

# HRWG ica

human rights working group  
international council on archives  
groupe de travail sur les droits de l'homme  
conseil international des archives

*October 1 is World Habitat Day and International Day of Older Persons, October 2 is the International Day of Non-Violence, October 11 is International Day of the Girl Child, October 16 is World Food Day, October 17 is the World Day for Eradication of Poverty, October 24 is United Nations Day and World Development Information Day, and October 27 is World Day for Audiovisual Heritage*

## News of September 2012

Compiled by Trudy Huskamp Peterson, Chair, HRWG

The following is the second in a series of brief discussions of the Principles of Access to Archives and the archival holdings that relate to them.

*Principle 1. The public has the right of access to archives of public bodies. Both public and private entities should open their archives to the greatest extent possible.*

*Access to the archives of government is essential for an informed society. Democracy, accountability, good governance and civic engagement require a legal guarantee that individuals will have access to the archives of public bodies established by national, self-governing territories and local governments, intergovernmental institutions, and any organization and any legal or natural person performing public functions and operating with public funds. All archives of public bodies are open to the public unless they fall under an exception grounded in law.*

*Institutions, whether public or private, holding private archives do not have a legal obligation to open the private archives to external users unless specific legislation or regulation imposes this responsibility on them. However, many private archives hold institutional records and personal papers that have significant value for understanding social, economic, religious, community and personal history as well as for generating ideas and supporting development. Archivists working in private institutions and managing the institution's archives encourage their institution to provide public access to its archives, especially if the holdings will help protect rights or will benefit public interests. Archivists stress that opening institutional archives helps maintain institutional transparency and credibility, improves public understanding of the institution's unique history and its contributions to society, helps the institution fulfill its social responsibility to share information for the public good, and enhances the institution's image.*

The first Principle is the overarching statement of the importance of access to archives. It is the frame for the rest of the Principles.

Archivists and researchers alike agree that government records are essential for understanding the past. Here is just one example: Between 1946 and 1958 the people of the Marshall Islands endured sixty-seven experimental nuclear tests detonated by the United States, which was the administrator of the Trust Territory of Micronesia, which included the Islands. The residents of four atolls were exposed to fallout contamination that compromised the health of individuals, made their lands uninhabitable and destroyed their marine and faunal resources. In 1986 the Islands gained sovereignty as the Republic of the Marshall Islands (RMI) when the U.S. and the RMI governments entered into a Compact of Free Association, under which the U.S. accepted responsibility for the damage caused by the tests and established a compensation fund to be administered by a Tribunal set up by the RMI government. In order to fairly distribute the proceeds of the fund, the RMI government and its Nuclear Claims Tribunal had to know precisely what happened before, during and after the tests; in other words, they needed access to U.S. archives. U.S. authorities began identifying and declassifying relevant U.S. government records, and although thousands of pages of documents were delivered to the RMI, some documents were declassified only in part and some were totally withheld. The Tribunal, pressed to begin making compensation payments, went ahead based on incomplete information. But the RMI government refuses to close the question of what really happened in the islands until all the records are open; they insist that there can be “No Closure without Full Disclosure.”

Government records are not enough, however, for us to gain a full understanding of the events of the past. As the Society for the History of American Foreign Relations wrote when commenting on a draft of the Principles, “In a world of NGOs, extra-national governance, non-governmental actors funded by (indirectly) states, and various forms of non-governmental/state agreements and activities that affect societies, the fullest possible archival record must be maintained even if privacy, property rights, and/or national security delay access.” A few examples will show the need for access to archives in the private sector.

\*The Canadian Truth and Reconciliation Commission is researching “the history, purpose, operation and supervision of the Indian Residential School system, the effect and consequences of IRS (including systemic harms, intergenerational consequences and the impact on human dignity) and the ongoing legacy of the residential schools.” An estimated 100,000 First Nations children were taken from their families and forced to attend 130 residential schools over more than a century, starting in the 1880s and ending in 1996. The majority of the schools were operated by Roman Catholic entities, about a quarter of the schools run by the Anglican Church, and the remainder by Presbyterians and the United Church. Records of all these churches are vital resources for the work of the Commission.

\*In 2012 the French national railroad, Société Nationale des Chemins de fer français, digitized and put on its public website all its records of the World War II period, answering a demand from war victims that it account for its role in deportations to Nazi concentration camps.

\*In Argentina, Memoria Abierta, founded in 1999 by a coalition of NGOs, collects, preserves and makes available the materials the NGOs amassed over the years to document the human rights abuses perpetrated during the “dirty war” of 1976-1983.

As the Universal Declaration on Archives so eloquently says, archives are a “vital necessity . . . for supporting business efficiency, accountability and transparency, for protecting citizens’ rights, for establishing individual and collective memory, for understanding the past, and for documenting the present to guide future actions.” Access turns necessity into reality.

