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Commentary.

Two quite remarkable statements were issued within a few days of each other by political leaders in the Mideast. The first came on April 23, the day before the 99th anniversary of the start of the events of 1915 in which hundreds of thousands of Armenians living in Turkey were killed or driven from their homes. Turkish Prime Minister Recep Tayyip Erdogan issued a message in nine languages—including Armenian—that concluded, “It is our hope and belief that the peoples of an ancient and unique geography, who share similar customs and manners will be able to talk to each other about the past with maturity and to remember together their losses in a decent manner. And it is with this hope and belief that we wish that the Armenians who lost their lives in the context of the early twentieth century rest in peace, and we convey our condolences to their grandchildren.” He called again for a joint historical commission to study the events of 1915 and declared “we have opened our archives to all researchers.” Turkish media described Erdogan’s message as a “surprising statement,” while the Armenian president “brushed off” the condolences, demanding that Turkey recognize the killings as genocide. <http://www.al-monitor.com/pulse/originals/2014/04/armenian-genocide-erdogan-message-condolences.html> for statement in English <http://www.todayszaman.com/news-345906-erdogan-offers-turkeys-first-condolences-to-armenians-for-1915.html>; <http://www.voanews.com/content/analysts-call-turkish-pms-condolences-on-armenia-a-political-ploy/1903147.html>

Palestinian Authority President Mahmoud Abbas issued a statement in English, Arabic and Hebrew on April 27, the day before Israel’s official Holocaust Remembrance Day, in which he said, “What happened to the Jews in the Holocaust is the most heinous crime to have occurred against humanity in the modern era” and expressed sympathy “with the families of the victims and many other innocent people who were killed by the Nazis.” Israeli Prime Minister Benjamin Netanyahu responded by saying the statement was a “public-relations stunt.” <http://www.aljazeera.com/news/middleeast/2014/04/abbas-holocaust-was-heinous-crime-201442715735582213.html>; for statement from the Palestine News and Information Agency <http://english.wafa.ps/index.php?action=detail&id=25007>

Clearly the Turkish and Palestinian statements are steps in the right direction. The formation of a joint historical commission and the opening of all relevant archives would also be good steps. But what is interesting about these asymmetric gestures from an archivist’s point of view is how they fit into the records of diplomacy. These are diplomatic initiatives through the state media, but apparently without any direct delivery to the other government that has the principal interest in the issue. Where is the official copy of Erdogan’s statement in the Armenian government archives or Abbas’s in Israel? We can assume that multiple copies exist in at least the records of the prime minister, the foreign ministry, the intelligence service and the defense ministry, perhaps a foreign broadcast monitoring unit. But unlike the direct communications between one government and another which go through foreign ministries and are filed in those archives, these statements—directed, to be sure, to a people not to a specific government—do not have a similarly obvious official place within the records of the government. Yet someone somewhere in the government has to make sure that these overtures are completely and accurately preserved in Armenia and Israel as well as in Turkey and Palestine.

Alex Boraine was the deputy chairperson of the South Africa Truth and Reconciliation Commission. In his book *A Country Unmasked* he mused on the problem of reconciliation, quoting Philippine poet J. Cabazres’ poem on reconciliation which says, in part, “Talk to us about reconciliation/ Only if your words are not products of your devious scheme/ To silence our struggle for freedom.” Archives must preserve that talk of

reconciliation over months and years, trusting that it will help, in the long term, change a divided past into a shared future.

News of the Human Rights Working Group. The ICA Executive Board agreed to a timetable for public comment and review of the “Basic Principles on the Role of Archivists in Support of Human Rights” drafted by the Working Group. The text, which is being translated into French, will be posted on the ICA website; an open forum on the text will be held at the ICA annual meeting in October.

International news.

African Extraordinary Chambers. The court trying the crimes committed in Chad by the regime of Hissene Habre sent a team of four judges and two prosecutors to Chad to gather evidence, *International Justice Tribune* reported, obtaining statements from 543 persons, in addition to the nearly 1300 statements the court already had. The prosecution “continued to search and select evidence in the archives of the ‘DDS,’ the Documentation and Security Directorate often described as the political police of the Hissene Habre regime. Thousands of these documents are considered as key elements by the prosecution who recently appointed an expert graphologist to try and identify Habre’s handwriting, and a military expert, to reconstitute the chain of command within the DDS. All the documents are currently classified in chronological order: they cover the 8 years from 1982 to 1990 when Hissene Habre was president of Chad.” It seems unlikely that the police originally kept the records chronologically; what evidence was lost by not understanding the original order of the records?

http://justicetribune.com/37/?tx_ijtarticles_homecarousel%5Barticle%5D=503&tx_ijtarticles_homecarouse%5Baction%5D=show&tx_ijtarticles_homecarousel%5Bcontroller%5D=Article&cHash=8931258abc76e14ceb72f1f977fb1aae

European Court of Justice. The European Court of Justice overturned a 2006 European Union directive that “allowed telephone and email providers to store private citizens’ data en masse for scrutiny by investigators in later cases of serious crimes,” *Deutsche Welle* reported. The Court said, “The directive interferes in a particularly serious manner with the fundamental rights to respect for private life and to the protection of personal data.” <http://www.dw.de/top-eu-court-overturns-data-retention-directive/a-17550163>

