



September 8 is International Literacy Day, September 10 is World Suicide Prevention Day, September 15 is the International Day for Democracy, and September 21 is International Day of Peace

News of August 2012

Compiled by Trudy Huskamp Peterson, Chair, HRWG

As researchers tell it, when they ask archivists for access to sensitive material, they usually get one of four responses: “Those sorts of records were never created.” “Those records were destroyed.” “We don’t have those records.” “You can’t see those records.” For persons denied access to records important to them, for whatever reason, access is urgent and access reform is unfinished business.

The International Council on Archives, in a step that should put the review of access policy on the table at every archives, adopted the *Principles of Access to Archives* at its August 2012 annual general meeting. The *Principles*, ten in number with accompanying explanatory text, address access issues in both public and private archives, in archives of businesses and faith-based organizations, in educational institutions and in archives holding private papers. The *Principles* are accompanied by an introduction that discusses the purpose and scope of the *Principles* and the shared responsibilities for implementing them. The Introduction summarizes the ethos of the *Principles* in the opening paragraph:

“Archives are preserved for use by present and future generations. An access service links archives to the public; it provides information for users about the institution and its holdings; it influences whether the public will trust the custodians of archives institution and the service they provide. Archivists support a culture of openness, but accept restrictions as required by laws and other authorities, ethics, or donor requirements. When restrictions are unavoidable, they must be clear and limited in scope and duration. Archivists encourage responsible parties to formulate clear mandates and consistent rules for access, but in the absence of unambiguous guidelines, archivists determine appropriate access by considering professional ethics, equity and fairness, and legal requirements. Archivists ensure that restrictions are fairly and reasonably applied, prevent unauthorized access to properly restricted archives, and provide the widest possible use of archives by monitoring restrictions and promptly removing those no longer warranted. Archivists adhere to the *Principles of Access to Archives* in formulating and implementing access policies.”

The *Principles* as adopted are found here: <http://icarchives.webbler.co.uk/13619/toolkits-guides-manuals-and-guidelines/draft-principles-of-access-to-archives.html> Over the next ten months, *HRWG News* will look at each of the Principles.

Access to particular bodies of records and for particular users will always be problematic. Managing access is never easy, but with the *Principles* researchers and archivists have a document to use to have a meaningful conversation about the availability of records for consultation as a result both of legal authorization and the existence of finding aids.

Note: A coalition of freedom of information organizations from around the world, known as the FOI Advocates Network, promotes September 28 as International Right to Know Day. The Network asked UNESCO to recognize the date as a United Nations day, but the proposal has not yet been acted upon. <http://www.freedominfo.org/regions/global/rtk-day/> September 28 would be an excellent day to discuss the *Principles* with the research public.

Human Rights Working Group news.

The Human Rights Working Group met at the ICA annual meeting in August and covered the following matters:

*Heard a report from Aileen Cornelio and Tessa Fallon on the Human Rights Archives Directory project and saw the Directory online at <http://www.hrarchives.org/icaatom-1.1>. For a copy of the full report, please write to Trudy@trudypeterson.com. David Sutton, the chair of the ICA Section on Literary Archives, reported that the Section is exploring the possibility of developing a directory of archives that hold the works of dissident authors and may wish to collaborate with the HRWG on it.

*Thanked Tessa Fallon for volunteering to be the HRWG webmaster for the HRWG section of the ICA website.

*Heard a report from Sigrid McCausland on the work of the group developing a statement of responsibilities for incorporating human rights concerns in archival work.

*Noted that the HRWG is still seeking someone who will volunteer to translate *HRWG News* into Spanish and thanked Cristina Bianchi for her continuing work to translate it into French.

*Decided to try to develop a standard agreement on copying archives for purposes of export and utilization in another country; Michael Hoyle agreed to undertake a draft.

*Noted that the HRWG hopes to develop a basic bibliography of writings on archives and human rights; Sigrid McCausland volunteered to explore this with the ICA Section of Archival Educators. She also said she would explore with the Section what human rights topics are currently incorporated in the curricula of archival education programs.