### **Human Rights Working Group news.**

The Working Group is extremely pleased that Roman Lescano, who is studying for his Licenciatura in archives at the National University of Cordoba, Argentina, has offered to translate *HRWG News* into Spanish. He will work with Tessa Fallon, our webmaster, to get the translations posted on the HRWG section of the International Council of Archives website. Thanks to Anna Szlejcher from the University for persuading Roman to do this.

### **International news.**

United Nations Human Rights Council. The Human Rights Council concluded its meeting on September 28. Among the resolutions the Council passed, one on the right to truth includes a request that the High Commissioner “collect information on good practices in the establishment, preservation and provision of access to national archives on human rights, and to make the information received publically available in an online database.”

[http://www.un.org/ga/search/view\\_doc.asp?symbol=A/HRC/21/L.16](http://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/21/L.16)

The Council heard a report from the Special Rapporteur on “the implications for human rights of the environmentally sound management and disposal of hazardous substances and wasters” on his mission to the Marshall Islands (see the essay on Principle 1 above for background information). He recommended that the United States “Grant full access of the Marshall Islands to United States information and records regarding the environmental and human health ramifications of past and current United States military use of the islands, as well as full access to United States medical and other related records on the Marshallese, in accordance with the right to information and the principle of transparency.”

[http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-48-Add2\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-48-Add2_en.pdf)

The Council also received a report from the Commission of Inquiry on Syria, which has collected more than 1100 interviews with victims, refugees and defectors; the interviews are important archives for future judicial and related activities regarding the conflict. The Commission’s mandate was extended by another six months.

<http://www.reuters.com/article/2012/09/28/us-syria-crisis-warcrimes-idUSBRE88R0H420120928>

Extraordinary Chambers in the Courts of Cambodia. The tribunal in Cambodia trying crimes against humanity committed by the Khmer Rouge regime released 1,749 documents (out of 12,000) from the case file of their first completed case, the trial and conviction of Kaing Guek Eav, known as Duch, who was the head of the notorious security prison S-21. According to the Court's press release, three-fourths of the documents not released are being used in three additional cases. The ECCC also published its declassification (confusingly called "reclassification") guidelines. [http://www.rttnews.com/1960809/cambodia-genocide-tribunal-declassifies-over-1700-confidential-documents.aspx?type=gn&utm\\_source=google&utm\\_campaign=sitemap](http://www.rttnews.com/1960809/cambodia-genocide-tribunal-declassifies-over-1700-confidential-documents.aspx?type=gn&utm_source=google&utm_campaign=sitemap); press release <http://www.eccc.gov.kh/sites/default/files/media/ECCC%20SCC%20PR%20-%206%20September%202012-EN.pdf>

International Criminal Court for Rwanda. At a news conference, the acting Registrar of ICTR said that personally he believes the "people of Rwanda deserve the opportunity to host the archives of the trial proceedings when the international court winds up in 2012," *allAfrica.com* reported, but he added that "the decision on the destiny of the archives shall be taken by the UN Security Council." <http://allafrica.com/stories/201209180146.html>

Canada/Guatemala/Spain/United States. Canada turned Jose Sosa Orantes over to the United States for trial for immigration fraud (making false statements on the documents he submitted to apply for U.S. citizenship). Guatemala also wants to try Sosa Orantes for crimes against humanity for his role in a 1982 massacre in the village of Dos Erres, and a Spanish judge issued an international arrest warrant for him in a lawsuit "centered on the disappearance of eight Spanish priests in Guatemala and an attack on the Spanish Embassy in Guatemala in 1980" in which more than 30 people died, *FOX News Latino* reported. <http://latino.foxnews.com/latino/news/2012/09/22/suspected-guatemalan-war-criminal-faces-immigration-fraud-charge-in-us/>

Canada/United States. The British Columbia Civil Liberties Association is concerned that the U.S. Customs and Border Protection records the license plate numbers of every vehicle that crosses the Canada/U.S. border; the group told *CTV British Columbia* that the U.S. shares the plate information with U.S. insurance agencies trying to find stolen vehicles. The province's privacy commissioner is investigating whether the scanning of "innocent people's vehicles" complies with privacy laws. However, the power of the system for law enforcement use was demonstrated in June when the "accused triple-murderer Travis Baumgartner was arrested trying to cross the border" after the border officers saw the license on his truck, apparently from the surveillance scan. <http://bc.ctvnews.ca/u-s-customs-sharing-border-licence-plate-scans-1.932619#ixzz253YKG058> Further sharing of border crossing information was announced in late September. [http://www.cbp.gov/xp/cgov/newsroom/news\\_releases/national/09282012.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/national/09282012.xml)

TransCanada, an energy company that develops oil and natural gas pipelines, plans to build another leg of a pipeline it has in the United States. The proposed route of the pipeline has been very controversial, both because of environmental concerns and because the route runs through or adjacent to lands held by sovereign Native American tribes. The treaties and implementing legislation that established the tribal reservation lands are in the National Archives and are

essential to understanding the legal basis for negotiations between the tribes and TransCanada. An article in the *Washington Post* provides background:

[http://www.washingtonpost.com/business/economy/keystone-xl-pipeline-raises-tribal-concerns/2012/09/17/3d1ada3a-f097-11e1-adc6-87dfa8eff430\\_story.html](http://www.washingtonpost.com/business/economy/keystone-xl-pipeline-raises-tribal-concerns/2012/09/17/3d1ada3a-f097-11e1-adc6-87dfa8eff430_story.html)

Germany/Israel. The Israel State Archives declassified and opened records relating to the killing of Israeli athletes by Palestinian terrorists at the Munich Summer Olympics in 1972.