European Union. The European Union and the government of Kosovo agreed to establish a special court to prosecute war crimes committed in the 1990s, *BIRN* reported. It will deal with the cases of about 500 people, mostly Serbs, missing after the conflict in Kosovo ended in July 1999. The tribunal will operate under Kosovo law but international prosecutors and judges will be appointed by the EU and will have an office in Kosovo and one outside the country which “will hold filings and sensitive records and be operated by international staff,” said Human Rights Watch. http://www.balkaninsight.com/en/article/kosovo-asks-eu-for-war-crime-tribunal?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=9f8bd00ff0-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-9f8bd00ff0-311109073; <http://www.hrw.org/news/2014/04/11/kosovo-approve-special-court-serious-abuses>

Inter-American Court of Human Rights. The Onondaga Nation, an indigenous tribe recognized by the U.S. government, filed suit with the Inter-American Court of Human Rights, alleging that the U.S. government has broken treaties and the U.S. courts failed to offer remedies. The heart of the suit is loss of land and environmental degradation of the remaining land by chemical and mining companies. The tribe’s attorney told *Inter Press Service*, “With the loss of land, pollution of water, and loss of access to water, health has been impacted negatively.” <http://www.ipsnews.net/2014/04/u-s-tribe-looks-international-court-justice/>

International Court of Justice. The Republic of the Marshall Islands sued nine countries, accusing them of failing to pursue the negotiations and disarmament as required by the 1968 Nuclear Non-Proliferation Treaty. It also sued the U.S. in Federal District Court in San Francisco. The Islands' population continues to suffer the after effects of 67 above ground nuclear tests conducted in the territory by the United States after World War II. All nine nations should have copies of the treaty in government archives. <http://www.theguardian.com/world/2014/apr/24/marshall-islands-sues-nine-nuclear-powers-failure-disarm>; for the filing in the U.S. court, see <https://www.weo1.com/tpn/c/C517/docs/Complaint-for-Breach-of-the-Treaty-on-the-Non-Proliferation-of-Nuclear-Weapons.pdf> . Thanks to Barbara Rose Johnston for the U.S. court citation.

The trials on claims of genocide by Serbia against Croatia and by Croatia against Serbia continued. *International Justice Tribune* reported that lawyers for both sides “cherry-pick evidence” from the judgments of the international Criminal Tribunal for the former Yugoslavia. Serbia, arguing that former Croatian president Franjo Tudjman had “genocidal intent,” quoted him “according to an official transcript” saying in a meeting with his military commanders “We have to inflict such blows that the Serbs will to all practical purposes disappear.” http://justicetribune.com/37/?tx_ijtarticles_homecarousel%5Barticle%5D=503&tx_ijtarticles_homecarouse1%5Baction%5D=show&tx_ijtarticles_homecarousel%5Bcontroller%5D=Article&cHash=8931258abc76e14ceb72f1f977fb1aae

International Criminal Court. The Court hearing the case against former Ivory Coast president Laurent Gbagbo is trying to understand the “absolute authority” he had over the Ivorian security forces, reported the *International Justice Tribune*. Judges asked the prosecutor “to provide further evidence about the ‘organisational structure of pro-Gbagbo forces, including how the different subgroups interested within the overall structure and especially how the ‘inner circle’ coordinated, funded and supplied the means for the activities of the different sub-groups’.” This is the kind of information that a good description of the records of the forces would provide. The judges also asked the UN Office of the High Commissioner for Human Rights for a report on the shelling of the town of Abobo in 2011 that caused 25 deaths and 40 injuries, but OHCHR has so far refused to hand it over. http://justicetribune.com/37/?tx_ijtarticles_homecarousel%5Barticle%5D=503&tx_ijtarticles_homecarouse1%5Baction%5D=show&tx_ijtarticles_homecarousel%5Bcontroller%5D=Article&cHash=8931258abc76e14ceb72f1f977fb1aae

International Criminal Tribunal for the former Yugoslavia. Testimony given in one case by a now deceased person is being used by the prosecution in another case. Miroslav Deronjic was convicted by the Tribunal; during his trial he testified that he received “a command from the top” to kill all the prisoners from Srebrenica that he was holding. When this testimony was read in the trial of Aleksandar Cvetkovic, the defense counsel objected, saying if Deronjic was alive he could be asked questions about the statements, reported *BIRN*. This is the interesting situation that when a case is completed, the oral testimony becomes a record of the trial, and that record can be introduced in other cases if the person giving the testimony is deceased. From oral to written record. http://www.balkaninsight.com/en/article/testimony-on-command-for-srebrenica-killings?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=98af544bcd-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-98af544bcd-311109073

International Financial Institutions. The United Nations and the African Development Bank, the Asian Development Bank, Inter-American Development Bank, the International Monetary Fund, the Islamic Development Bank and the World Bank Group signed a Memorandum of Understanding “to collaborate in strengthening statistical capacity in member countries and to facilitate the sharing of data, tools, standards, and analysis to improve statistics for monitoring development outcomes.” Official government statistics are an important part of a government’s archival holdings. For the press release, see <http://www.afdb.org/en/news-and-events/article/international-financial-institutions-agree-to-share-data-to-improve-development-outcomes-and-lay-the-groundwork-for-the-post-2015-development-agenda-11686/> For a background report by the United Nations Secretary-General, “Big data and modernization of statistical systems,” see <http://unstats.un.org/unsd/statcom/doc14/2014-11-BigData-E.pdf>

