States. The United Kingdom’s Iraq Inquiry committee released its report. In a press statement, the Inquiry’s chairman said, “We have concluded that the UK chose to join the invasion of Iraq before the peaceful options for disarmament had been exhausted. Military action at that time was not a last resort.” In addition to numerous public and private hearings, “written evidence studied by the Inquiry included over 150,000 contemporaneous documents.” <http://www.iraqinquiry.org.uk/>

Following release of the Iraq Inquiry report, an Iraqi refugee “submitted excerpts” of the report to the Federal Court of Appeals in San Francisco, reported *CBS San Francisco*. The lawyers for the plaintiff argued that the report shows that “in violation of international and federal law, [President George W.] Bush and top members of his administration went to war with Iraq as a result of personally-held convictions, not legitimate policy reasons.” Excerpts of the report submitted to the court “include messages exchanged by top U.S. and U.K. officials, which allegedly show that U.S. government leaders were aware that Iraq had no link to the September 11, 2002 attacks or to Al Qaeda, and that false statements were made by government officials to the public about the threat Iraq posed and its connection to Al Qaeda.”

<http://sanfrancisco.cbslocal.com/2016/07/28/refugee-hopes-chilcot-report-will-revive-lawsuit-against-bush-over-iraq-war/>

Islamic State (IS/ISIL/ISIS). A U.S. military officer briefing reporters said “the SDF [Syrian Democratic Forces] recovered more than 10,000 ISIL documents and 4.5 terabytes of data during its offensive to retake Manbij” from ISIL control. According to *DoD News*, these included information on the “hundreds of foreign ISIL fighters associated with more than 40 different countries.” http://www.eurasiareview.com/15072016-syria-coalition-forces-uncover-vital-islamic-state-intelligence/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

Islamic State activity in Southeast Asia was the focus of a number of news reports. In late June, the *Long War Journal* reported that a new video was released by IS showing “several ‘battalions’ of the Abu Sayyaf Group (ASG) pledging allegiance to the Islamic State” (Abu Sayyaf is an Islamist separatist group based in the southwest Philippines) and featuring IS fighters from Indonesia, Malaysia and the Philippines calling on all groups in Southeast Asia to unite. Also in late June two analysts at the S. Rajaratnam School of International Studies in Singapore reported that IS published the first issue of a newspaper in the Malay language. The analysts believe that IS has designated a formal province (wilayah) of the caliphate in the southern Philippines, while the *Journal* says that IS “may be preparing” to do so.

<http://www.longwarjournal.org/archives/2016/06/islamic-state-officially-creates-province-in-the-philippines.php> ;

<http://www.eurasiareview.com/24062016-al-fatihin-islamic-states-first-malay-language-newspaper-analysis/> ;

<http://fortunascorner.com/2016/07/21/the-tri-border-area-jihadi-epicentre-in-southeast-asia/>

The *Associated Press (AP)* reported that it had “obtained a batch of 48 head shots” of Yazidi women and children being held captive as sex slaves by IS. “An activist with the minority Yazidi community” also showed *AP* an advertisement on the Telegram app (a Facebook-owned service) of a 12-year-old girl for sale for \$12,500 and an advertisement on WhatsApp for a mother, who had a 3-year-old and a 7-month baby, for sale at \$3,700. The activist said the advertising appears “primarily on Telegram and on Facebook and WhatsApp to a lesser degree.” A Telegram spokesman said “the company is committed to prevent abuse of the service and that it routinely removes public channels used by IS,” but the activist “showed *AP* the negotiations for the captives in encrypted conversations as they were occurring in real time” and said “IS relies on encrypted apps to sell the women and girls.”

http://bigstory.ap.org/article/bc71decf2f4fee8196a20515b4c5fc/islamic-state-tightens-grip-captives-held-sex-slaves?mkt_tok=eyJpIjoiTVRsaE16azVNemRsTkRkbSIsInQiOiJ5MnNGREJrYTNoT2RZTkJaWDIWSjBzYTF5Sml0MUUVadWpCeHEzM3p0S3V1NnhzOXRIUmxiWmld0tzMHQrajFrVGJSMTQxSThvUkFIV01JcDFKNk13eUdcLzFINTgyWThsSVFhdGppcER1b1E9In0%3D