<http://www.nytimes.com/2012/09/08/world/middleeast/israel-releases-papers-on-72-munich-killings-part-of-trove.html>

In Germany, Der Spiegel published a two part analysis of relationship between Germany and Palestinians in the years after the massacre; the article is based on “documents that are now available” from the Political Archives of the German Foreign Ministry and the Federal Archives in Koblenz.

<http://www.spiegel.de/international/world/germany-maintained-contacts-with-palestinians-after-munich-massacre-a-852322-2.html>

Iraq/United States. The tug and pull over the Iraqi Jewish material held in the United States continues unabated. Rebutting an allegation that the Jewish materials had been transferred to Israel (see July 2012 *HRWG News*), the U.S. Assistant Secretary of State for Near Eastern Affairs told *Al Sumaria News* that the materials are still in the U.S.

<http://english.alarabiya.net/articles/2012/09/04/236076.html>

Iraqi and U.S. government representatives met on September 2 in Baghdad. The U.S. State Department’s report of the meeting said, “The United States and Iraq discussed the ongoing process of repatriating archives and documents which are part of the patrimony of the Iraqi people.” <http://www.state.gov/r/pa/prs/ps/2012/09/197276.htm> For thoughtful background to the situation, see the 2010 report by Jeff Spurr, the chair of the Middle East Librarians Association Committee on Iraqi libraries, who reports that the situation today is basically unchanged. The report begins on p. 21 at <http://mela.us/MELANotes/MELA-Notes.html>

Israel/Lebanon/Palestine. An opinion piece by a researcher published in the *New York Times* discussed the “recently declassified documents” at the Israel State Archives that shed light on the massacre at the Palestinian refugee camps of Sabra and Shatila in Lebanon in 1982.

[http://www.nytimes.com/2012/09/17/opinion/a-preventable-massacre.html?pagewanted=all&\\_r=0](http://www.nytimes.com/2012/09/17/opinion/a-preventable-massacre.html?pagewanted=all&_r=0)

Libya/United States. The NGO Human Rights Watch (HRW) reported finding “tens of thousands of archived documents containing evidence of crimes” in the office of the intelligence chief under the Gaddafi regime. “We viewed several hundred documents and photographed about 300, but didn’t remove any,” the HRW press release said, adding, “We have been working with Libya’s National Transitional Council (NTC) to secure the building, keeping the documents safe so they can be used as evidence in court. We continue to scour Tripoli for more documents, trying to ensure that archives are secure.” Among the documents HRW saw were ones “confirming that both the US Central Intelligence Agency (CIA) and the United Kingdom’s MI6 sent terrorism suspects to Libya for detention.”

<http://www.hrw.org/news/2012/09/05/us-torture-and-rendition-gaddafi-s-libya>;

<http://www.hrw.org/news/2011/09/08/secret-intelligence-documents-discovered-libya>

*The Independent* (United Kingdom) reported that in the wake of the attack on the U.S. consulate in Benghazi and the U.S. “safe house” in the city, “sensitive documents have gone missing.” The missing documents “are said to list names of Libyans who are working with Americans, putting them potentially at risk from extremist groups, while some of the other documents are said to relate to oil contracts.” <http://www.independent.co.uk/news/world/politics/revealed-inside-story-of-us-envoys-assassination-8135797.html#>

Pakistan/United States. A study by the law schools at Stanford University and New York University on the U.S. drone strike campaign in Pakistan’s tribal regions concludes that more civilians have been killed than has been acknowledged by the U.S. The report, said *RadioFree Europe/RadioLiberty*, “is based on interviews with 130 people over a nine-month period.” The interviews could be important evidence in claim proceedings; the article does not report where they are preserved. <http://livingunderdrones.org/>

Poland/Russia/United States. The release of archives related to the Katyn Forest massacre seems unending. According to a press release from the U.S. National Archives, after two members of the U.S. House of Representatives requested “the identification, declassification and public release of all records of permanent value in the custody of the US Government relating to the events at Katyn,” the National Archives declassified “all known documents related not only to the initial events of the 1940s but also to the . . . ongoing American response.” The 1000 pages of newly declassified records, said the *Associated Press*, show that the “US hushed up Soviet crime.” <http://www.archives.gov/research/foreign-policy/katyn-massacre/>; <http://www.utsandiego.com/news/2012/sep/10/ap-exclusive-memos-show-us-hushed-up-soviet-crime/>