*Discussed a possible project with the Section of Business Archives and the Section of Professional Associations on business archives, human rights, and archival practices.

*Agreed on a set of goals for the HRWG for 2012-2016 (these are attached to this *News*).

The ICA Congress featured a plenary address by Judge Balthasar Garzon of Spain, the judge who famously indicted Augusto Pinochet. Judge Garzon, in a speech headlined “Truth, Justice and Reparation,” said it “cannot be considered a secondary responsibility to maintain archives.” He argued that judicial truth and historical truth are complementary, and he stressed the

importance of the formal preservation of archives to serve as the basis for judicial proof. And, he declared, the records of judicial proceedings can be called the “heritage of humanity.”

Globoethics.net, a non-profit organization that has a digital library on the themes of ethics, theologies and the ecumenical movement, is now linking to the *HRWG News* on its website: www.globethics.net.

International news.

United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. The Special Rapporteur, Pablo de Grieff, published his first annual report. This is the Rapporteur whose responsibility includes the issues of archives identified by Louis Joinet in the 1997 report to the United Nations Human Rights Council on measures that should be taken to prevent impunity.

http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-46_en.pdf

African Union/Chad/Senegal. Senegal and the African Union signed an agreement to set up a special tribunal to try Chad’s former president Hissene Habre, who has been under house arrest in Senegal since 2005. In 1992 a truth commission in Chad said Habre was responsible for the death of 40,000 people during his eight-year presidency; the records of the commission are valuable resources for the trial. <http://www.bbc.co.uk/news/world-africa-19351938>

EULEX/Kosovo. In late July, the European Union Rule of Law Mission in Kosovo (EULEX) “certified 94 copies of original Kosovo civil and religious registry books for birth, death and marriage” from the Lipjan municipality. EULEX has now certified copies of 218 original registry books. EULEX also announced that in cooperation with the European Union Special Representative and the Danish Refugee Council it will make copies of “all Kosovo original civil and registry books/records that are currently in Serbia,” an estimated 12,036 books. “Having certified copies of all existing original registry books that are in Serbia will provide Kosovo with proper and quality civil registry data which is needed for establishing reliable population/civil registry data,” the EULEX press release said. <http://www.eulex-kosovo.eu/en/pressreleases/0324.php>; <http://www.eulex-kosovo.eu/en/pressreleases/0293.php>

Inter-American Court/Peru. In July, the Supreme Court of Peru reduced the sentences of persons accused of crimes against humanity (see July *HRWG News*). On August 29 the Inter-American Court of Human Rights, in a remarkably speedy response to the events in Peru, held a hearing to review the Supreme Court’s actions. The convictions were heavily dependent on archival documents as evidence. http://www.wola.org/commentary/inter_american_court_holds_hearing_to_review_controversial_supreme_court_ruling_in_landmark

Algeria/Palestinian Authority. Algeria TV gave the Palestinian Ambassador in Algiers copies of 82 “films and tapes produced by Algerian TV and its coverage of the Palestinian revolution” from the 1970s to the present, reported Ma’an News Agency. The director of Algeria TV said

the tapes include “one of the first meetings of the Palestinian national council in Algeria in 1988.” In his thanks, the Ambassador called on “Palestinians to preserve the documentation of their struggle against occupation.” <http://www.maannews.net/eng/ViewDetails.aspx?ID=512386>

Cambodia/France. An anonymous donor gave 1,426 “passport-sized” photos of prisoners at Toul Sleng prison to the Documentation Center of Cambodia; identifying information is on the back of each one. The director of the Center said that the photos “will prove extremely important in helping living family members identify and locate their lost relatives.” Also at the Center in another body of records, staff members found a photo of a French Embassy worker who was killed at Tuol Sleng; he was known to have been arrested and killed, but his photograph, attached to “several pages documenting his detention,” shows him after his detention. A copy was sent to the French Embassy in Phnom Penh. Both stories from the *Voice of America*:

<http://www.voanews.com/content/rare-khmer-rouge-prison-photos-donated-to-archives/1494029.html>; <http://www.voanews.com/content/researchers-find-rare-photo-of-westerner-killed-by-khmer-rouge/1494961.html>

Colombia/United States. The U.S. Agency for International Development and the Colombian Institute for Rural Development signed an agreement to organize and modernize the archives of the Institute, which include the important records of land title and the restitution of land.

