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Commentary.

The scene was new but utterly familiar: rebels, curious citizens, and journalists showing cameras partially burned documents, pulling papers from the water of a reservoir, posting items online. It was Ukraine in February 2014 at the residence of former president Viktor Yanukovich, but it could have been Egypt or Libya, Lithuania or Chad. Rebellions prompt destruction *and* preservation of records.

One constant question is why repressive bodies, particularly secret police who keep such extensive records, don't destroy them when faced with a revolutionary situation. Security services keep the records they need to carry out their work, and the volume is enormous. Then, faced with riots in the streets, they can and often do destroy a small body of very sensitive records, but they simply cannot destroy everything. That was particularly true when records were mostly paper, but it is also true in the electronic world where wiping computers clean and making the data unrecoverable requires technical skills. Add to that the likelihood that today there are copies of documents on personal computer drives and even personal electronic devices, and total destruction is nearly impossible.

Even if special bodies of records are destroyed, the great duplication of copies, both electronic and paper, means that the destruction of one record usually does not destroy all the information it contained. In the item reported below on the British government giving advice to the government of India (see India/United Kingdom) the U.K. Cabinet Secretary said that although some military files were destroyed, "copies of at least some documents on destroyed files were also in other departmental files." In Guatemala, the police in Quiche seem to have destroyed the records in that departmental headquarters, but the reports from Quiche to national police headquarters remained in the files in Guatemala City.

Add to the issues of speed and duplication the conviction of the security services that they are permanent and their records are inviolate, and you have another reason records are not totally destroyed. J. Edgar Hoover, the U.S. Federal Bureau of Investigation's longtime director, could never have imagined that a farm girl from Iowa like me would be reading his mail, but that's what happened when a court in the United States ordered the U.S. National Archives to undertake a comprehensive appraisal of the Bureau's records in 1980-81. The same would be true for archivists reading the Stasi files, the KGB files in Latvia, or the police files in Paraguay: to the police, the unimaginable happened.

Of course we must constantly fight to preserve records. Of course we need good records laws, strong penalties for unauthorized destruction, and archivists who stubbornly schedule records for preservation in the face of pressures to authorize destruction. Of course in a revolutionary situation the concerned public needs to protect sensitive archives, as the Germans did in 1990 when they prevented destruction of Stasi records. But it can be done, and we can use our collective powers to ensure that the written word endures.

International news.

European Court of Human Rights (ECtHR)/Russia. In January the European Court of Human Rights sent notice and posed questions to Russia in the case of historian Mikhail Suprun who, along with the archivist who provided him the records, was convicted in a Russian court for violating 'personal and family secret' information while studying cases of ethnic Germans who were repressed and committed to special

settlements in Arkhangelsk oblast during and after World War II.
http://www.svobodainfo.org/en/system/files/2014-01-10%20from%20ECHR%20on%20the%20Suprun%20case_0.pdf

European Union/Russia. In the wake of the European Union-Russia summit in late January, the European Parliament passed a resolution on EU-Russia matters, one of which was an appeal “to the Russian authorities to cooperate in opening up Russian archives, enabling access for researchers and declassifying relevant documents, including in relation to the fate of Raoul Wallenberg, who 70 years ago saved thousands of Hungarian Jews from genocide.”
<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2014-0101&language=EN&ring=B7-2014-0150>

International Court of Justice. Hearings began in the International Court of Justice in the cases that Croatia and Serbia have brought against each other, alleging genocide during the Balkan wars of the 1990s. Croatia opened by playing a video showing the destruction of the Croatian town of Vukovar; it will be fascinating to see what documentary evidence is offered in the cases. *BIRN* reported that the Serbian deputy prime minister said the case would not damage ties between the two countries: “Let’s not poison our relations with the fact that we have different view on past events.”

http://www.balkaninsight.com/en/article/croatia-serbia-start-icj-hearing?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=8a3633e7c8-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-8a3633e7c8-311109073