Russia/United States. In another long-running controversy, the Chabad-Lubavitch group, a Hasidic movement within orthodox Judaism, filed suit against the Russia government for the return of religious books and manuscripts seized from it during the Bolshevik revolution and writings that were first stolen by Nazi Germany and then taken to Russia at the end of World War II as war booty. In 2010 a U.S. court ordered the Russian government to turn them over; Russia has not complied; now the Lubavitch group is asking the court to fine Russia for failing to obey. The U.S. Justice Department recently told the court that it opposes such sanctions against Russia as “contrary to U.S. foreign policy interests and inconsistent with U.S. law,” the *Associated Press* reported. <http://www.telegram.com/article/20120910/NEWS/120919965/1116>  
For a legal analysis of the case, see Douglas Cox’s blog post [http://www.docexblog.com/2012\\_09\\_01\\_archive.html](http://www.docexblog.com/2012_09_01_archive.html)

## **National news.**

Armenia. The Armenian National Archives announced that in 2012 it will publish digitized “important Armenian Genocide-released documents” on the Internet, reported *ARMENPRESS.am*. <http://armenpress.am/eng/news/694114/armenian-national-archive-will-publish-digitized-materials-on-armenian-genocide-in-internet.html>

Brazil. The National Truth Commission created a working group to investigate Operation Condor, the program organized by right-wing dictatorships in the Southern Cone of South America with the assistance of the United States to repress opposition movements in the 1970s and 1980s.

[http://www.plenglish.com/index.php?option=com\\_content&task=view&id=556001&Itemid=1](http://www.plenglish.com/index.php?option=com_content&task=view&id=556001&Itemid=1)

Canada. Complying with the law abolishing the register of “long guns,” the Royal Canadian Mounted Police told *CBC News* that they are “well underway” on the “lengthy and complicated process to dismantle the database and that work on destroying the records began not long after Parliament passed the abolition bill last April.”

<http://www.cbc.ca/news/politics/story/2012/08/31/pol-gun-registry-data-destruction.html>

China. Li Zhensheng was a photojournalist for the local paper in Harbin, capital of China’s northernmost province of Heilongjiang, where he documented the Cultural Revolution, taking “the ‘positive’ propaganda images of masses whipped up in revolutionary fervor for the newspaper, and also the ‘negative,’ more nuanced, questioning pictures” that he hid under the floorboards of his house. Some of his images are part of a current exhibition at the Barbizon Art Gallery in London, and some stunning ones are on line. The “Lens” blog of the *New York Times* interviewed Li, who said, “In August 1966, I saw the Red Guards attack the St. Nicholas Church and Jile Temple Buddhist temple in Heilongjiang. They were burning sculptures and holy scriptures. There was fierce criticism of leaders, criticism of the monks. I started to have doubts. When I started to waver, I started to take more pictures documenting different sides of what was happening.”

<http://lens.blogs.nytimes.com/2012/09/10/through-a-thwarted-cinematographers-eye-chinas-cultural-revolution/>

Estonia. In a particularly tasteless use of an archival image, an Estonian newspaper printed a diet ad with a photo of World War II concentration camp prisoners.

<http://antisemitism.org.il/article/74587/estonian-paper-uses-buchenwald-victims-slimming-pills-ad>

Georgia. Georgia has been in an uproar over human rights abuses inside its prisons that were filmed by a former prison guard in 2011 and 2012. The videos were broadcast on Georgian television; the guard is now in Belgium; it is not clear where the original video is.

<http://www.rferl.org/content/georgia-prison-abuse-video-tbilisi-scandal/24713136.html>

An interview with the guard is found at <http://www.rferl.org/content/georgia-prison-abuse-whistle-blower-interview/24713856.html>

Germany. The case of the neo-Nazis and files destruction goes on (for background see August 2012 *HRWG News*). *SPIEGEL ONLINE* obtained a file that Germany’s Military Counterintelligence Service (MAD) maintained on one of the Neo-Nazis, Uwe Mundlos, who is believed to have taken part in killing at least 10 people between 2000 and 2007. MAD “shredded its own file after Mundlos left the army,” but before that it had sent copies of documents from the file “to the state agencies in the states of Thuringia, Saxony and Saxony-Anhalt, as well as to the national domestic intelligence agency.” The latter agency provided its file to the parliamentary committee investigating the Neo-Nazi National Socialist Underground (NSU), and Thuringia’s Interior Ministry “recently provided” 600 documents to the investigating

committee of the Thuringia state parliament. The Thuringia committee's chairwoman said, "It's nice when files suddenly turn up," then added "that she had, however, constant doubts that 'someone somewhere' might be 'deliberately shredding' important material." *SPIEGEL ONLINE* also gained access to a file on an informant of the State Office of Criminal Investigation who is "suspected of aiding and abetting" the NSU.