<http://colombia.usaid.gov/index.php/es/noticias/120-agosto/117-archivos-del-antiguo-incora-y-del-incoder-seran-organizados-y-modernizados-para-facilitar-restitucion-de-tierras>

Czech Republic/United States. While processing records received from the Justice Ministry about three years ago, an archivist at the National Archives in the Czech Republic found two audio tapes recording 29 minutes of “fragments from the first two days of the trial” in 1951 of alleged spy William N. Oatis. Oatis, an Associated Press correspondent in Prague, was arrested and sentenced to ten years in prison for espionage, the only Western reporter jailed by the communist regime in the Czech Republic, according to the Associated Press. He was released in 1953; his three Czech colleagues, also sentenced for espionage, were released in the late 1950s.

<http://www.montrealgazette.com/life/Czechs+find+tapes+bringing+insight+into+Cold+show+trial/7115257/story.html#ixzz24AVtIWxo>

Cyprus/Israel. The director of the Jerusalem archives of the American Joint Distribution Committee is documenting the estimated 2000 babies born to Jewish refugees interned in camps in Cyprus between 1946 and 1949, *Haaretz* reported. In addition to information in the Joint’s archives, he has located records in Israel in the Atlit National Heritage Site (where a detention camp had been located), the Central Zionist Archives and the Israel State Archives, and in Germany at the International Tracing Service Archives. The University of Southampton in England has a “birth ledger from the Cyprus camps, compiled by a local rabbi,” and he has “asked for the British parliament’s help and a parliamentary question is expected to be submitted soon, obliging the government to provide access to the information” in British records (at the time the British controlled Cyprus).

<http://www.haaretz.com/news/national/archivist-tracks-down-the-lost-babies-of-cyprus-jewish-refugee-camps.premium-1.460401>

India/Pakistan. Two years ago, the Home Ministry of India began transferring the records of its “Rehabilitation Division” from 1951-1960 to the National Archives. The Division received claims from refugees from the newly-independent Pakistan and, explained an archivist, “Depending on what they were able to show then as proof of the property they had in Sialkot, Lahore, Lyallpur or wherever they came from, they were assigned property in India.” The records are, reported *The Indian Express*, “invaluable annexures as part of court proceedings.” <http://www.indianexpress.com/news/archiving-a-past/990109/0>

Iraq/United States. The man on whose farm Saddam Hussein hid before he was captured in December 2003 told *The Washington Post* that Hussein’s “writings were confiscated by the U.S. troops who captured him.” The farmer, Alaa Namiq, also said he was arrested and tortured by the U.S. while held at Abu Ghraib prison; however, a “spokesman for the U.S. Central Command said that because records of individual prisoners at Abu Ghraib in 2003 would be difficult to retrieve, military officials could not immediately confirm Namiq’s arrest or detention.” http://www.washingtonpost.com/world/middle_east/in-iraqi-town-where-saddam-hussein-was-captured-the-man-who-hid-him-speaks-up/2012/08/15/4802d188-db33-11e1-9745-d9ae6098d493_story.html

National news.

Belize. The computer system at the Lands Department crashed and “thousands of files had to be restored.” The financial portion of the records is being restored by entering data from the records written in the “cash book.” <http://www.7newsbelize.com/sstory.php?nid=23203>

Brazil. In July the office of Tortura Nunca Mais (Torture Never Again), a civil society organization in Rio de Janeiro, was burglarized and “archives describing the psychological treatment undertaken by torture victims were stolen,” reported *Jornal do Brasil* and the *New York Times*. <http://www.jb.com.br/pais/noticias/2012/07/20/apos-ameaca-documentos-sao-furtados-da-sede-do-grupo-tortura-nunca-mais/>; http://www.nytimes.com/2012/08/05/world/americas/president-rousseffs-decades-old-torture-detailed.html?_r=1&pagewanted=all For the website of TNM, see <http://www.torturanuncamais-rj.org.br/> Thanks to Hans von Ruetten for providing this information.