Special Tribunal for Lebanon. According to the *International Justice Tribune*, the prosecutors “rely heavily on phone record evidence” that links the five indicted men. Two of the accused “are alleged to have disseminated statements and delivered a video to *Al-Jazeera* falsely claiming responsibility on behalf of a fictitious group.”

http://justicetribune.com/37/?tx_ijtarticles_homecarousel%5Barticle%5D=503&tx_ijtarticles_homecarouse1%5Baction%5D=show&tx_ijtarticles_homecarousel%5Bcontroller%5D=Article&cHash=8931258abc76e14ceb72f1f977fb1aae

United Nations. The United Nations Office on Drugs and Crime (UNODC) released its report, *Global Study on Homicide 2013*. Honduras has the world’s highest murder rate (90.4 murders per 100,000 people), and the Americas as a region have the highest rate of peacetime murders. The study relied on the UNODC Homicide Statistics dataset “sourced from either criminal justice or public health systems. In the former, data are generated by law enforcement or criminal justice authorities in the process of recording and investigating a crime event, whereas in the latter, data are produced by health authorities certifying the cause of death of an individual.” <http://uk.reuters.com/article/2014/04/10/uk-latam-crime-idUKBREA390IK20140410>; for the study, see <http://www.unodc.org/gsh/>

The photographs of tortured dead persons that were smuggled out of Syria were shown to the United Nations Security Council as part of a debate on whether to refer Syria to the International Criminal Court. For background, see *HRWG News* 2014-01. <http://www.bbc.com/news/world-middle-east-27044203>

United Nations High Commissioner for Human Rights. The High Commissioner released a paper on the use of torture in Syria, “drawing on 38 interviews conducted by United Nations investigators over the last eight months with individuals released from detention centers across Syria.” Sometimes, said the *New York Times*’ article on the report, families of the deceased “received only identification papers of the deceased but not a body.” <http://www.nytimes.com/2014/04/15/world/middleeast/torture-in-syria.html?ref=world&r=0>; for the report, see <http://www.ohchr.org/Documents/Countries/SY/PaperOnTorture.pdf>

World/general news. Action on Armed Violence and the Oxford Research Group, both non-governmental organizations, issued “separate but complementary reports” on the best practice for recording civilian casualties during armed conflicts. Both relied heavily on interviews, but Oxford also did a case study of the civilian casualty recording practice of the Human Rights Unit of the UN Assistance Mission in Afghanistan that included reviewing “reports and commentary.” The two groups issued a joint summary, which noted that “Data from casualty records was used at the International Criminal Tribunal for the former Yugoslavia in the case against Slobodan Milosevic. In Peru, the case against former president Alberto Fujimori, and in Guatemala, the case against ex-military ruler Efraim Rios Montt, also utilized data produced through detailed casualty recording.” They recommend, “Recording systems should be set up as early as possible to facilitate the verification of cases, provide an opportunity for trend analysis and inform will-timed action. They should also record information on the injured after their hospitalization in order to provide evidence on the long-term impact of armed violence.” http://oxfordresearchgroup.org.uk/publications/briefing_papers_and_reports/joint_org_aoav_exec_summary;_aoav.org.uk/2014/counting-the-cost; http://ref.ec/un

Bilateral and multilateral news.

Al-Qaeda and Al-Shabaab. Videos and an audio recording were issued in April by the two terrorist groups. The audio was an interview with al-Qaeda leader Ayman al-Zawahiri, published on the Islamist website *Hanein*, in which he “called on Muslims to kidnap Westerners, particularly Americans, who could then be exchanged for jailed jihadists,” reported *Reuters*. Al-Qaeda released a video clip to jihadist websites of its leaders meeting in Yemen, in which the head of al-Qaeda in the Arabian Peninsula says,

according to *CNN*, “We must eliminate the cross. . . . The bearer of the cross is America!” Al-Shabaab released a video that *CNN* says includes a statement that the attack on the Westgate Mall in Nairobi, Kenya, was not enough, there are “hundreds of men who are wishing for such an operation,” and “we will blow you up, until we finish you off.” Surely the archives of government security services are preserving copies of these threatening messages. <http://www.reuters.com/article/2014/04/26/us-qaeda-zawahiri-idUSBREA3P0AY20140426> ; <http://www.cnn.com/2014/04/18/world/terrorist-messages-surface/>

Argentina/Spain. Spain rejected Argentina’s request to extradite two former policemen accused of torture during the dictatorship of Francisco Franco, reported the *Buenos Aires Herald*. For background, see *HRWG News* 2013-09.