In an interview published by the *International Justice Tribune*, Stephen Rapp, who served as the chief prosecutor at the Special Court for Sierra Leone, called for the United Nations Security Council to establish a formal investigative commission for the crimes committed by IS against religious minorities in Northern Iraq. He said that after developing “information about individual criminal responsibility” the case would be ready for the UN Security Council to make a referral to the International Criminal Court “or some other kind of international tribunal.” He noted that efforts are being made “by the victimized communities themselves” to document the crimes. <https://www.justicetribune.com/articles/former-us-war-crimes-ambassador-calls-un-investigative-probe-yazidi-genocide>

The Association for Research into Crimes against Art reported that ISIS released a “heritage snuff” video showing “its destruction of the Palmyra Museum’s Palmyrene funerary portraiture as well as the desecration of the museum’s mummies.” The mummies were laid on a street and “crushed with what appears to be a heavy military vehicle.” <http://art-crime.blogspot.com/2016/07/isis-releasesvideo-showing-its.html>

Panama/United States. “The government in Panama has launched an investigation into the US invasion in 1989 that overthrew military strongman General Manuel Noriega,” *BBC News* reported. “The commission

is expected to determine how many people died during the operation, and to identify them. It will also assess whether relatives of the victims deserve compensation.” The country’s vice president and foreign minister said, “There can be no reconciliation if the truth is not known.” Both U.S. and Panamanian archives will be key sources. <http://www.bbc.com/news/world-latin-america-36852120>

Peru/United States. Twenty-two indigenous Peruvians are seeking compensation from Xstrata Tintaya S.A. for human rights violations allegedly perpetrated by the Peruvian National Police “during a protest in the vicinity of the Tintaya copper mine in Peru in May 2012,” reported *leighday.com*. The plaintiffs allege that Xstrata encouraged the police behavior and “contend that documents show Xstrata controlled an intelligence-gathering network which was shared with the PNP and paid PNP intelligence officers to conduct surveillance of community members,” a charge Xstrata denies. The current action focused on the “initial omission to disclose an email from an Xstrata director to its senior South America manager which had proposed a ‘direct, proactive and strong approach’ to confront community representatives to whom he referred as ‘sons of whores’.” The email was eventually disclosed; the Peruvians asked the court to order “a random independent review of Xstrata’s undisclosed documents.” The London High Court instead “invited” the lawyers for Xstrata “to propose a process for reviewing the disclosure exercise to date to ensure that ‘relevant and disclosable documents’ had not been unjustifiably excluded.”

<https://www.leighday.co.uk/News/News-2016/July-2016/UK-High-Court-rules-on-Xstrata-dispute-over-disclo>

Russia/Ukraine. *Kyiv Post* published an article on the thousands of people who have used the files of the Soviet-era secret police in Ukraine. A law passed on May 21, 2015, enabled Ukraine to open “all of its KGB archives, except for those documents still containing state secrets, as a part of its de-communization campaign and ongoing efforts to reconcile itself with its Soviet past.” The Ukrainian Institute of National Remembrance said that about 50% of the people who use the files are “relatives of people who suffered under Soviet repression.” The Institute issued a press release on the result of its “audit” (survey) of the extant records of “repressive law-enforcement agencies from 1917 to 1991.” It reported that almost 2 million relevant case files are held in “ministerial archives, law-enforcement agencies, courts, prosecutors’ offices and other departments.” <https://www.kyivpost.com/article/content/ukraine-politics/archives-open-to-reveal-lost-lives-of-victims-of-soviet-secret-police-419799.html>; <http://en.interfax.com.ua/news/general/359055.html>

Saudi Arabia/United States. The final 28 pages of the 2002 U.S. Congressional Joint Inquiry into the September 11, 2001, attacks were declassified. They contain information the Inquiry obtained regarding the alleged relationship between the attackers and the Saudi government.

https://www.washingtonpost.com/world/national-security/congress-releases-long-classified-28-pages-on-alleged-saudi-ties-to-911/2016/07/15/e8671fde-4ab1-11e6-bdb9-701687974517_story.html?wpisrc=nl_draw&wpm=1

United Kingdom/Northern Ireland/United States. A judge in Northern Ireland ordered Ivor Bell to stand trial for his involvement in the 1972 murder of Jean McConville, reported the *Irish Examiner*. “Part of the case against Bell is based on the content of tapes police secured from an oral history archive collated by Boston College in the United States.” For background, see *HRWG News* 2016-04 and 06.