<http://www.spiegel.de/international/germany/intelligence-agency-tried-to-recruit-neo-nazi-terrorist-uwe-mundlos-a-855456.html>; <http://www.spiegel.de/international/germany/senior-berlin-official-under-pressure-for-handling-of-neo-nazi-terror-cell-a-857586.html>

Shredding naturally brings to mind the attempted destruction of the Stasi files. A feature in the *BBC News Magazine*, after describing the problems of reconstructing shredded documents, adds a section on the work of digitizing "the thousands of sound recordings left" by the Stasi. "Most recordings are unlabeled" so the archivists are both identifying and digitizing the audio recordings. One tragic recording was of "a woman in a secret 1950s Stasi trial [who] wails desperately as she is sentenced to death." <http://www.bbc.co.uk/news/magazine-19344978>

Albert Ferdinand Heim, a Nazi concentration camp doctor known as "Dr. Death" who fled at the end of World War II, has been declared dead after his lawyer gave a regional court in Baden-Baden various documents, including an Egyptian driver's license with a photo of Tarek Hussein Farid, an official certificate confirming Heim's conversion to Islam and name change to Farid, and medical records that supported witness statements that he died in 1992 in Cairo, Egypt, of cancer. [http://www.nytimes.com/2012/09/22/world/europe/germany-ends-hunt-for-nazi-dr-death.html?\\_r=1](http://www.nytimes.com/2012/09/22/world/europe/germany-ends-hunt-for-nazi-dr-death.html?_r=1)

A researcher at the University of California's Institute of European Studies is working to establish an authoritative list of musical instruments and manuscripts confiscated by Nazis during World War II. In a story in the *New York Times*, the researcher discussed the massive archival research that is required to determine provenance, and described the violin that the Nazi propaganda minister, Joseph Goebbels, presented to a young Japanese woman violinist in 1943. <http://www.nytimes.com/2012/09/23/arts/music/nejiko-suwa-and-joseph-goebbels-gift.html?pagewanted=all>

Hungary. Hungarian authorities arrested a former Interior Minister on war crimes charges for his role in crushing the 1956 Hungarian revolution and the reprisals that followed it. According to *BBC News*, he is "the first of the 1956 Communist leadership to face a criminal inquiry." Many archival sources should be available to confirm his actions. <http://www.bbc.co.uk/news/world-europe-19546237>

India. The state of Maharashtra is digitizing its land and property records and giving laptops and internet connections to the representatives of the central government in the villages and 3000 "revenue inspectors" so they can "provide information about land records from any location." The state has had problems with the authenticity of land records for many years, and a government official told *The Times of India* that "the migration of people from rural to urban areas and to foreign countries has complicated issues as migrated people do not have sufficient time to find out the documents from the piles of revenue offices."



[http://articles.timesofindia.indiatimes.com/2012-09-23/pune/34040261\\_1\\_land-records-talathis-land-disputes](http://articles.timesofindia.indiatimes.com/2012-09-23/pune/34040261_1_land-records-talathis-land-disputes)

In yet another sad story of Indian archives, a researcher at the Andhra Pradesh State Archives “became unconscious allegedly after handling some old stinking documents last week,” reported *The Times of India*. The paper commented, “The incident has yet again brought to the fore the government’s disposition in allowing the old records, mostly documents on paper, to rot in neglect.” The archives is now fumigating a few of the documents the researcher plans to use.  
[http://articles.timesofindia.indiatimes.com/2012-09-18/hyderabad/33925025\\_1\\_state-archives-digitization-project-documents](http://articles.timesofindia.indiatimes.com/2012-09-18/hyderabad/33925025_1_state-archives-digitization-project-documents)

Iraq. In a controversial move, Saad Iskander, the national archivist of Iraq, “prepared and submitted” to the government a “draft law that, if adopted by parliament, would criminalise the publication of Saddam-era documents without the consent of those concerned.” Iskander told *Agence France Press*, “Baath party officials, the secret organisations, the secret police, they all received and wrote millions and even billions of reports on ordinary people, party officials,” adding that it was “an awful dictatorship that dominated all aspects of life, not only through terror but also through documentation and spying.”  
<http://www.bangkokpost.com/news/world/314138/iraq-archives-chief-moves-to-seal-saddam-era-files>

Kosovo. A former commander in the Kosovo Liberation Army (KLA) was appointed to head the commission in charge of verifying “the exact number of the members of the KLA and verify the identity of those who fought and died for the KLA during the war against the Serbian security forces in 1998 and 1999.” Individuals who are “verified” will be eligible for state assistance, *BIRN* reported. The commission’s records, including the list of the verified veterans, should become part of the national archives of Kosovo.  
[http://www.balkaninsight.com/en/article/agim-ceku-to-count-kla-war-veterans?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=0a49d60dd1-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email](http://www.balkaninsight.com/en/article/agim-ceku-to-count-kla-war-veterans?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=0a49d60dd1-RSS_EMAIL_CAMPAIGN&utm_medium=email)