<http://www.buenosairesherald.com/article/158397/francoera-crime-probe-now-depends-on-possible-arrests-outside-spain>

Armenia/Turkey. *Al-Monitor* reported that Turkey’s Foreign Ministry confirmed that preparations are “in progress” to “grant Turkish citizenship rights to succeeding generations” of the Armenians killed or deported in 1915 and not now holding Turkish citizenship--“if they so wish.” The minister did not specify what documentation would be required for proof that an ancestor was a Turkish citizen. http://www.al-monitor.com/pulse/politics/2014/04/turkey-citizenship-descendants-displaced-armenians.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=f754b83885-January_9_20141_8_2014&utm_medium=email&utm_term=0_28264b27a0-f754b83885-93088897#

Australia/Indonesia/Timor-Leste. A researcher at the National Archives of Australia requested access to two Foreign Affairs and Trade files “that contain reports about a major Indonesian military offensive across East Timor in late 1981 and early 1982,” the *Sydney Morning Herald* reported. The operation was particularly brutal, with serious human rights violations. The National Archives denied access to 140 of the 600 pages; the researcher appealed to the government’s Administrative Appeal Tribunal, which upheld the denial, noting that the government “stressed the particular sensitivity about the relationship currently between Australia and Indonesia.” The United States advised Australia that four documents should be withheld because they contain “ongoing sensitivities.” The researcher plans to challenge the decision. <http://www.smh.com.au/federal-politics/political-news/australia-wins-legal-battle-to-suppress-secret-papers-on-east-timor-for-fear-of-upsetting-indonesia-20140403-zqq73.html>
<http://timorarchives.wordpress.com/2014/04/16/keeping-oz-archives-secret/>

China/Japan/Korea. China’s Jilin Provincial Archives continued to release records abandoned by the Japanese army at the end of World War II. Twenty-five of the 89 items released in April relate to “comfort women” forced into sex slavery, and six items “documented the transfer of prisoners to the notorious Unit 731 where bacterial experiments on humans were carried out,” reported *Xinhua*.
<http://www.ecns.cn/2014/04-26/111285.shtml>

France/Rwanda. The 20th anniversary of the start of the Rwandan genocide brought calls from *Le Monde* and France’s Green Party for the French government to open its archives on the subject.
http://www.lemonde.fr/afrique/article/2014/04/07/france-rwanda-il-est-grand-temps-d-ouvrir-les-archives_4396889_3212.html

Guatemala/United States. A provision in the appropriations bill enacted in January bars the U.S. from granting certain funds to Guatemala’s military unless the U.S. Secretary of State certifies that three conditions are met, one of which is that Guatemala’s Army publicly discloses “all military archival documents relating to the internal armed conflict in a timely manner in response to requests by civilian judicial authorities.” The Guatemala Human Rights Commission mounted a campaign to ensure that the Secretary does not authorize these funds. For a good discussion of the complex issue, see the article in *Foreign Policy in Focus*: <http://fpif.org/guatemala-suppressing-dissent-home-abroad/>

Iraq/United States. In 2008 the Hoover Institution in California made an agreement with the private Iraq Memory Foundation to take custody of the Ba’ath Party records that the Foundation obtained in Baghdad at the fall of the Saddam Hussein regime and transported to the United States. Now the Hoover Institution

has made approximately ten million pages of Baath Party documents available online. Thanks to Jeff Spurr for the information. For the press release, see: <http://www.hoover.org/library-and-archives/collections/middle-east/featured-collections/iraq-memory-foundation>

Ireland/United Kingdom/Northern Ireland/United States. News media all over the world reported the arrest on April 30 of Irish Sinn Fein leader Gerry Adams by the Police Service of Northern Ireland for questioning about the 1972 murder of Jean McConville. Information from oral history interviews held in the archives at Boston College was central to the arrest. For a sampling of the news stories on the arrest, see <http://bostoncollegesubpoena.wordpress.com/>

Kenya/Somalia. Kenya's government arrested "thousands of undocumented refugees, immigrants and Kenyan citizens" this spring and deported the refugees from Somalia back to Somalia. According to the *New York Times*, the cabinet secretary for the interior told reporters, "We bring the arrested persons to this place, screen them, verify those who have documents and those who do not have." The government announced that in the wake of the attack on the Westgate Mall last year where 67 people died, "all Kenyans will have to reregister with the government via digital means and be issued new identification cards." http://www.nytimes.com/2014/04/18/world/africa/kenyas-answer-to-terrorism-sweeping-roundups-of-somalis.html?_r=0

Russia/Ukraine. The struggle between Russia and Ukraine had an archival angle in April. The Russian Defense Ministry posted a series of apparently newly declassified documents on the Ministry's official website, according to *The Voice of Russia*: "There are reports, explanatory notes and special messages written by officers of the Red Army and leaders of the Ukrainian partisan movement and containing documentary evidence of the origin and development of the nationalist movement in Ukraine, its partnership with the Nazis, participation of nationalists in armed groups, their tactics of armed struggle against the Red Army and atrocities against civilians." http://voiceofrussia.com/news/2014_04_03/Russias-Defense-Ministry-declassifies-docs-of-Ukrainian-nationalists-activities-during-Great-Patriotic-War-8133/

Meanwhile, the Cabinet of Ministers of Ukraine appointed a new director of the Ukrainian National Memory Institute. In an interview with *Euromaidan Wache Berlin*, he said that his goal is to create "An Archive of National Memory," which will remove "all archival materials of the Soviet repressive system from the jurisdiction of the current special and security services (Security Service of Ukraine, Ministry of Interior of Ukraine, Foreign Intelligence Service of Ukraine)." The Security Service of Ukraine also appointed a new Archives Director; this archives "houses the majority of the KGB archival materials" and director plans to "ease access" to them. <http://euromaidanberlin.wordpress.com/2014/04/01/kgb-archives-in-ukraine-will-be-open-to-public/>