<http://www.irishexaminer.com/ireland/veteran-republican-to-stand-trial-over-mcconville-murder-409148.html>

National news.

Argentina. *Anfibia* of the Universidad Nacional de San Martin published a long article on the status and process of declassification of the archives related to the Argentine military coup d’etat of 40 years ago and the subsequent forced disappearances and human rights abuses. The discussion covered archives in Argentina, the Vatican, and the United States. <http://www.revistaanfibia.com/cronica/archives-declassifier-le-silence/>

Australia. A study published in *The Australian and New Zealand Journal of Public Health* “matched data” from the birth registry office and the records of the state midwife in the state of Western Australia “and found that 18 percent of Aborigine children did not have birth certificates,” reported *Thomson Reuters Foundation*. <http://news.trust.org/item/20160703140050-1kbb/>

Brazil. With Brazil in the international spotlight during the Olympics, a number of positive moves to empower property holders have been reported by *Thomson Reuters Foundation*. (1) A state court in Piauí in Brazil's northeast cancelled a deal for a large tract of land because "in order to seize the land, businessmen in Piauí illegally registered ownership of farms with the help of lawyers or corrupt officials at local land registry offices" and then sought to sell them. (2) Almost half the land in Brazil is owned by just 1 percent of the population, according to the United States Agency for International Development. Since the Brazilian government "launched a programme in 2009 to give small-scale farmers title deeds" about 20,000 title deeds have been issued to farmers in the Amazon. However, "getting formal ownership papers to farmers in remote areas is not easy especially in a country without a central land registry. Instead, there are competing registries run by different municipalities and states, along with the federal government." (3) In Rio, a group of local activists teamed with Google to map the city's slums (favelas). The project coordinator said, "The lack of legal ownership papers is a main cause of the disorganization in the favelas." If a community agrees to be mapped, "young residents receive training and are sent out into the neighborhood to take pictures and record information about the location of streets, alleyways, businesses and interest points" which is then sent to Google which puts a map together and posts it online. Each map takes about 3 months, and the group has completed 25. The coordinator hopes that some visitors during the Olympics will use the maps and visit the favelas. <http://news.trust.org/item/20160720171912-k6rlu/>; <http://news.trust.org/item/20160727050117-gi3o2/>; <http://news.trust.org/item/20160721050118-770cq/>

Colombia. Last month Colombia's National Centre of Historic Remembrance put on line the digitized documents from its virtual archives. In an article published by *justiceinfo.net*, the director of the archives said, "To avoid the risk of hacking, the Remembrance Centre plans to have a copy of its archives hosted in Switzerland, with the help of Swiss peace institute swisspeace, as Guatemala has done." <http://www.justiceinfo.net/en/component/k2/27736-colombia-puts-civil-war-archives-online.html?Itemid=102>

El Salvador. El Salvador's Constitutional Supreme Court overturned the 1993 amnesty law that was in place since the end of the civil war. Its decision listed 32 crimes that occurred between 1989 and 1992 that can now be investigated by the Attorney General's office. A commentary by the North American Congress on Latin America, a nongovernmental organization, noted that the Museo de la Palabra y el Imagen "houses the most comprehensive existing archive of materials on the Salvadoran Civil War" and the Unit for Investigations about the Salvadoran Civil War at the Universidad de El Salvador must also have useful resources for the prosecution. However, as in most countries, it is the records of the military and the police (secret and public) that are likely to have the most important documentary evidence. U.S. government records could also be useful, as would the records of the El Salvador truth commission held closed to access at the United Nations Archives in New York, as well as the archives assembled by the Catholic Church's Tutela Legal that was closed in 2013 (for background see *HRWG News* 2013-11). <http://nacla.org/news/2016/07/20/amnesty-no-more>

Guatemala. A feature article in the *New York Times* on the Guatemalan Forensic Anthropology Foundation's investigations illustrates the importance of the records kept by the investigators, both of the exhumations and the DNA taken from survivors. As reported in the June issue of *HRWG News*, the Foundation's work is the center of the legal case against eight of Guatemala's top former military leaders for human rights abuses. <http://www.nytimes.com/2016/07/03/magazine/the-secrets-in-guatemalas-bones.html>

