

Written and compiled by Trudy Huskamp Peterson, Chair, HRWG

Commentary. Instead of a commentary this month, please read the important news from the the Human Rights Working Group.

News of the Human Rights Working Group. In June 2014 the Human Rights Working Group, with the approval of the ICA Executive Board, posted on the ICA website the draft document, *Basic Principles on the Role of Archivists in Support of Human Rights*, for six months of public comment. An open session on the draft was held at the ICA's 2014 annual meeting in Girona, Spain.

By January 2015, 26 responses were received: 12 responses from the archival world (2 archival institutions, 2 archival associations, 3 groups of individual archivists, 7 individual archivists, and the ICA Section of Professional Associations); 11 responses from NGOs in the fields of freedom of information, good government and human rights; and 1 response from a professor of government and 1 from a person who did not identify his affiliation. In total, 136 separate suggestions were made. They varied enormously; For example, one suggested that too much reliance was placed on international instruments while others said additional international instruments, including regional ones, should be referenced. Among the repeated suggestions were to clarify to whom the document is addressed, to state whether the Principles are facts or goals, to provide definitions of terms used, and to tighten the language in both the Preamble and Principles. SPA and the associations recommended expanding the text to include records managers and records management issues. Several commentators were concerned about the language of the "whistleblower" provisions.

The Working Group met in January and, based on the comments, decided that the *Basic Principles* needed a major revision. For each Principle we added a paragraph clarifying what the principle means and what international authority undergirds it. We reduced the Principles by one, reduced the number of sections from six to five, and revised all the language, with special efforts to clarify the provisions on whistleblowers and on displaced archives. We added two annexes: definitions of the terms used in the *Basic Principles*, and a list of international treaties, covenants, agreements, opinions and related matter that serve as foundation for the *Basic Principles*. We sent that draft (version 10) to the Executive Board for consideration at its April meeting, with the suggestion that this revision be posted for a second round of comment.

The Executive Board returned the draft to the Working Group asking for further amendments, specifically to incorporate the records management dimension more fully in cooperation with the ICA's new Expert Group on Records Management and to consider whether the *Basic Principles* should also cover "archives at risk." The Working Group was asked to prepare a revision to be submitted for discussion by the ICA's Programme Commission at the ICA's September annual meeting in Reykjavik. Work on the revision has now begun.

Although the current version will not be posted to the ICA website, it is available in English, French and Spanish to anyone who would like to comment on it. If you have commented before, you will want to look at the changes. The Working Group would especially appreciate suggestions on language to incorporate records management concerns, as well as whether the Basic Principles should discuss the responsibility to protect archives at risk from global warming, war or depredation. For further information or for copies of the current version (please specify language) write to either archivesthp@aol.com or giulia.barrera@beniculturali.it.

International news.

Extraordinary African Chambers. The Chambers set July 20 as the date to start the trial of Hissene Habre, the former dictator of Chad. The *International Justice Tribune* reported that during the 19 month pretrial investigation “the EAC investigative judges heard 2,500 potential witnesses in Chad,” making the evidential document base enormous before the trial even begins. <https://www.justicetribune.com/> No. 182.

United Nations. The United Nations Joint Human Rights Office (UNJHRO) issued a report on international humanitarian law violations committed by Allied Democratic Forces (ADF) against civilians in North Kivu province of the Democratic Republic of the Congo between 1 October and 31 December 2014. The report is based on 13 investigation missions, interviews with more than 180 victims plus interviews with “direct and indirect witnesses,” local authorities, civil society representatives, and persons working for national and international humanitarian organizations. The UNJHRO team “monitored the detention of many individuals arrested” in North Kivu and transferred to detention centers in Kinshasa. The report detailed ADF attacks on “35 villages, killing at least 237 civilians . . . with a further 47 civilians wounded, 20 abducted and two sexually abused” and looting and destruction of property. <http://reliefweb.int/report/democratic-republic-congo/report-united-nations-joint-human-rights-office-international>

The April issue of *HRWG News* reported that the UN High Commissioner for Human Rights suspended a staff member who gave a confidential internal report to French authorities about the alleged sexual abuse of children by French peacekeeping troops in the Central African Republic. In May the UN dispute tribunal ordered UNHCHR to lift the suspension “immediately,” reported *The Guardian*. http://www.theguardian.com/world/2015/may/06/un-suspension-of-sexual-abuse-report-whistleblower-is-unlawful-tribunal-rules?CMP=share_btn_gp

United Nations High Commissioner for Refugees. The Norwegian Refugee Council and the UN High Commissioner for Refugees issued *Global Overview 2015: people internally displaced by conflict and violence*. It showed that “38 million people have been internally displaced by conflict or violence, the equivalent of the total populations of London, New York and Beijing combined, representing a 4.7 million increase compared to 2013.” Sixty percent of the people newly displaced were in Iraq, South Sudan, Syria, the Democratic Republic of Congo and Nigeria. The report includes an informative section on the “challenges” in estimating the movements of people. It noted that data on births and deaths was only available for 11 of the 60 countries it tracked, and discussed the possible uses of crowd-sourced information gathering and mobile phone call and text message records for estimating numbers of displaced people. <http://www.internal-displacement.org/assets/library/Media/201505-Global-Overview-2015/20150506-global-overview-2015-en.pdf>

At the end of May, UNHCR said it was “deeply concerned” by the “desperate situation” facing the estimated 180,000 Iraqis that have fled fighting in Ramadi since early April. In addition to the heat, lack of shelter, and bottlenecks at checkpoints, “onerous requirements” for documentation have created obstacles to resettlement. Persons from Anbar province were not permitted to enter Babylon and Kerbala governorates, and persons must have a documented “local sponsor” in order to enter the Baghdad governorate. http://www.un.org/apps/news/story.asp?NewsID=51001&utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=bbdc720eb1-Week+in+review+June+01+2015&utm_medium=email&utm_term=0_28264b27a0-bbdc720eb1-93088897#.VWmFvdJViko

World/general news.