Switzerland/United States. Using records from U.S. and Swiss archives, a U.S. historian studied a prison camp in Switzerland where U.S. soldiers were held during World War II and found that conditions at the camp (Wauwilermoos) "were analogous to camps elsewhere" for prisoners of war, reported the *Washington Post*. The U.S. soldiers held at the camp "were never officially recognized as prisoners of war because Switzerland was not at war with the United States," but based on the research the U.S. Department of Defense has now recognized them. A total of 1570 U.S. air force personnel were interned in Switzerland during the war, but the inhumane conditions at the Wauwilermoos camp were "an aberration." <http://www.stripes.com/news/air-force/wwii-vets-detained-in-switzerland-finally-get-pow-status-1.280925>

Former Yugoslavia. In 1949 Goli Otok island in Croatia "was transformed into a high-security clandestine prison and labour camp, where mainly political prisoners were forced to work and were regularly tortured by the guards," *BIRN* wrote. The prison closed in 1988. A new exhibit in Belgrade posted a searchable alphabetical list of 16,500 people were jailed at the camp, "created on the basis of documents from various [Yugoslav] secret services." http://www.balkaninsight.com/en/article/list-of-goli-otok-prisoners-published-online?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=c28b26ea0b-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-c28b26ea0b-311109073

National news.

Argentina. The Defense Ministry “uploaded a document directly related to the Malvinas war” that shows “a clear link between those who tortured in the clandestine detention centres [during the military dictatorship] and those who led Argentine forces in the 1982 Malvinas War,” the *Buenos Aires Herald* reported. For background, see *HRWG News* 2013-11.

<http://www.buenosairesherald.com/article/156103/archives-show-links-in-repression-malvinas>

Belgium. The Flemish humanist movement will open the Centre for Academic and Humanist Archives, uniting the academic archives of the Free University of Brussels and the cultural heritage archives of the Karel Cypers center. The new Centre “brings together documents and objects that were important in the decades-long struggle for humanist values that fundamentally transformed Flemish society, long under the influence of Catholic dogmatism,” reported *Flanders Today*.

<http://www.flanderstoday.eu/education/flanders-gets-its-first-humanist-archives>

The city archives of Brussels transferred to the State Archives the last of 85 boxes (35 meters in total) of documents relating to property forcibly taken from Jews during World War II. The records had been “saved from destruction” by the city in 1970. <http://www.levif.be/info/belga-generique/les-archives-generales-du-royaume-etoffent-leur-collection-sur-la-persecution-des-juifs/article-4000600731316.htm>

Bosnia. Bosnia’s State Investigation and Protection Agency searched the Police Veterans’ Association office in Gorazde and the house of a former policeman looking for information to aid a war crimes probe “into alleged crimes against Serbs in the area during the 1990s war,” reported *BIRN*. The head of the associations said it handed over its list of former police officers in Gorazde during the war but the 18 other documents requested “we do not possess.” http://www.balkaninsight.com/en/article/gorazde-veteran-police-association-searched?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=c1a382a973-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-c1a382a973-311109073

http://www.balkaninsight.com/en/article/gorazde-veteran-police-association-searched?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=c1a382a973-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-c1a382a973-311109073

Burundi. The ruling political party voted to create a “reconciliation” commission to “establish the truth about conflicts wracking Burundi since independence from Belgium in 1962,” *Reuters* reported. Records of the previous Burundi truth commission (1995-1996) are in the UN Archives in New York.

<http://www.reuters.com/article/2014/04/18/us-burundi-politics-idUSBREA3H0E020140418>

Canada. As part of the continuing work of the residential schools truth commission, in late March the “death records of tens of thousands of First Nations children who died during the time residential schools were operating in Canada have been handed over to the Truth and Reconciliation Commission,” reported *The Canadian Press*. <http://www.ctvnews.ca/canada/provinces-hand-over-aboriginal-death-records-from-residential-school-period-1.1751450> At the same time, 43 residential school survivors were notified of “a possible breach of privacy by the agency handling their compensation claims” when a laptop that had medical records and case summaries detailing abuse was stolen, the Commission chair told *CBC News*.

<http://www.cbc.ca/news/politics/residential-school-survivors-notified-of-possible-privacy-breach-1.2590914>

Chile. Colonia Dignidad was a compound founded by German immigrants in 1961 in southern Chile who collaborated with Chile’s secret police during the years of the Pinochet dictatorship. In 2005 police raiding the property found an estimated 30,000 archives of intelligence profiles created by the Chilean secret police (*Santiago Times*, June 20, 2005). As part of a lawsuit against the state by the victims of human rights abuses at Colonia Dignidad, the judge ordered the declassification of 39,000 records about the disappeared during the dictatorship, the majority of which concern Colonia Dignidad but some also provide information on other clandestine torture centers, reported *Politica*. <http://noticias.terra.cl/nacional/politica/justicia-chilena-desclasifica-39000-fichas-sobre-desaparecidos-en-dictadura.1bebdd6525d35410VgnCLD2000000dc6eb0aRCRD.html>

Colombia. Oxfam International released a report in March of a five year study (2008-2012) on victims of sexual violence under the age of 18 during the course of Colombia's armed conflict. The authors collected information from 1,070 of the country's 1130 municipalities and found almost 49,000 cases, of which about 41,000 were girls. Now, reported *El Pais*, "Colombian authorities are trying to come up with some real statistics." http://elpais.com/elpais/2014/04/09/inenglish/1397051121_749135.html