India. In the state of Tamil Nadu, a postcard program begun in 2014 tracks the school enrollment of children of migrant laborers. "Migrant families working in Tamil Nadu are given a postcard when they head home," reported *Thomson Reuters Foundation*. "They are required to get it signed and stamped by the principal of the village school and send it back." Volunteers working with the education department "travel to the home state and cross check enrollment. Families who do not send back a postcard are traced back to their villages and counselled to enroll their children in school." <http://news.trust.org/item/20160720134523-16xm4/>

"When the Indian state of Telangana announced a three-week window for free registration of land that had exchanged hands via handwritten notes on plain paper, the offer triggered more than a million applications," reported *Thomson Reuters Foundation*. "Almost a million land-related complaints have been

filed at the state's revenue officers over the two previous years," primarily disputes over ownership; the state is digitizing its land records, trying at the same time to resolve ownership issues.

<http://news.trust.org/item/20160727040212-q3eo5/>

Iraq. The Unrepresented Nations and People Organization (UNPO), the Institute for International Law and Human Rights, Minority Rights Group International and No Peace Without Justice launched a second joint report documenting the state of Iraq's minorities since the advance of ISIS in 2014. They reported that "minority communities in Iraq are now on the verge of disappearance." In addition to interviews in Iraq and other countries, the report relied on "human rights reports, civil society records and press releases, academic journals, news outlets, country reports, Iraqi legislation, international convention and other sources." It recommended that "proper authorities" (1) map "all the mass graves in the relevant territory"; (2) organize "the relatives of victims for a proper ante mortem collection of data, and for addressing their doubts, expectations, etc."; (3) define "the human resources and infrastructure needs for the exhumation, storage and analysis of recovered remains"; (4) conduct "proper exhumation of bodies and associated evidence"; and (5) perform "forensic analysis of the recovered bodies and evidence, in order to establish identification and cause of death." <http://unpo.org/downloads/1895.pdf>

Israel. Israel passed a law requiring nongovernmental organizations to give the government "details of overseas donations if more than half their funding comes from foreign governments or bodies such as the European Union," reported *Reuters*. Not only will the groups have to produce records showing the donations they receive but the submissions will also create a new body of records within the Israeli government, which will have to be appraised for their long-term archival value.

<http://news.trust.org/item/20160711213030-e6c6m/>

Ivory Coast. A report jointly released by the United Nations Operation in Cote d'Ivoire (UNOCI) and the United Nations High Commissioner for Human Rights documents "1,129 cases of rape in Cote d'Ivoire between 1 January 2012 and 31 December 2015 – some 66 percent of the victims are children." These are not all the cases of rape in the country, but only those documented by the Human Rights Division of UNOCI; it used records from the judicial branch of the government to track the prosecution of the cases. "Although investigations were opened in 90 percent of rape cases documented in the report, less than 20 percent of them resulted in a conviction." Moreover, all cases that ended in a conviction "were 'reclassified,' a common practice of judging rape as a lesser offence and for which the sentencing is less severe," which, the report said, "minimizes the gravity of rape." <http://news.trust.org/item/20160721153154-g54qj/>

for the full report: http://www.ohchr.org/Documents/Countries/CI/2016-07-11_Rapport_viol_Cote_dIvoire.docx
http://www.onuci.org/aen.php?id_article=14007

Macedonia. The lustration process in Macedonia continued to be troubled. In June and July, the Administrative Court "annulled 17 decisions of the Macedonian Lustration Commission. Another 40 contested decision await rulings," *BIRN* reported. The head of the Lustration Commission, which reviewed police records to determine who had collaborated with the police during the communist years, "insisted that the court had ignored ample police evidence proving – he said – that those lustrated persons named as police collaborators had been guilty as charged." For background, see *HRWG News* 2015-08.

http://www.balkaninsight.com/en/article/court-deals-macedonian-lustration-knockout-blow-07-27-2016?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=f83f7dc413-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-f83f7dc413-319755321

Myanmar. A senior general told a news conference that a court martial was underway for an unstated number of soldiers who killed five villagers in northern Shan state, reported *Reuters*. The general said that the verdict would be made public; the public admission is "unprecedented." The general said, "Every soldier has to follow rules and regulations;" it would be useful for human rights defenders to gain access to those regulatory documents. <https://www.theguardian.com/world/2016/jul/21/myanmar-military-admits-soldiers-killed-villagers-during-interrogation>