Al-Qaeda. The United States continues to release documents seized in the May 2011 raid on Osama bin Laden’s compound in Pakistan that led to bin Laden’s death. Released as images of the original items and translations into English, this batch includes 103 messages to or from bin Laden, including one dated July 2010 urging Al-Qaeda in Yemen to redirect its activities from the Yemeni government to “focus on striking inside America and its interest abroad, especially oil producing countries,” reported *Reuters*.

<http://in.reuters.com/article/2015/05/20/usa-security-binladen-idINKBN0051TK20150520>; for the documents, see <http://www.dni.gov/index.php/resources/bin-laden-bookshelf>

Migration. Researchers from the Free University of Amsterdam “studied death registries in southern European countries to establish how many migrants had been recorded as dying in transit,” reported *Reuters*. The researchers determined that only 40% of the bodies found since 1990 have been identified, and a professor who worked on the study “urged European governments to set up a central repository of coroners’ photographs of identifying marks such as tattoos to help the Red Cross and similar organisations to identify the dead.” http://www.trust.org/item/20150512082527-dx20n?utm_medium=email&utm_campaign=Weekly+Digest+13515&utm_content=Weekly+Digest+13515+CID_9a59f2493b0960b8c8cbe07d787e3e20&utm_source=Campaign%20Monitor&utm_term=Many%20would-be%20migrants%20to%20EU%20die%20unrecorded%20study%20finds

Data inadequacies. The nongovernmental organization Save the Children issued its annual report *State of the World’s Mothers 2015*. It estimated that 54% of the world’s population lives in urban areas and 66% will by 2050. “On average” in the 10 bottom-ranked countries “one woman out of 30 dies from pregnancy-related causes, and one child out of eight dies before his or her fifth birthday.” “In most of the developing nations surveyed, children living in the at the bottom 20% of the socioeconomic ladder are twice as likely to die as children in the richest 20%,” an official of Save the Children told *IPS News*, and “lack of data makes it harder for charities like Save the Children or national or municipal governments to access these marginalized communities.” <http://www.ipsnews.net/2015/05/urban-slums-a-death-trap-for-poor-children>

Medicine. The asthma drug Advair “has generated more than \$80 billion in global revenues for its maker, GlaxoSmithKline, since its U.S. approval in 2000,” reported *ProPublica*. However, research into “previously undisclosed or overlooked documents” suggested that “a significant percentage of asthma patients” use the drug “inappropriately” and are at risk from severe reactions or even death. The U.S. Food and Drug Administration ordered safety trials of the drug in 2011; Glaxo said that the results of its studies of adult and adolescent users will be released this autumn and a separate pediatric study will be released by 2017. http://www.propublica.org/article/overuse-safety-questions-cloud-advair-ascent-to-asthma-blockbuster?utm_source=et&utm_medium=email&utm_campaign=dailynewsletter&utm_content=&utm_name=

Bilateral and multilateral news.

Argentina/United States. Operation Condor was a secret alliance between South American dictatorships in the mid and late 1970s to track down and eliminate enemies of their military regimes. A current trial in Argentina charges 25 high-ranking officers, originally including former Argentine presidents Jorge Videla (deceased) and Reynaldo Bignone (aged 87), with conspiracy to “kidnap, disappear, torture and kill” 171 opponents of the Southern Cone regimes, including approximately 80 Uruguayans, 50 Argentines, 20 Chileans and a dozen others from Paraguay, Bolivia, Peru and Ecuador. Carlos Osorio of the U.S. nongovernmental National Security Archive testified in March, presenting an Excel data base of 900 documents drawn mostly from U.S. government sources and from the Archive of Terror in Paraguay. Osorio focused his testimony on 100 declassified U.S. records that the Archive obtained through the Freedom of Information Act, primarily from the Central Intelligence Agency, Defense Intelligence Agency and the State Department. The Archive has posted the records on its website <http://nsarchive.gwu.edu/NSAEBB/NSAEBB514/>

Australia/Timor-Leste/United States. In 2006 the Truth and Reconciliation Commission of East Timor published its report, which contained allegations that the Indonesian military used napalm against Timorese civilians during Indonesia’s 24-year occupation of Timor. Napalm is a flammable liquid used in warfare; it was banned for use against civilians in Protocol III of the 1980 United Nations Convention on Certain Conventional Weapons. A professor from the Australian Defence Force Academy said he found a September 1983 report by the Australian consul in Bali, Indonesia, to the consul in Jakarta saying he had been told by a United States consul that he had “seen intelligence reports that the Indonesians were fitting napalm tanks to their F5 aircraft for use in Indonesia” and the U.S. was asked by Indonesia to help “fitting of the napalm tanks” into aircraft. The Jakarta consul confirmed this with the U.S. Embassy in Jakarta and in November reported to the Department of Foreign Affairs that “the United States assumed that, given the

recent military build-up in East Timor, the approach had been made in connection with East Timor.” (Australia had ratified Protocol III on 29 September 1983, but the United States did not ratify until 2009 and Indonesia never has.) The professor told *The Age*, “The current government should declassify all relevant records so that the full truth can come out.” <http://www.theage.com.au/national/australia-knew-about-indonesias-napalm-plans-in-timor-leste-20150508-ggwxod.html>