Croatia. The Civic Committee for Human Rights, monitoring the war crimes cases in Croatian courts, said that "judging from the documentation of the cases . . . lesser punishments are being announced in cases of war crimes than in criminal cases in general," reported *BIRN*.
http://www.balkaninsight.com/en/article/croatian-ngos-deep-divisions-within-croatian-society?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=9f8bd00ff0-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-9f8bd00ff0-311109073

Democratic Republic of Congo. *New Vision* published the official list of 51 recipients of amnesty under the Congo's amnesty law of February 11. The Congolese minister of justice and human rights said "the recipients must fill out a form committing them to not reoffend." A government archives must immediately secure and preserve those written commitments. <http://www.newvision.co.ug/news/654768-drc-releases-list-of-m23-amnesty-beneficiaries.html>

Egypt. A report by four rights groups examined 250 cases of sexual violence that took place between November 2012 and January 2014, for which "not a single perpetrator has been brought to justice," reported *Ahram Online*. Most were not reported to police, but those that were "rarely lead to the opening of an investigation." Access to police archives would substantiate this.
http://english.ahram.org.eg/NewsContent/1/64/99186/Egypt/Politics-/Successive-Egypt-governments-failed-to-stop-sexual.aspx?mkt_tok=3RkMMJWWfF9wsRojvqvOZKXonjHpfsX96uUkXrHr08Yy0EZ5VunJEUWy34cFTNQ%2FcOedCQkZHbIFnV4JQ624SrUNrKEO

India. In 2009 India began the process of issuing each resident a card with a unique identification number and personal "biometrics." The card data is stored in a database of the Indian government agency UIDAI (Unique Identification Number Authority). India's Central Bureau of Investigation wanted the "biometric details of all enrolled Goa residents" for use in an investigation, but the Supreme Court ruled that UIDAI "did not need to share its data with any agency of the government without the consent of those in its database," according to the Observer Research Foundation. http://www.eurasiareview.com/14042014-questions-about-the-security-of-aadhar-projects-biometric-database-analysis/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsNE+%28Eurasia+Review%29

Italy. The Prime Minister signed an order to declassify and transfer to the Central State Archives all records regarding terrorist acts during Italy's "years of iron" (1960-1980). However, as Giulia Barrera of the Archives points out, this would tear apart existing archives; for example, "the documents of the Bologna police regarding the 1980 bomb to the Bologna railway station [now will] go to the Archivio central in Rome, and not to the State Archives of Bologna, together with all the other records of the Bologna police." Furthermore, the State Archives has no space to store this quantity of records and the government has not been given the Archives the personnel, space or equipment to manage the designated records. <http://www.courrierinternational.com/article/2014/04/23/secret-leve-sur-le-terrorisme-des-annes-de-plomb>

Lebanon. In March the State Shura Council ruled that families of missing persons would be allowed access to the investigation and full report of the Commission of Inquiry on the Missing and Forcibly Disappeared in Lebanon (for background, see *HRWG News* 2014-03.) The International Center for Transitional Justice interviewed the author of the draft law on the Missing and Forcibly Disappeared Persons in Lebanon, Nizar Saghieh, who said that the ruling "gives the families the right to access everything regardless of the reasons given on political imperatives or the security situation. This underscores the importance of this right and its recognition as a natural right stemming from all other rights established in international covenants, because

it provides for the right to access all documents without allowing the state to invoke the civil peace in order to prevent this access. The government commissioner and the Counsel Rapporteur in the lawsuit have raised this issue. They claimed that the families have no right to access these documents since that will jeopardize civil peace. However, the Council rejected these arguments.” <http://ictj.org/news/lebanon-interview-saghih>

Libya. The trial of 37 former officials of Gaddafi regime, including former intelligence chief Abdullah al-Senussi, began in Tripoli. The International Criminal Court’s prosecutor had charged Senussi with war crimes, but last October the Court’s judges decided that Libya was able to try him and terminated the ICC case. They were persuaded by Libya’s prosecutors, reported the *International Justice Tribune*, who “mentioned 200 witness statements, thousands of documents, wire taps and videos” and demonstrated “an understanding of the need to prove both the crimes and a chain-of-command stretching to al-Senussi.” However, the Libyan prosecutor has not allowed Senussi or the 36 co-defendants to see the evidence. http://justicetribune.com/37/?tx_ijtarticles_homecarousel%5Barticle%5D=503&tx_ijtarticles_homecarousel%5Baction%5D=show&tx_ijtarticles_homecarousel%5Bcontroller%5D=Article&cHash=8931258abc76e14ceb72f1f977fb1aae

Nepal. Nepal’s parliament passed a bill creating a Truth and Reconciliation Commission and a separate Commission on Investigation of Missing Persons. According to the *International Justice Tribune*, the attorney general must open cases forwarded to him by either commission. Nepal had two truth commissions in the 1990s; it is not known what archives holds their records. http://justicetribune.com/37/?tx_ijtarticles_homecarousel%5Barticle%5D=503&tx_ijtarticles_homecarousel%5Baction%5D=show&tx_ijtarticles_homecarousel%5Bcontroller%5D=Article&cHash=8931258abc76e14ceb72f1f977fb1aae