Canada. Alberta. Approximately 2100 records (statements of fact and notice of motions) in criminal and civil cases of Alberta Court of Appeal were accidentally shredded last year instead of being transferred to the Provincial Archives, the *Edmonton Journal* reported. <http://www.edmontonjournal.com/Thousands+Alberta+Court+Appeal+records+accidentally+destroyed/7084578/story.html>

Chile. In lengthy articles on declassified records (“miles de archivos secretos de Pinochet”) Chilean and German reporters detailed the actions of the Pinochet era secret police. The articles did not specify which archives hold the records used, but apparently these are records of the Ministry of Foreign Affairs. Thanks to Peter Kornbluh for the information. <http://www.elmundo.es/america/2012/08/02/noticias/1343905581.html>;

<http://lo-de-alla.org/2012/08/chile-newly-declassified-files-reveal-details-of-pinochets-espionage-network/>

Germany. According to the *Washington Post*, German security service members destroyed files related to a “string of unsolved killings” that have been linked to neo-Nazis the day after the link became public. The Interior Ministry called the shredding “a routine file purge unrelated to the news.” http://www.washingtonpost.com/world/germany-refocuses-on-neo-nazi-threat/2012/08/11/b11af85e-e2fd-11e1-98e7-89d659f9c106_story.html

The data protection commissioner in Hamburg reopened an investigation into Facebook’s facial recognition technology, arguing that the company’s use of software to “compile photographic archives of human faces, based on photos uploaded by Facebook’s members,” may violate data protection laws, reported the *New York Times*.
http://www.nytimes.com/2012/08/16/technology/germans-reopen-facebook-privacy-inquiry.html?_r=1

Guatemala. Reuters news service, reporting on a decision by a Guatemalan court to sentence a former police chief to 70 years in jail for ordering the kidnapping of a university student in 1981, noted, “Clues in police documents found in 2005 have exposed government repression during the 36-year war and provided enough evidence to start sending cases [against the police] to trial.”
<http://www.reuters.com/article/2012/08/22/us-guatemala-police-sentence-idUSBRE87L01L20120822>

India. Thirty-two people were convicted for their roles in the savage attacks during the 2002 riots in Gujarat in which 94 people died. The *New York Times* explained that a “crucial turning point” in the case came when “a top police official” gave the lawyer representing the victims “the records of every cellphone call made during the worst of the rioting.” Among the persons convicted was a state legislator whose cellphone records demonstrated that she “was at the scene of the riots, contradicting her own testimony.”
http://www.nytimes.com/2012/08/30/world/asia/32-people-convicted-for-roles-in-gujarat-riots.html?_r=1

Indonesia. Papua. The Institute for Human Rights Study and Advocacy (ELSHAM) and the International Center for Transitional Justice released a study in late June on human rights violations in Papua. “The Past that has not Passed: Human Rights Violations in Papua before and after Reformasi” is based on more than 100 interviews that were transcribed, coded and entered into a database; the researchers obtained information about 749 cases. Protecting the interview tapes and transcriptions is an important responsibility to ensure that they can be used as evidence if prosecutions eventually are brought against the perpetrator.
<http://ictj.org/sites/default/files/ICTJ-ELSHAM-Indonesia-Papua-2012-English.pdf>

Ireland. Ireland’s military archives opened digitized documents from the Bureau of Military History, 1913-1921. The records, says the *Irish Times*, are 1773 witness statements collected between 1947 and 1957 “from virtually all the surviving figures in the political struggles from the formation of the Irish Volunteers in 1913 to the truce with Britain in July 1921,” and consist of 360,000 pages of paper, photographs and voice recordings.

<http://www.irishcentral.com/news/Witness-accounts-of-1916-Rising-and-War-of-Independence-unveiled-165250256.html>; for the digitized documents, see www.militaryarchives.ie

Ivory Coast. The truth commission presented its report to the president. The Ivorian Human Rights Minister said the report “will not be totally made public. We must take into account the security of the people that intervened as witnesses. It won’t be a good thing for these persons to be exposed like this.” Human Rights Watch urged the full release.