Bangladesh/India. A legacy of British colonial rule has been peacefully resolved by Bangladesh and India. Upon independence India was divided from what is today Bangladesh (then East Pakistan), but the clumsily-drawn border left “tens of thousands of Bangladeshis” living in 51 enclaves in India and Indians living in 100 areas within Bangladesh. *BBC News* reported that in those enclaves “the residents are in effect stateless and lack access to public services.” Under the new agreement, “more than 50,000 villagers from both sides will be given the option to choose where they want to live and which nationality they would prefer.” Then the two countries will exchange the control of the areas of land now on each other’s territory and adjust the map of the border. <http://www.bbc.com/news/world-asia-india-32642851>

China/Hong Kong/Philippines. A Filipina maid in Hong Kong published “stark photographs of burned and beaten domestic workers to highlight the ‘modern slavery’ she says has long been the city’s shameful secret,” reported *Thomson Reuters Foundation*. <http://www.trust.org/item/20150525220057-pihxn/?source=dpMostPopular>

Europe. *Science News* reported that by using satellite imagery of forest fires in the Chernobyl, Ukraine, region in the 2000s and field measurements of radioisotope levels, researchers from the University of South Carolina found that “fires likely spread radiation” traceable to the catastrophic 1986 Chernobyl nuclear disaster across much of Eastern Europe and perhaps as far as Turkey, Italy and Scandinavia. Earlier research found that “reduced microbial activity in the area” around Chernobyl leads to slower than usual decomposition of dead plant matter, providing more fuel for the forest fires. <http://www.sciencedaily.com/releases/2015/05/150521144042.htm>

Ireland/United Kingdom. On 31 July 1975 an Irish band was traveling home to Dublin from a performance in Northern Ireland. Their van was stopped by members of the Ulster Volunteer Force (UVF, a paramilitary group); they were forced to get out; the UVF attempted to plant a bomb in the van which exploded prematurely, killing the two bomb planters; three of the band members were killed by the UVF. The widow of Fran O’Toole, one of the band members killed, is suing the U.K. Ministry of Defence to force it to permit access to its records related to the case that are held by the U.K. National Archives. The National Archives told *Irish News* that the file is “closed because there are personal details that could not be released under the Freedom of Information Act and the Data Protection Act.” <http://www.irishnews.com/news/miami-showband-widow-takes-legal-action-over-mod-documents-refusal-1453943>

Israel/Palestine. Breaking the Silence, an Israeli nongovernmental organization founded in 2002 “to document the Israeli army’s activities in the occupied territories,” issued a report on the 2014 Gaza war between Israel and Palestine. Titled “This is How We Fought in Gaza,” the report includes anonymized excerpts of 111 “testimonials” by 60 Israeli soldiers and officers who participated in the war. The head of the Euro-Mid Observer for Human Rights told *Al-Monitor*, “The testimonies of the Breaking the Silence organization prove that the Israeli army committed war crimes in Gaza.” The Israeli army said it was committed to “an internal investigation into complaints by Palestinians and human rights organizations about the behavior of its forces during the war” and complained that Breaking the Silence “refused to provide it access to the testimonies.” http://www.al-monitor.com/pulse/originals/2015/05/gaza-war-israel-breaking-the-silence-testimonies-violations.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=23d3eaa5b8-May_18_2015&utm_medium=email&utm_term=0_28264b27a0-23d3eaa5b8-93088897 for the report, see <http://www.breakingthesilence.org.il/pdf/ProtectiveEdge.pdf>

Also in May, Amnesty International issued a report titled, “‘Strangling Necks’: Abduction, torture and summary killing of Palestinians by Hamas forces during the 2014 Gaza/Israel conflict.” It concluded, “Israeli military forces committed war crimes and other grave violations of international law during Operation Protective Edge” (the code name of Israel’s 50-day military offensive against Gaza in July and August 2014). Amnesty said that it has not been permitted to send a delegation to visit Gaza since the beginning of the conflict and therefore “had to carry out research on this report remotely, supported by a fieldworker based in Gaza.” The organization interviewed “former detainees, prisoners’ families,

witnesses to abuses, human rights activists, journalists and others” and “reviewed and analysed written reports of court proceedings, medical reports, death certificates, public statements issued by Hamas and Palestinian groups in Gaza, as well as media reports and reports and other documentation issued by UN agencies, Palestinian and Israeli NGOs and others.” <https://www.amnesty.org/en/documents/mde21/1643/2015/en/>; for Hamas response see http://www.al-monitor.com/pulse/originals/2015/06/palestine-gaza-hamas-israel-amnesty-international-report.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=c986231377-June_04_2015&utm_medium=email&utm_term=0_28264b27a0-c986231377-93088897

Liberia/United States. In October 1992 five U.S. Catholic nuns were killed during an assault on Monrovia, Liberia’s capital, by the army of Charles Taylor. The assault was launched from the rubber plantation of the Firestone tire company, a U.S. corporation. The U.S. Federal Bureau of Investigation (FBI) investigated but no one was arrested. *ProPublica* and *PBS Frontline* asked the FBI for the copy of its file on the case, but the FBI denied the request, saying the file remains relevant to a “pending or prospective law enforcement proceeding.” http://www.propublica.org/article/unsolved-killing-of-american-nuns-in-liberia-an-open-case-again?utm_source=et&utm_medium=email&utm_campaign=dailynewsletter&utm_content=&utm_name=

Middle East and Northern Africa. At a ministerial conference in Cairo, the governments of Egypt, Saudi Arabia, United Arab Emirates, Iraq, Jordan, Kuwait, Lebanon, Libya, Sudan and Sultanate of Oman issued a Declaration on “the continuing threat to our economic, cultural well-being and national security as a result of antiquities looting, trafficking, and destruction by criminal networks and extremist groups of our cultural property that is either registered, unregistered or submerged.” The governments agreed to take six steps, including establishing a “Cultural Racketeering Task Force consisting of a senior representative from each country” and an international advisory committee. While clearly focused on art and architecture, the Declaration could also cover documentary heritage. <http://www.mei.edu/sites/default/files/publications/CairoDeclaration.pdf>