Rwanda. Save the Children, a nongovernmental organization, announced that it “recently re-opened an incredible archive at our office in Kigali” of photographs taken in 1994 and carried to villages by Save the Children workers hoping that people would look at the pictures and “recognize their children, grandchildren, nieces and nephews.” The NGO says it also has hand-written notes that accompany the photographs. <http://reliefweb.int/report/rwanda/polaroid-archive-documentation-country-s-lost-children>

Saudi Arabia. *Gulf News* reported that the Saudi government passports department announced that children born to Saudi women who have married expatriates (persons from other countries, in this context) will be “treated as Saudis for work, education and medical purposes,” provided that the mother’s marriage contract was “approved by local authorities” and the children are “in possession of IDs.” Records of marriage approvals and the issuance of IDs will be crucial sources. http://gulfnews.com/news/gulf/saudi-arabia/children-born-to-expats-who-married-saudi-mothers-get-equal-rights-1.1320979?mkt_tok=3RkMMJWWfF9wsRojvqvOZKXonjHpfsX96uUkXrHr08Yy0EZ5VunJEUWY34cFTNQ%2FcOedCQkZHblFnV4JQ624SrUNrKEO

Serbia. Fifteen years ago, on 23 April 1999, NATO bombed the public broadcaster RTS and killed 16 people. As the anniversary neared, the Journalists’ Association of Serbia called on the defense ministry and military security agency “to provide all the necessary documents that are important for finding those responsible for this horrific crime,” *BIRN* reported. Questions have been raised for years as to whether the government knew beforehand of NATO plans to target the building and did not evacuate it “in order to score political points against NATO.” http://www.balkaninsight.com/en/article/journalists-call-for-a-new-probe-in-rts-bombing?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=98af544bcd-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-98af544bcd-311109073

Slovenia. A referendum on the new archives law (for background, see *HRWG News* 2014-03) was set by the National Assembly for May 4, the Constitutional Court repealed the decree, and it is now set for June 8, *STA* reported. <http://www.sta.si/en/vest.php?s=a&id=2002929>

Sri Lanka. A special police unit set up by the government to investigate religious hate crimes received--on its very first day of operations--280 complaints from Muslims and 3 complaints from Buddhists, reported *ABPlive*. Managing the records for the new police unit will be a major task. <http://www.abplive.in/World/2014/04/29/article303190.ece/Sri-Lankas-religious-hate-crimes-unit-receives-nearly-300-complaints-on-first-day>

Turkey. An Ankara court lifted the government's ban on YouTube (see *HRWG News* 2013-04) except for "15 specific YouTube links," reported *CNN*. The government said it blocked the service because of a conversation between government officials "purportedly discussing the possibility of going to war with neighboring Syria" was leaked and posted. <http://www.cnn.com/2014/04/04/world/europe/turkey-youtube-ban-court/>

Ukraine. The *BBC News Magazine* published a feature on Ukrainian activists trying to reassemble shredded, soaked and burned records recovered from the estate of former president Viktor Yanukovich, the sauna of the former general prosecutor, the home of the former energy minister, and thirty rubbish bags from bins "beneath a conglomerate" owned by a young billionaire. Thanks to Antoon De Baets for the reference. <http://www.bbc.co.uk/news/magazine-26835441>

United Kingdom. In March hackers broke into computer servers of the Harley Medical Group, gaining access to 480,000 records with personal information, and then tried--unsuccessfully--to blackmail the Group, reported *Industry News*. http://www.hotforsecurity.com/blog/hackers-attempt-to-blackmail-cosmetic-surgery-firm-after-stealing-up-to-500000-patients-records-8419.html?utm_source=rss&utm_medium=rss&utm_campaign=hacker-blackmail-cosmetic-surgery

Penryn College accidentally emailed its "weekly summary of all students' commendations and behavior incidents" to all its students. Although the email was recalled quickly, it circulated for 30 minutes and was forwarded to at least one parent and to *The Falmouth Packet*, reported [thisisthewestcountry.co.uk](http://www.thisisthewestcountry.co.uk/news/cornwall_news/11163418.Confidential_records_mistakenly_sent_to_all_students_at_Penryn_College/).

United States. "A *New York Times* analysis of internal government records shows that since Mr. Obama took office, two-thirds of the nearly two million deportation cases involve people who had committed minor infractions, including traffic violations, or had no criminal record at all. Twenty percent--or about 394,000--of the cases involved people convicted of serious crimes, including drug-related offense, the records show." http://www.nytimes.com/2014/04/07/us/more-deportations-follow-minor-crimes-data-shows.html?_r=0

The Justice Department announced that it "plans to collect data in five cities on police stops, searches, arrests and case outcome" to get "verifiable" data to see the "possible effect of bias within the criminal justice system," reported the *Washington Post*. <http://www.washingtonpost.com/blogs/wonkblog/wp/2014/04/30/it-is-exceptionally-hard-to-get-good-data-on-racial-bias-in-policing/>

The Federal Government Accountability Office (GAO) reported that the number of information security breaches in government agencies "involving personally identifiable information more than doubled between 2009 and 2013," *Nextgov.com* reported, with 25,566 incidents in 2013. http://www.nextgov.com/cybersecurity/cybersecurity-report/2014/04/one-chart-shows-why-you-shouldnt-trust-feds-your-data/81844/?oref=nextgov_today_nl GAO also complained that Internal Revenue Service information continued to be vulnerable to unauthorized access and the IRS is not moving quickly enough to correct the problems. <http://www.gao.gov/products/GAO-14-405>

Two military veterans groups sued the U.S. Department of Veterans Affairs (VA), claiming that the VA discriminates against veterans reporting post-traumatic stress disorder after being raped. The claimants said VA statistics from 2009 to 2012 show that officials "authorized PTSD claims filed by the survivors of military sexual trauma as much as 30 percent less often when compared to other service-related PTSD

claims,” reported *NBC News*. <http://www.nbcnews.com/#/health/mental-health/vet-groups-claim-va-discriminates-against-rape-survivors-n93721>

In a stunning example of the importance of records, a typographical error on a “presentence report” (a document created after a person is convicted of a crime but before the sentence is determined) added three and a half years to the man’s prison time. President Obama intervened to correct the error after the sentencing court refused to make the change, *Reuters* reported.