Russia. *Meduza* published interviews with five Russian historians about their work in archives and their frustrations while waiting for important files to be declassified. <https://meduza.io/en/feature/2016/07/04/stalin-s-orders-the-politburo-s-decisions-and-the-social-revolutionaries>

South Sudan. The United Nations mission in South Sudan said it had documented “at least 120 cases of sexual violence and rape against civilians in South Sudan’s capital Juba” in three weeks, reported *Thomson Reuters Foundation*. <http://news.trust.org/item/20160727224929-nmdun/>

Spain. The Catalan state archives returned to Catalan families documents seized from individuals and non-state corporate bodies during the Spanish civil war. Francisco Franco “created special unit designated to seize documents that could eventually help identify and punish Franco’s enemies as his troops started to push back their Republican opponents,” the *New York Times* explained. The seized materials, including records of Catalan governments, eventually were housed in a special archives in Salamanca until they were returned to the government of Catalonia by decision of the Spanish Parliament in 2005. A Spanish association now is suing the Catalan government, “accusing them of mishandling documents” and having taken “documents from Salamanca that originally came from other regions of Spain.” http://www.nytimes.com/2016/07/17/world/europe/spain-civil-war-franco-archives.html?_r=1

Sri Lanka. “One of the biggest” of the unanswered questions from the end of Sri Lanka’s civil war “is what happened to the many hundreds of LTTE ‘surrendees’ as well as the thousands of Tamil civilians, who were taken into the custody of the Sri Lankan army at the end of the war and whose whereabouts remain unknown,” wrote the Sri Lanka Campaign for Peace and Justice, a nongovernmental organization. It reported that in February during a court hearing in a case of missing persons, a Sri Lankan Army general “stated that none of those missing persons in question were on a list of names held by the army. This would apparently be the first time that the army has confirmed that a record of individuals moving across the front-line at the end of the war was kept.” The court ordered the general to produce the list by 20 April, but he has not done so. http://www.eurasiareview.com/11072016-call-for-sri-lankan-army-to-release-record-of-war-surrendees-oped/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

The International Committee of the Red Cross (ICRC) released a 14-month survey of Sri Lankan families with missing persons, reported *AFP*. ICRC said it has “registered 16,000 people as missing since setting up a presence in Sri Lanka in 1989,” and it “urged” the government “to disclose the fate” of the missing. <http://www.dailymail.co.uk/wires/afp/article-3708450/ICRC-presses-Sri-Lanka-fate-16-000-war-missing.html>

Tunisia. Swisspeace, a nongovernmental organization, posted an interview it conducted with Sihem Bensedrine, President of the Truth and Dignity Commission (Instance de Verité et Dignité IVD) in Tunisia. In it she discussed the lessons learned in the process of transitional justice, the biggest challenges to overcome in the establishment of the IVD, which elements are most vital in ensuring transitional justice processes are successful, and the ways in which archives can play a leading role in transitional justice and the work of the IVD. <http://archivesproject.swisspeace.ch/news/current-singleview/article/title-interview-with-sihem-bensedrine-on-transitional-justice-in-tunisia-and-the-role-of-archives/>

Turkey. On the one year anniversary of the resumption of violence between the Turkish state and the Kurdish population, the International Crisis Group, a nongovernmental organization based in Brussels, “made public an open-source casualty infographic in order to draw attention to the rising human cost, trace conflict trends and demonstrate how the tactics on the ground are evolving.” It used “open-source data, including reports from Turkish-language media, local Kurdish rights groups and the Turkish military.” In the last bout of violence, from June 2011 to March 2013, the Crisis Group confirmed the deaths of 920 people; it says 1700 have been killed in the last year. http://www.crisisgroup.be/interactives/turkey/?utm_source=Sign+Up+to+Crisis+Group%27s+Email+Updates&utm_campaign=af9a78dc96-

Ukraine. The United Nations Office of the High Commissioner for Human Rights (OHCHR) reported that it has documented 60 incidents between January 2014 and May 2016 that are “nearing” war crimes, the “vast majority” of which are not prosecuted, reported *DW*. The report said that “OHCHR recorded executions of members of Ukrainian forces and elements of armed groups who had surrendered” and that it has also documented inhumane treatment of captives as well as the use of rocket systems never intended for urban areas. It said that both sides of the conflict have committed crimes. <http://www.dw.com/en/un-notes-possible-war-crimes-by-both-sides-in-ukraine/a-19400492>