Southeast Asia. Human Rights Watch issued a report, “Denial of Rights in Burma, Bangladesh Lead to Trafficking and Dangerous Sea Voyages,” on the thousands of Rohingya asylum seekers and migrants from Myanmar and Bangladesh that have arrived this spring in Thailand, Malaysia and Indonesia. It includes excerpts from interviews with refugees and with government officials. It notes that the 2014 population census conducted by the Myanmar government did not count people who self-identified as Rohingya (who make up the majority of the refugees) and in 2015 the government “stripped the Rohingya of the right to hold temporary identification cards.” “Over 400,000 Rohingya have relinquished the cards ahead of the May 31 deadline, with the government promising some form of ID to be issued in the future if Rohingya self-identify as ‘Bengali,’ not as Rohingya.” For background see *HRWG News* 2015-02 <http://www.hrw.org/news/2015/05/27/southeast-asia-accounts-rohingya-boat-people>

Uganda/United States. According to a police statement from July 2012, a baby girl was abandoned in a hair salon; the police sent her to a Catholic orphanage. After a year during which the orphanage advertised for the family “on radio and in newspapers,” the child was put up for adoption by an adoption agency, which told *Thomson Reuters Foundation* that “it relied upon a local media company . . . to investigate the child’s background” but failed to trace the parents. A U.S. couple agreed to adopt the girl, and in November 2013 they went to the Kampala High Court to obtain legal guardianship while the application for inter-country adoption was considered. The woman who had taken the child to the police appeared at the hearing and told the court she knew the mother. The court ordered DNA tests on the child and mother “which confirmed their relationship” and the girl was given to the mother. Despite all the apparent documentation by police, orphanage, media company, and adoption agency, a child was almost deceitfully adopted. <http://www.trust.org/item/20150529030121-345qe/?source=dpMostPopular>

United Kingdom/former colonies. The U.K. Foreign and Commonwealth Office (FCO) has located yet another new cache of colonial-era government documents, reported *VICE News*. Included are boxes of records from the “Intelligence and Security Department” and many document registers that “often contain records of Colonial Office correspondence, brief details of Colonial Office files, and summaries of any actions taken on those files.” An archivist pointed out to *VICE News* that the registers “might also provide evidence of still more colonial-era documents that the British government has long since destroyed.” For background, see *HRWG News* 2014-09. <https://news.vice.com/article/exclusive-the-uk-has-just-unearthed-new-top-secret-colonial-era-government-files>

United Kingdom/Northern Ireland/United States. In yet another step in the long running controversy over police access to Boston College oral history interviews with former fighters in the Northern Ireland conflicts, the Supreme Court in London refused to hear an appeal by Winston Rea, a former loyalist prisoner who wanted to prevent police from gaining access to his interview. Having exhausted all his options in the U.K., Rea's lawyers were given two weeks to lodge an application for "urgent hearing" with the European Court of Human Rights (ECHR), reported the *Irish Times*. In early June the ECHR "refused to grant an interim prohibition," *BBC News* reported, and the Police Service of Northern Ireland was given access to that tapes. For background, see *HRWG News* 2015-02. <http://www.irishtimes.com/news/crime-and-law/court-refuses-to-hear-winkie-rea-s-appeal-over-boston-tapes-1.2218168> ; <http://www.irishtimes.com/news/crime-and-law/ex-loyalist-prisoner-seeks-emergency-hearing-to-block-boston-tapes-1.2221052> ; <http://www.bbc.com/news/uk-northern-ireland-33017930>

National news.

Albania. Albania's parliament passed a law "opening up communist-era secret police files to people who were spied on" as well as to "former regime collaborators," reported *BBC News*. <http://www.bbc.com/news/world-europe-32552372>

Bulgaria. Bulgaria's defense minister announced that its communist-era military intelligence archives will now be open to research; however, the president of the Civil Commission said the names of foreign agents will remain secret, reported *Agence France-Presse*. <http://www.globalpost.com/article/6562655/2015/05/27/bulgaria-opens-communist-era-military-archives>

Canada. Lawyers for the Assembly of First Nations and nine survivors of the Bishop Horden Indian Residential School sued the federal Ministry of Aboriginal Affairs for refusing to "check RCMP [Royal Canadian Mounted Police] and Ministry of Health records for evidence of alleged criminal charges" that were laid against former staff members of the School "to corroborate claims of abuse." The Ministry searched its records but not those of other agencies, reported *Timmins Press*. <http://www.timminspress.com/2015/05/25/school-survivors-recall-arrests>

A "quality management" review of 996 files processed between 1 November and 6 December 2013 at Citizenship and Immigration Canada's Vegreville, Alberta, center found "human error issues in 617 request letters" sent to persons applying for permanent residence, reported the *Toronto Star*. A second review of 426 files found "decisions were pending for 149 owing to errors made by decision-makers at an earlier stage." <http://www.thestar.com/news/insight/2015/05/30/immigration-canada-snafus-causing-a-lot-of-misery.html>

The long fight over deleting long gun registry data continues, with a bill tabled in Parliament to block "access to any information about how the long gun registry was destroyed" and to "block further release of a redacted copy of the registry itself," reported *Global News*, which said it has a "heavily redacted" copy of the long gun registry data and the RCMP's "technical explanation of how the deletion was carried out." For background see *HRWG News* 2013-09. <http://globalnews.ca/news/1993384/bill-casts-veil-of-secrecy-over-long-gun-registry-destruction/>

China. The Second Historical Archives of China digitized 200,000 files "recording the soldiers killed" in the anti-Japanese campaigns of World War II, including the "name, troop, and place and time of death" and posted them online. <http://www.ecns.cn/2015/05-13/165149.shtml>