Liberia. The Center for National Documents and Records Agency launched its digital scanning and customer service center in Monrovia, which will “cater to current land deeds and national documents including deed, ledger books which are composed of chronologically entered handwritten copies of the original probated deed,” reported *The Inquirer*. It quoted the Foreign Affairs Minister as saying that “court cases involving land are becoming increasingly difficult to adjudicate because documents are unreliable and lack integrity” and the new center is “a conflict resolution initiative because it will discourage multiple sales of a single plot of land.” Preservation of the electronic records will be vital if the Minister’s predictions are to be realized.  
[http://theinquirer.com.lr/content1.php?main=editorial&ed\\_id=76](http://theinquirer.com.lr/content1.php?main=editorial&ed_id=76)

Nepal. The United Nations High Commissioner for Human Rights pressed the government of Nepal to publish a 300 page “conflict mapping report” that “profiles over 2,000 serious” human rights violations during the 1996-2006 conflict. The report is based on “over 20,000 documents” from the High Commissioner’s Nepal files “and records compiled from extensive field monitoring by a team of international and national experts,” the *Kathmandu Post* reported. The

UNHCHR archives presumably holds copies of all the background material.

<http://www.asianewsnet.net/home/news.php?id=36887&sec=1>

Pakistan. Following the worldwide trend, the government of the Punjab is digitizing its land records system with the help of a World Bank credit of \$70 million “for the expansion of the Punjab Land Records Management and Information Systems Project and its service delivery throughout the province,” reported *Business Recorder*. The article claimed that the present system “is as much inefficient as it is corrupt” and that government officials “who maintain manual records, are notorious for refusing to issue ownership deeds without taking bribes.”

<http://www.brecorder.com/editorials/0/1241321:digitizing-land-records/>

In a sharp contrast to the millions spent on digitizing land records, *DAWN.COM* reported on the decay of “important historical documents from before and after the creation of Pakistan” in the Dr. Mahmud Husain Library at Karachi University, including documents that apparently should have been sent to the national archives. The article also reported that the university’s history department “planned a two-year diploma course for archival management and was also able to get funds for the project. But they could not find any trained archivists so the project had to be abandoned.” <http://dawn.com/2012/09/24/key-sources-of-national-history-gathering-dust-in-ku-library/>

Russia. In 2009 an archivist and an historian were charged with the unlawful collection and dissemination of information on Soviet ethnic Germans who were victims of political repression in the USSR (see December 2011 *HRWG NEWS*). Convicted in December 2011, on 16 August the historian filed an application for hearing with the European Court of Human Rights, arguing that his arrest violated Articles 7 (no punishment without law) and 10 (freedom of expression) of the European Convention on Human Rights. <http://www.svobodainfo.org/en/node/2122>

Human Rights Watch reported on a family whose house was destroyed to make way for facilities for the 2014 Olympic Games in Sochi. In a follow-up story, *Transitions Online* reported that although the authorities claim the house was an “illegal structure” and therefore the family deserves no compensation, the family has “permits issued for the building” and records of annual property taxes paid; furthermore, the family was not given the official court notice of the judgment that the house could be destroyed. <http://www.hrw.org/news/2012/09/14/russia-halt-house-demolition-olympics>; <http://www.tol.org/client/article/23379-yoko-ono-to-honor-pussy-riot-bishkek-calls-russian-partnership-crucial.html>

Serbia. A Belgrade court ordered the Republic of Serbia to pay compensation to a Bosniak who, under torture, signed a false confession. This is an example of the problems of assuming accuracy in police records and the need for care when providing access to them. [www.hlc-rdc.org](http://www.hlc-rdc.org)

Sierra Leone. The new website of the Truth and Reconciliation Commission of Sierra Leone was launched on Aug 30 with links to many digitized documents, audiovisual materials and related resources. <http://www.sierraleonetr.com/index.php/resources/the-hinga-norman-saga>

South Africa. The president appointed a Commission of Inquiry to investigate the deaths of 44 people at the Lonmin mine at Marikana. The terms of reference are broad, and documentary evidence ranging from cell phone messages to video recordings to autopsy reports and official police records will be required. In this important inquiry, archivists need to be involved in managing the documentation and ensuring that the records are transferred to the National Archives when the Inquiry is concluded. The terms of reference are at <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=328041&sn=Detail&pid=71616>

Thailand. The Truth for Reconciliation Commission of Thailand released its report on the Bangkok riots of 2012 in which more than 90 people died. The report and its supporting documentation now need assured archival preservation. <http://www.nytimes.com/2012/09/18/world/asia/report-on-2010-thai-riots-warns-that-conflicts-persist.html>

Turkey. The mass trial of 365 serving and retired high-ranking military official charged with planning a coup, code-named Sledgehammer, in 2003 has ended with convictions and lengthy jail sentences. Controversy over the trial centers on the documents the court relied upon, which do not appear to meet the basic records management tests of authenticity and reliability. For an report on the verdict, see <http://www.guardian.co.uk/world/2012/sep/25/turkey-sledgehammer-coup-trial-verdict> ; for an lysis of the documentation, see the blog <http://turkeyetc.wordpress.com/2010/12/17/the-sledgehammer-anachronisms/>