United Kingdom. Last October the U.K. government “made it compulsory for social workers, teachers, doctors, nurses and midwives” to report female genital mutilation (FGM) to the government-funded Health and Social Care Information Centre, reported *Thomson Reuters Foundation*. “Official data” released in July revealed “a total of 5,700 new FGM cases in England were recorded in 2015-16, but only a small number had been cut in the U.K.” <http://news.trust.org/item/20160721140639-kvatk/>

United States. *Colombia Journalism Review* reported that Muckrock, a nongovernmental organization “that helps users navigate government records laws, launched a project . . . that aims to catalog all of the reasons state agencies give for rejecting public records requests.” The project has already processed 22,000 requests and is asking the public to submit other rejections. The *Review* noted that in July “both Missouri and North Carolina passed laws restricting access to police body-cam footage.” http://www.cjr.org/analysis/foia_muckrock_public_records.php

The Atlanta Journal-Constitution “submitted public records requests to medical boards or other regulatory agencies in every state, seeking databases identifying doctors who had been disciplined and the reasons for their sanction. Nearly all said they didn’t keep such data,” so the newspaper had a team write a computer program to “crawl” regulators’ websites to “obtain board orders.” It collected more than 100,000 disciplinary documents, and the newspaper then ran a “machine learning” program designed to choose cases that appeared to relate to physician sexual misconduct, finding “over 6,000 cases.” The newspaper is issuing a series of articles on the results of its research.

http://doctors.ajc.com/about_this_investigation/?ecmp=doctorssexabuse_microsite_nav

“Thousands of times a year, the Office for Civil Rights of the U.S. Department of Health and Human Services resolves complaints about possible violations” of patients’ privacy. Using the Freedom of Information Act, *ProPublica* obtained letters closing such cases (the letters remind providers of their legal obligations, advise them to fix problems and may prod them to “make voluntary changes”) and posted 300 of them. The majority of breaches came from the U.S. Department of Veterans Affairs and the private CVS Health. An official at the Office of Civil Rights said the agency wants to put closure letters online but before they could be released “the names of individual patients and other identifying information would have to be released” and the budget to do that is not available. A former official of the Office said “the government does not have money to catalog and archive closure letters.”

<https://www.propublica.org/article/the-secret-documents-that-detail-how-patients-privacy-is-breached>

The U.S. Security and Exchange Commission (SEC) adopted “rules to require resource extraction issuers to disclose payments made to governments for the commercial development of oil, natural gas or minerals.” This “enhanced transparency” will help persons who believe they are being damaged by actions of the resource extraction company; it will add an important body of information to the U.S. SEC records that will require archival appraisal. <https://www.sec.gov/news/pressrelease/2016-132.html>

United States/Illinois. With the murder rate in Chicago at the highest level in many years and in the wake of a number of highly-publicized police killings, the Illinois state appellate court ordered the city to “make public every Chicago Police Department disciplinary file dating to 1967,” reported *DNAinfo Radio Chicago*. The case was brought by two newspapers and a journalist whose “Citizens Police Data Project” had obtained the records of 28,000 Chicago Police disciplinary cases between 2011 and 2015. “The police contract says that all disciplinary files will be destroyed five years after the date of the incident or the date the violation was discovered, whichever is longer,” and the panel said “online records still may be destroyed, but not before those records are disclosed to those who requested the information through the Freedom of Information Act requests.” That would leave the only copy of these important Chicago records in private hands; a review of the appraisal decision to destroy and the related contract clause seems necessary. <https://www.dnainfo.com/chicago/20160805/bronzeville/top-cop-eddie-johnson-berated-by-protesters-after-paul-oneal-video-release>

Publications and conferences.

The Office of the United Nations High Commissioner for Human Rights publication “Rule-of-Law Tools for Post-Conflict States: Archives,” which was issued in English last year, is now available online in [English](#), [Spanish](#), [Arabic](#) and [Russian](#).