Columbia. At peace talks in Havana, Cuba, between the government of Colombia and the FARC guerilla group, the FARC delegates proposed to establish a truth commission that would "not have judicial jurisdiction but would be able to access secret state documents," reported *teleSUR*. <http://www.telesurtv.net/english/news/Colombia-Peace-Talks-Resume-with-Focus-on-Conflicts-Victims-20150503-0017.html>

Croatia. Six men are on trial, accused of killing 13 civilians in the village of Sotin in 1991. The former head of the village, Mirko Opacic, is one of the men on trial; he is accused of convening a meeting to decide who would be shot the next day. A witness testified that Opacic was present at the meeting but did not give orders for the shooting or make a list of who should be expelled or killed: instead, said the witness, "There was a list, but Zarko [Milosevic, another man on trial] was the one who was marking down the

people on paper.” http://www.balkaninsight.com/en/article/witness-claims-there-was-no-mass-expulsion-of-croats?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=d5681548c1-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-d5681548c1-311109073

Cyprus. At reunification talks mediated by the United Nations, the Greek Cypriot (Republic of Cyprus) president gave the Turkish Cypriot president “the coordinates of 28 minefields dotting a mountain range in the north” and the Turkish Cypriot president announced that people crossing into the Turkish sector at checkpoints will no longer need to fill out a visa form, reported the *Daily Sabah*. The revelation of the minefields may not have been as important as it seemed. The Turkish Cypriot daily *Kibris* newspaper reported that in 1974 the Turkish Resistance Organization intercepted a Greek Cypriot military message that conveyed “the coordinates of the areas where minefields existed and the passages” between them, managed to decode it, and when the Turkish army invaded it used the information to avoid the mines and then to cleared them. <http://www.dailysabah.com/politics/2015/05/15/reunification-talks-on-divided-cyprus-resume-with-high-hopes> ; <http://www.hri.org/news/cyprus/tcp/2015/15-05-25.tcp.html#05>

Egypt. The Ministry of Health released data from a survey it conducted of women between 15 and 49 years old that found that “roughly 92 percent of Egyptian women who have been married have undergone female genital mutilation,” the *International Business Times* reported, adding that the number is “alarmingly high considering the practice was criminalized in Egypt in 2008” and the majority of women had the procedure when they were between nine and 12 years old. <http://www.ibtimes.com/female-genital-mutilation-egypt-has-affected-92-percent-married-women-1917516>

The International Federation for Human Rights (FIDH) released a report on sexual violence by security forces in Egypt. Using interviews conducted at the end of 2014 with human rights NGOs, lawyers and victims, testimonies cited in media reports, and “reports of sexual violence published online in videos and testimonies,” FIDH said sexual violence “indiscriminately targets those apprehended by the security forces.” The report notes that only a “handful” of complaints of sexual violence have been filed with police “for fear of scandal,” that when some cases were reported the police did not record the statements made, and when children are detained “in many cases the age of these detainees is not recorded or is falsified so that the police are not accused of detaining children with adults.” Clearly the police records of the extent and nature of violence are untrustworthy; however, “numerous testimonies report that police officers film detainees, especially during raids against sexual minorities. Dozens of leaks, comprising photos, videos and even in certain cases the full identity of the accused, have been published in the media. . . . These leaks feed the media discourse condemning post-revolutionary ‘decadence’ and proclaiming a need for order.” https://www.fidh.org/IMG/pdf/egypt_report.pdf

El Salvador. The national ombudsman urged the government to reopen the investigation of the 1980 assassination of Archbishop Oscar Romero, saying “impunity for the killers – in which the Salvadoran justice system has been ‘complicit’ - must no longer prevail,” reported *EFE Fox News Latino*. The case was closed in 1993; the case file would be buttressed by the records of the El Salvador truth commission (now at the United Nations Archives in New York with no public access), the 2000 report on the case by the Inter-American Commission on Human Rights and the records of the civil suit in the U.S. District Court for the Eastern District of California that in 2004 found one of the architects of the assassination guilty (the man was living in California at the time, went into hiding and remains a fugitive). Romero was beatified by Pope Francis in May. <http://latino.foxnews.com/latino/politics/2015/05/21/no-more-impunity-for-romero-murder-says-el-salvador-prosecutor/>

France. The nongovernmental organization Calais Migrant Solidarity posed a video on its website of police near the northern French port of Calais “violently ejecting migrants from trucks and apparently spraying them with tear gas,” reported *Agence France-Presse*. The French police said they are investigating and the regional prosecutor said he had “summoned the police’s internal inspection body over the footage.” <http://www.thelocal.fr/20150512/police-violence-filmed-in-calais-migrants>

India. Mutation is the legal change of title when a property is sold or transferred; the new owner is recorded in the records of the land revenue department, which allows the government to charge the property tax to the proper owner. In Kolkata, reported *The Times of India*, “hundreds of [mutation] files have been piling up.” A staff member of the Kolkata Municipal Corporation said, “There are no less than a

1,000 files that have been gathering dust over the past three years.” Property owners who want to correct a property title, add or delete names of heirs, and make further transfers are frustrated because they are told that the files are missing or that the department has no record of the property.