United Kingdom. The Hillsborough Independent Panel that investigated the deaths of 96 people at a football match in 1989 released its final report. The Panel wisely included Sarah Tyacke, the U.K.'s former Keeper of the Public Records, and the handling of the records assembled by the panel and published on line is a model of making records available with due consideration of the impact of disclosure upon persons affected by the events. For the report and website, see <http://hillsborough.independent.gov.uk/>; for a fine blog commentary on the archival implications of the report, see M. Sarah Wickham at <http://msarahwickham.wordpress.com/2012/09/13/justice-and-accountability-23-years-on/>

Scotland. The Scottish Information Commission fined a local government a quarter of a million pounds “after documents containing details about its staff were dumped in a supermarket bin,” reported *itpro.co*. <http://www.itpro.co.uk/642787/ico-fines-scottish-council-after-staff-records-binned>

United States. No document had as much impact on the United States in September as the anti-Islamic video posted on the Internet by a California man which has led to continuing unrest in many places in the world. While the location of the original video is unknown, copies of it clearly reside in the computer storage of security forces, investigating bodies, and activists with a variety of positions on the video itself. In an attack on the U.S. consulate in Benghazi that followed the posting of the video, the U.S. ambassador and three other people were killed. An important piece of evidence appeared shortly after the attack when an amateur video was posted showing a crowd of Libyans removing the body of the ambassador through a window in the room where he died. <http://www.nytimes.com/2012/09/17/world/middleeast/video-appears-to->

[show-libyans-retrieving-envoys-body.html?\\_r=0](http://www.huffingtonpost.com/2012/09/22/cnn-christopher-stevens-personal-journal-libya_n_1905650.html?view=screen) Also shortly after the attack, a reporter for CNN found the ambassador's 7 page journal, used it for reporting, and then turned it over to an envoy for delivery to the ambassador's the family. The State Department and others criticized CNN for using the journal before getting permission from the family to use the information in it. [http://www.huffingtonpost.com/2012/09/22/cnn-christopher-stevens-personal-journal-libya\\_n\\_1905650.html?view=screen](http://www.huffingtonpost.com/2012/09/22/cnn-christopher-stevens-personal-journal-libya_n_1905650.html?view=screen)

Analyzing data collected by the Privacy Rights Clearinghouse, a company reported that from January 1, 2009, to May 31, 2012, there were 268 breach incidents in government agencies with more than 94 million records containing personally identifiable information exposed. <http://www.rapid7.com/docs/Data-Breach-Report.pdf>

In an uneasy echo of the study reported above, a study by the Institute of Medicine, a Federal government body, found that electronic medical record keeping sometimes is a benefit and sometimes a risk. It showed that systems that use computerized mechanisms and bar-coding make medication safer, but poorly designed systems “can introduce new types of risks that further complicate care by increasing dosage errors, failures to detect illnesses and treatment delays.” <http://uspolitics.einnews.com/247pr/303710>; <http://www.nytimes.com/2012/09/22/business/medicare-billing-rises-at-hospitals-with-electronic-records.html?pagewanted=all>

Also in the health field, a researcher reviewed the warning letters sent by the U.S. Food and Drug Administration to companies manufacturing “dietary supplements” and “found that problems with record keeping were tops on the list of things that FDA inspectors find” during inspections of manufacturing facilities. The companies were cited for failure to “establish product specifications for the identity, purity, strength, and composition of the finished batch of a dietary supplements,” potentially endangering everyone who takes the supplements. <http://www.nutraingredients-usa.com/Regulation/GMPs-Lack-of-records-starting-to-sound-like-broken-record>

At a meeting of the U.S. Advisory Board on Radiation and Worker Health, a former employee of the contractor that decontaminated the Rocky Flat Plant (it manufactured nuclear weapons between 1952 and 1992) told the Board that the CEO of the company ordered her “to destroy medical records” of the persons who worked on the cleanup. <http://www.huntingtonnews.net/44314> For testimony by former plant workers discussing missing records, see [http://www.eecap.org/Rocky\\_Flats\\_oral\\_presentation.pdf](http://www.eecap.org/Rocky_Flats_oral_presentation.pdf)

Twitter handed over about three months' worth of tweets to a judge overseeing the criminal trial of an Occupy Wall Street protester, reported the Associated Press. [http://www.google.com/hostednews/ap/article/ALeqM5ivw1ah1BpPrG5T8m\\_b4TqFbiuBdA?docId=bdefc8c490a243f6adeafb63d26e5533](http://www.google.com/hostednews/ap/article/ALeqM5ivw1ah1BpPrG5T8m_b4TqFbiuBdA?docId=bdefc8c490a243f6adeafb63d26e5533)

In June a court ordered the Boy Scouts of America to release their confidential files on alleged sex abuse of Scouts by adults in the Scouting program (see February and June 2012 *HRWG News*). The *Los Angeles Times* was able to review 1,600 of these files dating from 1970 to 1991

and in a lengthy article outlined the “paper trail of abuse” they found.