<http://www.huffingtonpost.com/huff-wires/20120808/af-ivory-coast-truth-commission/>

Malta. The 2008 Freedom of Information Act 2 went fully into force on September 1.

<http://www.timesofmalta.com/articles/view/20120822/opinion/Information-freedom-at-last.433866>

Philippines. Philippines President Aquino signed the Data Protection Act of 2012 which creates a National Privacy Commission and establishes criminal penalties for improper handling of personal information. <http://www.gov.ph/2012/08/15/republic-act-no-10173/>

<http://www.huntonprivacypblog.com/2012/08/articles/philippines-president-aquino-signs-data-protection-legislation/>

Togo. The records of the Truth, Justice and Reconciliation Commission have been processed, thanks to funding from the United Nations Development Program. The Commission has around 20,000 files (electronic, paper and audiovisual) related to human rights violations in Togo from 1958 to 2005. Thanks to Adama Aly Pam, who processed the records, for this report.

Turkmenistan. The president signed a decree creating a presidential archives in Turkmenistan, *Trend.Az* reported. <http://en.trend.az/regions/casia/turkmenistan/2057027.html>

United States. A feature article in the *Chronicle of Higher Education* reported on the release of more than 300,000 pages of FBI records on the individuals, organizations and events on and around the campus of the University of California, Berkeley, from the 1940s through the 1970s. The release is the result of multiple lawsuits under the Freedom of Information Act over the last 27 years. <http://chronicle.com/article/Hoover-ReaganSpying-at/133461/>

Illinois. After a tip, a reporter from the *Alton Telegraph* found “hundreds” of county court case files in an unguarded recycling bin. The records included “names of victims including minors, dates of birth, addresses, telephone numbers, detailed accounts of why an order or protection was needed and Social Security numbers.” A county official said that the records were to be destroyed because they had been “converted to microfilm” before they were authorized for destruction. <http://www.news-gazette.com/news/courts-police-and-fire/2012-08-01/countys-court-records-found-open-recycling-bin.html>

In an unusual case, hackers broke into the computer network of an Illinois medical facility, encrypted the electronic “haul” of email and electronic medical records, and posted a digital ransom note demanding payment for the password. The doctors could not get access to the records but refused to pay the bribe, according to *Bloomberg.com*.

<http://www.businessweek.com/news/2012-08-10/hackers-encrypt-health-records-and-hold-data->

[for-ransom](#)

South Carolina. The University of South Carolina began notifying 34,000 people with ties to its College of Education that their personal information might have been accessed in a computer intrusion discovered nearly three months ago. This is the sixth breach at the university since 2006, with information from almost 81,000 records exposed, the *McClatchy Tribune* reported. <http://www.wildcat.arizona.edu/article/2012/08/university-of-south-carolina-starts-notifying-34000-of-computer-records-hack>

Publications and announcements.

Le Labo' Democratique published in French and Arabic the report of its November 2011 conference "Les archives de la police politique: Un defi pour la transition democratique?" For a copy, contact labo.democratique@gmail.com. Thank you to Farah Hached for the notice.

Please share news with us! trudy@trudypeterson.com or j.boel@UNESCO.org

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2012-2016 GOALS AND OBJECTIVES

Agreed 2012-08-23, Brisbane, Australia

The Human Rights Working Group (HRWG) was established by the International Council on Archives (ICA) following its 2003 annual meeting in Capetown, South Africa.

During the next four years, the HRWG will build on its first decade of work, gaining momentum and solidifying its early achievements. The HRWG has the following objectives:

1. Serve as a source of information on human rights and archives for the archival profession.
2. Develop norms for the management of archives that have a human rights component.
3. Alert the leadership of ICA to international discussions on human rights that have an archival component and formulate the ICA position.
4. Encourage archival associations to include human rights issues in their training and other activities.
5. Serve as a catalyst for building knowledge, skills and capacity among professional archivists for managing archives with human rights implications.
6. Engage in joint projects with ICA sections and regions to broaden the view of what archives can do to advance human rights.