<http://timesofindia.indiatimes.com/city/kolkata/Mutation-files-gather-dust-at-KMC-counter/articleshow/47451107.cms>

Israel. In the category of what you see is not what you get, *Yomleyom*, an ultra-Orthodox weekly newspaper run by the Shas political party, edited out the three women cabinet ministers from the group photograph of the new Benjamin Netanyahu cabinet. See *NBC News* for the two versions of the photograph. http://www.nbcnews.com/news/world/ultra-orthodox-israeli-press-edits-out-female-lawmakers-photograph-n362571?mkt_tok=3RkMMJWWfF9wsRonuKnKc%2B%2FhmjTEU5z17u0kUKCg38431UFwdcjKpmjr1YIERctil%2BSLDwEYGJlv6SgFSLHMa12z7gLXxI%3D

Ivory Coast. The president allocated 10 billion CFA (15.25 million euros) to the Commission for Victims’ Reconciliation and Compensation to make individual and collective reparations to the victims of the 2011 post-election crisis that killed over 3,000 and led to the departure of President Laurent Gbagbo. The Ministry of Solidarity also has a separate budget for victim needs; the *International Justice Tribune* reported that the Ministry has received over 71,000 applications from victims, with 7,000 approved so far. <https://www.justicetribune.com/> No. 181.

Kyrgyzstan. The United Nations Development Program (UNDP) and the Governments of Japan and Kyrgyzstan are automating the voter registration and identification process for the Kyrgyzstan electoral cycle in 2015-2017. The electronic technology uses biometric data collected by the State Registration Service to authenticate voters as they arrive at polling stations and to display voter names and photographs for polling staff, party agents and electoral observers to make sure that the right person is voting. As part of the project, the State Registration Service and the Central Election Commission will be equipped with Electronic Voter Identification (EVID) technology.

<http://www.ug.undp.org/content/undp/en/home/presscenter/pressreleases/2015/05/20/japan-and-undp-will-help-automate-voter-identification-process-in-the-upcoming-elections-in-kyrgyzstan.html>

Latvia. The KGB files remaining in Latvia are open (some records were taken back to Moscow when the Soviet Union collapsed in 1991), but the names of the KGB agents are in code. The card file—4300 cards—with the names is closed. The last KGB chief in Latvia told *BBC News* that opening up the card file “would tear Latvian society apart.” <http://www.bbc.com/news/world-europe-32788317>

Macedonia. The continuing release of excerpts from tape recorded telephone conversations of political figures is shaking the government, reported the *New York Times*. The opposition political party says recordings “from 670,000 conversations from more than 20,000 telephone numbers secretly recorded by the government between 2007 and 2013” were leaked to them “by patriotic civil servants.” In one tape the head of the secret police “gleefully talks about having a political opponent raped in prison.” Journalists, clerics, activists, foreign diplomats and some top officials in the government were recorded; the government has not denied that the tapes are authentic but argues that “some have been taken out of context and severely edited” and were done at the direction of a foreign intelligence service to topple the government. The government has arrested six people, including a former chief of the secret services, and charged them with making and leaking the tapes. For background, see *HRWG News* 2015-02.

http://www.nytimes.com/2015/05/15/world/europe/tiny-macedonia-confronts-a-supersize-scandal.html?_r=0

Nepal. After the massive earthquake, the government released compensation for those who lost family members and those whose houses are destroyed and cannot be rebuilt. However, *The Times of India* reported, “Compensation released by the government is subject to furnishing of documents. With most villagers having had their homes destroyed, documents are lost too. Many families which have lost their men have no clue about documents. The result is that much [of the compensation fund] is lying idle.”

<http://timesofindia.indiatimes.com/world/south-asia/Papers-lost-earthquake-victims-unable-to-claim-relief/articleshow/47169007.cms>

Peru. Peru reopened a criminal investigation against ex-President Alberto Fujimori “on charges he and three of his former aides led a 1990s government program that forcibly sterilized thousands of poor indigenous women,” reported the *Associated Press*. A previous investigation ended when judges said there was “insufficient evidence to show women were systematically forced to have sterilizations.” For background, see *HRWG News* 2014-02. <http://fusion.net/story/134662/peru-reopens-investigation-into-mass-sterilization-program/>

Romania. Ioan Ficior, who commanded the Periprava labor camp in southeast Romania between 1958 and 1963, is on trial, accused of crimes against humanity for subjecting prisoners to "inhuman treatment" and causing the deaths of 103 inmates. According to the *International Justice Tribune*, "official contemporaneous medical reports" were quoted in the indictment showing that detainees died from malnutrition and contaminated water and "an official report by the prison directorate in the 1960s established that Ficior issued 'excessive punishments.'" Romania is exhuming bodies from what is believed to be a graveyard for camp victims, and the DNA obtained from the remains "will be registered in a new database that aims to match victims' DNA with samples provided by relatives."

<https://www.justicetribune.com/> No. 183

Russia. "President Vladimir Putin has signed a decree making all casualties suffered by the Russian military during special operations in peacetime a state secret," reported *RT*. The decrees also "classified the information about people who Russian special services study as possible candidates for work as agents." Disclosing the information can be punished by a prison sentence of up to seven years.

<http://rt.com/politics/262785-russia-secret-military-casualties/>

Using "table of contents, handwritten notes, documentation" found among Boris Nemtsov's papers after he was assassinated in February and recollections of their conversations with him, his colleagues assembled a report on the deaths of 220 Russian soldiers in the fighting in southeastern Ukraine. The report is available in Russian or English at <http://www.4freerussia.org/putin.war/>

Saudi Arabia. The Saudi Arabian Ministry of Justice "reported the rate of violent crimes perpetrated by women" this year is on the same rate as in 2014, reported the *Saudi Gazette*. "The courts reported" that in the first four months of 2015, 278 Saudi women and 82 non-Saudi women were involved in cases of physical assault (compared with 9,441 assaults by men) and 212 Saudi women and 30 non-Saudi women were tried for blasphemy. The Ministry also released statistics showing an increase in the cases of "khula," which is "a divorce at the insistence of the wife in which she has to return her dowry and pay her husband a certain amount of money to cover anything he spent on her during the duration of the marriage." Last year 2,033 cases were brought.