<http://www.latimes.com/news/local/la-me-boy-scouts-files-20120916,0,6937684.story>

Under a new government program called “Deferred Action” some undocumented immigrants can obtain permission to stay in the United States. To qualify, applicants must provide documentation, which, the Washington Post notes, “can be daunting” because many of them “have spent years trying to not leave a footprint” or a paper trail.

<http://pqasb.pqarchiver.com/washingtonpost/access/2759944781.html?FMT=FT&FMTS=ABS:FT&date=Sep+14%2C+2012&author=Tara+Bahrampour&desc=In+search+of+their+paper+trail+&free=1>

In a related story, the *Huffington Post* reported that “thousands of illegal immigrants have inundated” the Los Angeles, California, school district with “requests for copies of records that might qualify them” for the Deferred Action program.

[http://www.huffingtonpost.com/2012/09/17/daca-records-laUSD\\_n\\_1890749.html](http://www.huffingtonpost.com/2012/09/17/daca-records-laUSD_n_1890749.html)

Military veterans, too, are having difficulty with their case files. According to an article in the *New York Times*, the Veterans Benefits Administration is overwhelmed with claims, while veterans and their families suffer for lack of aid.

[http://www.nytimes.com/2012/09/28/us/veterans-wait-for-us-aid-amid-growing-backlog-of-claims.html?\\_r=1&hp](http://www.nytimes.com/2012/09/28/us/veterans-wait-for-us-aid-amid-growing-backlog-of-claims.html?_r=1&hp)

*Arizona.* The *Arizona Republic* reported that the state’s child-welfare agency “discovered a computer glitch that officials say kept public records from parents, lawyers and others for more than 15 years, a malfunction that could have led to children being wrongly removed and prevented caregivers from supporting civil claims against the state.”

[http://www.azcentral.com/news/articles/2012/09/17/20120917arizona-cps-undisclosed-records-downplayed.html?nclick\\_check=1](http://www.azcentral.com/news/articles/2012/09/17/20120917arizona-cps-undisclosed-records-downplayed.html?nclick_check=1)

*Kansas.* The murder of a family in Kansas in 1959 was the basis of a best-selling book by Truman Capote called *In Cold Blood*. The family of the lead investigator (now dead) on the murder case put up for auction 14 boxes of “grisly crime-scene photographs, letters, notebooks and other case files” that the investigator kept at his home, reported the *Wall Street Journal*. When the State of Kansas learned of the planned sale, it sued, arguing that the documents belong to the state.

<http://online.wsj.com/article/SB10000872396390444554704577643401871201044.html>

*Missouri.* In an unusual turn of a case of child sexual abuse by a priest, the largest advocacy group for victims of clergy sexual abuse, the Survivors Network of those Abused by Priests, was ordered to turn over “about 180 documents that were subpoenaed by lawyers for a Roman Catholic priest accused of sexual abuse.”

[http://www.nytimes.com/2012/09/14/us/missouri-documents-turned-over-in-priests-abuse-case.html?\\_r=1&src=rechp](http://www.nytimes.com/2012/09/14/us/missouri-documents-turned-over-in-priests-abuse-case.html?_r=1&src=rechp)

### **Publications and announcements.**

The Russian NGO International Memorial Society and the U.S. NGO National Security Archive jointly published on line declassified U.S. documents on Soviet dissidents, “matched with reports

and letters by the dissidents themselves from the Memorial Society Archives in Moscow,” the press release said. “The rise of Soviet dissent in the 1960s and 1970s played a catalytic role in the transformation of human rights into an international norm of expected state behavior, according to the newly-published documents; and while Soviet repression succeeded in the short term in exiling or imprisoning most of the leading dissidents, the resulting legitimacy deficit contributed to the collapse of the Communist system at the end of the 1980s.” See the National Security Archive Electronic Briefing Book No. 391, <http://www.nsarchive.org>

The Center for Advanced Holocaust Studies of the United States Holocaust Memorial Museum is now accepting applications for the 2013-2014 fellowship competition. The Center awards fellowships to support significant research and writing about the Holocaust and welcomes proposals from scholars in all relevant disciplines. For fellowship competition guidelines and/or to submit an application, see [www.ushmm.org/research/center/fellowship](http://www.ushmm.org/research/center/fellowship) Applications and supporting materials must be received by 30 November 2012.

SPARC, the Scholarly Publishing and Academic Resources Coalition, is promoting the week of 22-28 October as “Open Access Week” around the world. For more information, see [http://www.openaccessweek.org/?cid=EXT\\_WBPubsAlerts\\_P\\_EXT](http://www.openaccessweek.org/?cid=EXT_WBPubsAlerts_P_EXT)

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