<http://www.reuters.com/article/2014/04/15/us-usa-obama-prisoner-idUSBREA3E1SB20140415>

The *New York Times* used police and university records to investigate the “flawed rape inquiry” after a freshman student at Florida State University filed a complaint in December 2012 against the university’s star football player. The *Times* found “that there was virtually no investigation at all, either by the police or the university” and “important evidence had disappeared” before the prosecutor got the case, which led to a decision not to prosecute. <http://www.nytimes.com/interactive/2014/04/16/sports/errors-in-inquiry-on-rape-allegations-against-fsu-jameis-winston.html>

The National Archives, in response to a Freedom of Information Act request, released “more than 100 pages of Federal Bureau of Investigation documents and photos” connected to an incident on July 15, 1964, in Canton, Mississippi, when four civil rights workers driving a truck transporting voter registration material were stopped by state and local police and brutally treated, *The [Eastern Iowa] Gazette* reported.

<http://thegazette.com/2014/03/29/50-year-old-fbi-files-shed-light-on-iowa-mans-police-brutality-case/>

United States/Iowa. A worker at the Iowa home for juveniles who have committed criminal acts is charged with assaulting a teenage girl there. The *Des Moines Register*, which has had a long-running investigation of the home, filed suit to see the security camera video of the incident. State officials oppose the release, on the grounds that the video is “a medical treatment record” and that even if her face is blurred the newspaper might be able to identify her. However, public court files on the case against the worker identify the girl and “other Iowa court files outline her medical treatment, her behavior at the home and her psychiatric diagnoses,” none of which the newspaper has published.

<http://www.desmoinesregister.com/story/news/investigations/2014/04/14/juvenile-home-worker-seeks-girls-medical-records/7690237/>

United States/Massachusetts. In Quincy, records found scattered about eight-tenths of a mile from a military veterans services office contained information about individual veterans such as Social Security numbers and benefit claims. A shredding company had “picked up thousands of similar records” from the office; police are investigating how they ended up in a park and on the street.

<http://quincy.wickedlocal.com/article/20140426/NEWS/140427263>

United States/New York. “The New York [City] Police Department has abandoned a secretive program that dispatched plain clothes detectives into Muslim neighborhoods to eavesdrop on conversations and built detailed files on where people ate, prayed and shopped,” reported the *New York Times*. The records of the program are the subject of an ongoing lawsuit, and until that case is decided “the police may not destroy any of the Demographic Unit files;” however, after the case is settled “the future of the documents is unclear.” These records need to be preserved to ensure that persons bringing future civil rights suits will have access to the evidence the files provide. http://www.nytimes.com/2014/04/16/nyregion/police-unit-that-spied-on-muslims-is-disbanded.html?_r=0

New York City police are looking into cases handled by a detective whose integrity is in question. They have discovered that a file on a 1985 murder contains “old handwritten police notes that could exonerate two men convicted” of it. The notes say that two eyewitnesses identified killers different from the two men who were convicted; the notes were not turned over to the defense lawyers in the original case which, reported the *New York Times*, “is a serious violation of the rules of criminal procedure.”

<http://www.nytimes.com/2014/04/09/nyregion/notes-found-as-brooklyn-detectives-work-is-reviewed-could-exonerate-two-convicted-of-murder.html>

Uzbekistan. The government ordered Internet cafes to “install surveillance cameras, as well as to keep records of the visited internet web resources (log-files) and store them during 3 months,” *UzReport* wrote. <http://www.uz24.uz/en/Society/internet-cafes-ordered-to-install-cctv-cameras-and-store-users-log-files>

Publications and conferences.

UNESCO published Perrine Canavaggio’s update of her 2011 study on Freedom of Information: <http://unesdoc.unesco.org/images/0022/002268/226875f.pdf>.

The *International Justice Tribune*, the best source for issues relating to the international courts, is publishing again. For subscription information, see www.justicetribune.com

Institute of Commonwealth Studies, University of London, is holding a conference on 29 May 2014 on “The Secret Archive: What is the significance of the FCO’s ‘Migrated Archives’ and ‘Special Collections’?” To view the program and to register, see http://store.london.ac.uk/browse/extra_info.asp?compid=1&modid=5&catid=28&prodid=625

For those interested in the controversy surrounding the Iraqi Jewish Archives, see the link below for the video of the conference on the topic held at Cardozo Law School in New York, 31 March 2014. <http://cardozolaw.hosted.panopto.com/Panopto/Pages/Viewer.aspx?id=322aecb9-e5b8-433e-8a46-96b1ca53fb6a>

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