[http://english.alarabiya.net/en/perspective/features/2015/05/11/;](http://english.alarabiya.net/en/perspective/features/2015/05/11/)
<http://english.alarabiya.net/en/perspective/features/2015/05/30/>

Serbia. In February 2013 the chief of the Serbian Army filed suit against the Humanitarian Law Center (HLC) and its founder Natasha Kandic, claiming his "honour and reputation were harmed" by the 2012 HLC report that alleged that he was involved in war crimes. At a hearing in May, Kandic explained the documentation used to produce the report. For background, see *HRWG News* 2012-03.

http://www.balkaninsight.com/en/article/serbia-s-kandic-backs-up-hlc-s-allegations-on-serbian-army-chief?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=c02c60dc6d-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-c02c60dc6d-311109073

South Africa. Speaking at a seminar to mark National Archives Week, a professor researching South African children born with severe deformities because their mothers took the drug thalidomide while pregnant said her research and that of others who are trying to "hold the drug manufacturer accountable" is hampered by poor record keeping. "Without a guide to assist me in unpicking the tangled records of imports, exports, trademarks, drug patents and also of hospitals that might have recorded a dramatic increase in the number of disabled babies being born, I am floundering in trying to solve this puzzle," she said. She argued for better record keeping and support for the work of the National Archives and Records Service.

<http://www.iol.co.za/dailynews/news/victims-stymied-by-poor-record-keeping-1.1859202>

Sri Lanka. The President announced that a domestic investigation of alleged human rights violations during the final stages of the government's war against the Tamil Tigers will begin in June, reported *The Economic Times*. The former army chief of staff said he would "welcome" a war crime investigation, even though *The Guardian* noted that "shocking footage of the war's end" suggested that "widespread crimes" had been committed by forces under his command. A report by a United Nations panel of experts assembled evidence that could be used in a new investigation.

<http://www.theguardian.com/world/2015/may/27/former-sri-lanka-army-chief-says-he-would-welcome-war-investigation>

Syria. The nongovernmental organization Handicap International released a report estimating that “about 5.1 million Syrians are living in areas at high risk from explosive weapons, some of which fail to detonate and so will pose a deadly threat for years to come.” The report is based on data obtained from several organizations “including United Nations Mine Action Service and Human Rights Watch” about 78,000 violent incidents in Syria between December 2012 and March 2015. The report details the methodology it used to “map the frequency and severity of incidents.” http://www.handicap-international.us/new_report_explosive_weapons_in_syria_a_time_bomb_in_the_making

“A three-year operation to smuggle official documents out of Syria has produced enough evidence to indict President Bashar al-Assad and 24 senior members of his regime,” the Commission for International Justice and Accountability told *The Guardian*. The Commission, an independent organization of investigators and legal experts on war crimes and humanitarian law, has accumulated “half a million pages of orders and reports sent up and down the chain of command,” and has “a team of investigators in each governorate, who have sought to collect paperwork from the regime’s military, security and intelligence agencies, usually after government buildings have been abandoned or seized by opposition fighters.” The Commission has interviewed about 400 persons; its investigation into war crimes committed by “extremist opposition groups relies more on insider witness testimony as well as analysis of publicly available material including propaganda and witness videos, more than 470,000 of which have been downloaded and archived” by the Commission. <http://www.theguardian.com/world/2015/may/12/smuggled-syrian-documents-indict-assad-investigators>; <http://www.theguardian.com/world/2015/may/12/syria-truth-smugglers-bashar-al-assad-war-crimes>

Tunisia. During the few months that the Truth and Dignity Commission has been working, about 12,000 victims already have submitted their papers, relating decades of police cruelty, violence and rape. The *New York Times* reported that during previous regimes “hundreds of women were detained and interrogated without formal process, and so lack documentary proof of their experiences.” However, one woman explained that even after release former prisoners were “made to sign in at a police station two or three times a day,” which would have created a record. Managing this flow of testimony and evidence is a significant task for the Commission. http://www.nytimes.com/2015/05/29/world/africa/women-in-tunisia-tell-of-decades-of-police-cruelty-violence-and-rape.html?mkt_tok=3RkMMJWWfF9wsRonuKnKc%2B%2FhmjTEU5z17u0kUKCg38431UFwdcjKpmjr1YIERcti%2BSLDwEYgJlv6SgFSLHMMa12z7gLXx1%3D&_r=0

The head of the Commission announced that an agreement has been reached with the President to permit the Commission to have access to Presidential archives and that the Commission has already received 12,700 files. For background see *HRWG News* 2015-01. <http://www.africanmanager.com/186558.html>

United Kingdom. British police investigating allegations of historical child sex abuse said that the actions of 1,422 people are being reviewed, of which 135 are media persons, 76 are politicians at local or national level, 43 are from the music industry and 7 from the “sporting world,” *Reuters* reported, and 216 are dead. The police officer leading the inquiry said “666 of the offenders being investigated were alleged to have carried out abuse at institutions including schools, children’s homes, and religious institutions.” <http://in.reuters.com/article/2015/05/20/britain-abuse-idINKBN0051UK20150520>

United States. Human Rights Watch (HRW) released a report, “Callous and Cruel: Use of Force against Inmates with Mental Disabilities in US Jails and Prisons,” which concluded that staff members of jail and prisons “have used unnecessary, excessive, and even malicious force.” To prepare the report, HRW “reviewed hundreds of individual and class action court cases and Justice Department investigations, and interviewed more than 125 current and former corrections officials, use of force experts, psychiatrists, and prisoner advocates.” HRW noted that “no national data are available” on the use of force against mentally ill inmates, a significant problem since HRW estimates that one in five prisoners in the U.S. has a serious mental illness. <http://www.hrw.org/node/134861>