The French publication series “La Revue des Droits de l’Homme” (The Review of Human Rights) issued a new thematic dossier, “Towards effective protection for whistleblowers with and beyond the Council of Europe principles.” <https://revdh.revues.org/> The *Review* includes an article on the whistleblower in countries undergoing democratic transition, focusing on the case of Tunisia. This topic is pertinent to the items in the draft ICA *Basic Principles on the Role of Archivists in Support of Human Rights* that refer to protections for whistleblowers. <https://revdh.revues.org/2435>:
[Les lanceurs d’alerte dans les pays en transition démocratique : les enseignements tirés de l’expérience tunisienne.](#)

To mark International Justice Day on July 17, the International Center for Transitional Justice issued *The Handbook on Complementarity: An Introduction to the Role of National Courts and the ICC in Prosecuting International Crimes*. “Avoiding technicalities, this handbook unpacks the relationship between national courts and the ICC in a straightforward manner for people who are fierce defendants of justice in their own countries, but not necessarily lawyers or specialists.” <https://www.ictj.org/complementarity-icc/>

The U.S. National Academies published *Modernizing Crime Statistics: Report 1: Defining and Classifying Crime*, which “assesses and makes recommendations for the development of a modern set of crime measures in the United States and the best means for obtaining them. This first report develops a new classification of crime by weighing various perspectives on how crime should be defined and organized with the needs and demands of the full array of crime data users and stakeholders.”
http://www.nap.edu/catalog/23492/modernizing-crime-statistics-report-1-defining-and-classifying-crime?utm_source=NAP+Newsletter&utm_campaign=cf92a37c7c-NAP_mail_new_2016_07_06&utm_medium=email&utm_term=0_96101de015-cf92a37c7c-103629561&goal=0_96101de015-cf92a37c7c-103629561&mc_cid=cf92a37c7c&mc_eid=64566d7fe9

The Academies also published the *Proceedings* of a workshop in which speakers shared strategies for individuals, organizations, and communities to advance racial and health equity. Topics included increasing awareness about the role of historical contexts and dominant narratives in interpreting data and information about different racial and ethnic groups, framing messages for different social and political outcomes, and readying people to institutionalize practices, policies, and partnerships that advance racial and health equity. http://nationalacademies.org/hmd/reports/2016/framing-the-dialogue-on-race-and-ethnicity-to-advance-health-equity-proceedings-of-workshop.aspx?utm_source=HMD+Email+List&utm_campaign=56ab149b92-HMD_News_8_1_2016&utm_medium=email&utm_term=0_211686812e-56ab149b92-180156329

The Sixth Annual Conference of the Historical Dialogues, Justice and Memory Network will be held in Amsterdam on December 1-3, 2016. The conference will consider the efficacy of mechanisms for addressing the past, including “official apologies, vetting, international criminal tribunals, national, or local legal proceedings, truth commissions, official commemorations, restitution, revising school history curricula, establishing monuments and museums, and hybrid trials.” For more information, visit the Historical Dialogues website: <http://historicaldialogues.org/2016-network-conference/>

Please share news with us! trudy@trudypeterson.com or j.boel@UNESCO.org.
To subscribe to the Newsletter, enter the required information on the form that you will find on this URL: http://www.unesco.org/archives/hrnews/hrg3_042010.php

Previous issues of the Newsletter are online at <http://www.ica.org/12315/hrwg-newsletter/list-of-hrwg-newsletters.html> and <http://128.121.10.98/coe/main.jsp?smd=2&nid=569829>

Agenda

Tuesday, September 6, 2016, at 9:00 AM
Seoul, Republic of Korea

1. “Basic Principles on the Role of Archivists in Support of Human Rights.”
Report, Trudy Peterson, Giulia Barrera
2. Business archives, transparency and human rights; cooperation with SPA and SBA.
3. ICA project on a standard agreement on copying archives and exporting copies.
Report, Michael Hoyle and Graham Dominy
4. Archives at risk, UNESCO Memory of the World, Sub-Committee on Education and Research.
5. *HRWG News*. Index for the issues from 2009 through 2014; translators.
6. Data sharing for research and confidentiality. Cooperation with the Section of University Archivists.
7. Confidentiality of private information held in public records; Society of American Archivists
“issue brief.”
8. Archival training and human rights. Cooperation with the Section of Archival Educators.
9. HRWG section of ICA website.
10. HRWG membership.
11. Round table discussion.