Prodded by the *New York Times*, the Army declassified and released a report on the chemical exposure of troops who moved leaking barrels of liquid from an Iraqi Republican Guard warehouse at Camp Taji, Iraq, in 2003. The two-page site survey report written “after liquid samples were tested” identified the compound as “a carcinogenic and poisonous chemical.” More than 20 soldiers involved in the removal

were hospitalized, and several of them have had continuing health effects that may be linked to the barrels. At the time a young officer “created an unclassified record” that summarized what happened at the warehouse; later one of the sickened soldiers used that record and photographs from the warehouse to file Freedom of Information Act requests for the Army records on the warehouse, starting in 2009. The Army still has not released “many other records he sought, or provided answers to his lingering questions, including what ultimately happened to the barrels.” http://www.nytimes.com/2015/05/15/world/middleeast/12-years-later-a-mystery-of-chemical-exposure-in-iraq-clears-slightly.html?_r=0

“Lawyers are beginning to submit biographical videos when their clients are sentenced,” reported the *New York Times*. Attorneys are hiring videographers to produce the biographies; a police auditor in California said she was concerned that poorer defendants would be at a disadvantage because they will not be able to afford a recording. These videos will add another element to be preserved in the court case file. <http://www.nytimes.com/2015/05/25/nyregion/defendants-using-biographical-videos-to-show-judges-another-side-at-sentencing.html>

Although credit card data breaches get headlines, *Mainstreet* reported that experts say medical identity theft is much more financially rewarding for the hackers. According to the security company Red Canary, “in online criminal marketplaces the going rate for a valid – stolen – credit card is perhaps \$2. For a medical file, it’s \$50.” Medical records can be used to file fraudulent insurance claims, fraudulent tax returns, or get medical services billed to the person whose data was stolen. <https://www.mainstreet.com/article/the-hidden-epidemic-of-medical-identity-theft-now-claiming-millions-of-victims> And according to a study published by the *Journal of the American Medical Association*, 29 million U.S. medical records were compromised between 2010 and 2013. <http://www.healthcareitnews.com/blog/shocks-surprises-new-breach-trend-studies>

“Medical errors that can be traced to the automation of the U.S. health care system are increasingly an issue in medical malpractice lawsuits,” reported *Politico*. “The lawsuits allege a broad range of mistakes and information gaps—typos that lead to medication errors; voice-recognition software that drops key words; doctors’ reliance on old or incorrect records; and nurses’ misinterpretation of drop-down menus, with errors inserted as a result in reports on patient status.” <http://www.politico.com/story/2015/05/electronic-record-errors-growing-issue-in-lawsuits-117591.html>

Researchers used “mortality and population data . . . collated by the National Center for Health Statistics and the US Census Bureau, which are anonymized and publicly available” and “Google query data . . . in aggregate at the DMA [designated market area]-level” (containing no individual identifiers) to examine “the association between area racism and Black mortality rates, which were derived from death certificates and mid-year population counts.” As reported by *PLOS*, the researchers used the “proportion of Google searches containing the ‘N-word’ in 196 designated market areas” as a proxy for racism. They concluded that their method “contributes to evidence that racism shapes patterns in mortality and generates racial disparities in health.” <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0122963#pone.0122963.ref042>

Another group of researchers used national data based on death certificates that listed suicide as the underlying cause for children aged 5 to 11, and found that “the suicide rate among black children has nearly doubled since the early 1990s, while the rate for white children has declined,” reported the *New York Times*. <http://www.nytimes.com/2015/05/19/health/suicide-rate-for-black-children-surged-in-2-decades-study-says.html>

Four U.S. historical associations, the nongovernmental National Security Archive, and a journalist won the release of grand jury records from the prosecution of Julius and Ethel Rosenberg, who were tried, convicted of espionage for the Soviet Union, and executed in 1953. In the ruling, the judge dismissed the government’s argument that the release would rekindle antipathy towards the family of Ethel Rosenberg, saying, “The requested records are critical pieces of an important moment in our nation’s history. The time for the public to guess what they contain should end.” <http://nsarchive.gwu.edu/news/20150519/>

Students for Fair Admissions, a nonprofit group suing Harvard University for alleged race-based discrimination in its admissions practices, is seeking a wide range of records in the legal discovery process and asking that Harvard “not redact student names in the records” to enable the plaintiffs to analyze whether having an “Asian versus a non-Asian name” affected admissions decisions, *The Crimson* reported. <http://www.thecrimson.com/article/2015/5/4/race-based-lawsuit-update/>

United States/Georgia. The Cobb County police department told *The Augusta Chronicle* that with police wearing body cameras, “the storage space is so great that we are having to research additional resources for storing the data.” In Richmond County, the police have ordered 150 body cameras, will have two full-time employees dedicated to maintaining the files, and plan to “keep all videos for seven days before a filtering process eliminates data not linked with a criminal case or investigation.” When police adopt body cameras, the records of those cameras need to be appraised immediately and the police records schedule updated. <http://chronicle.augusta.com/news/crime-courts/2015-05-09/body-camera-footage-raises-storage-worries>

Uruguay. Uruguay created a Truth and Justice Working Group to investigate crimes committed by the police and army during the 1973-1985 dictatorship and during a state of emergency decreed on 13 June 1968, reported *Agence France-Presse*. Police and army archives will be important sources for the work of the panel. <http://news.yahoo.com/uruguay-probe-dictatorship-crimes-172729498.html>

Zimbabwe. By using records from Australian and U.K. diplomatic posts in Zimbabwe, a historian is piecing together evidence that president Robert Mugabe is complicit in the 1983 “campaign of terror” that was waged against the Ndebele people of western Zimbabwe during which an estimated 20,000 people were killed, reported South Africa’s *Daily Maverick*. <http://www.dailymaverick.co.za/article/2015-05-18-new-documents-allege-mugabes-complicity-in-1980s-massacres/>

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