United Nations. The Secretary General released a report on the impact of the war in Syria on children. It estimated that at least 10,000 children had been killed between 1 March 2011 and 15 November 2013, and found that “grave violations” against children have been committed “by all parties to the conflict.” The information in the report “is based to a large extent on interviews,” but the Syrian government also provided some records: “the Syrian Ministry of the Interior has shared with the United Nations its records on children who allegedly were killed or injured by armed opposition groups in various governorates,” a report from the Syrian Ministry of Health, and records of attacks on health facilities and medical staff members. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N13/627/07/PDF/N1362707.pdf?OpenElement>

United Nations Committee on the Rights of the Child. The Committee issued a sharply critical report of the way the Catholic Church has handled child abuse cases. Among the recommendations is, “Ensure a transparent sharing of all archives which can be used to hold the abusers accountable as well as all those who concealed their crimes and knowingly placed offenders in contact with children.” The Vatican said the report was “distorted” and “unfair,” reported *euronews.com*. <http://www.euronews.com/2014/02/06/vatican-calls-un-child-abuse-report-distorted-and-unfair>; for the report, see http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/VAT/CRC_C_VAT_CO_2_16302_E.pdf

United Nations Commission of Inquiry on human rights in the Democratic People’s Republic of Korea. for Human Rights. In a long report “based on first-hand testimony from victims and witnesses,” the Commission said it found the “gravity, scale and nature” of the human rights violations in North Korea “shock the conscience of humanity.” The Commission conducted over 320 interviews and received 80 formal submissions; the records of the Commission are a central source for holding North Korean officials accountable for crimes against humanity. For the press release with links to the report, see http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=14255&LangID=E&utm_medium=email&utm_source=ushmm&utm_content=14+-+Learn+more+about+the+report&utm_campaign=20140225CPGNewsletter&source=20140225CPGNewsletter; for North Korea’s rejection of the report, see *Voice of Russia* <http://www.eurasiareview.com/23022014-north-korea-rejects-un-human-rights-report-lies->

[fabrications/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%20E+28Eurasia+Review%29](http://www.feedburner.com/feeds/eurasiareview%20E+28Eurasia+Review%29)

World/general news.

Electronic surveillance. Revelations on the extent of electronic surveillance continued in February. *The Guardian* reported that the U.K. “surveillance agency GCHQ, with aid from the US National Security Agency, intercepted and stored the webcam images of millions of internet users.” The program, codenamed Optic Nerve, began in 2008 to capture images from “more than 1.8 million Yahoo user accounts globally;” it scooped up a “large store of sexually explicit imagery” which GCHQ tried to keep “away from the eyes of its staff, though there is little discussion [in the documents] about the privacy implications of storing this material in the first place.”

<http://www.theguardian.com/world/2014/feb/27/gchq-nsa-webcam-images-internet-yahoo;>

Meanwhile, a U.S. “cyber research firm” called Hold Security announced that it found for sale on the “cyber black market” nearly 360 million sets of “stolen and abused credentials and another 1.25 billion records containing only email addresses,” the latter primarily from Yahoo, Hotmail, AOL and Gmail. One batch of 105 million electronic records from a single source “represents one of the largest hacks ever recorded,” reported *SCMagazineUK.com*. <http://www.scmagazineuk.com/360-million-records-on-sale-to-cyber-criminals/article/335834/>

Medical records. The Takeda Pharmaceutical Company of Osaka, Japan, admitted to a U.S. court that it “can’t find files compiled by 46 current and former employees involved with the development, marketing and sale of Actos,” a diabetes drug, *Bloomberg.com* reported. A patient who used Actos sued, alleging that the pills caused his bladder cancer. <http://www.bloomberg.com/news/2014-01-30/takeda-jury-can-hear-claims-over-destroyed-actos-files.html> ; <http://www.lawyersandsettlements.com/articles/actos/actos-bladder-cancer-side-effects-66-19505.html#.UvgitoW7Je8>;

In another U.S. case reported by *Bloomberg News*, a judge determined that the pharmaceutical firm Johnson & Johnson “lost or destroyed thousands of documents and computer files” on vaginal mesh implants, which are alleged to have caused injury to users (see *HRWG News* 2013-12). http://www.nj.com/business/index.ssf/2014/02/jj_unit_destroyed_thousands_of_files_about_vaginal_mesh_implants_judge_says.html

Twitter. Twitter announced that it will grant select research institutions free access to the “expansive set of data” stored in its archives. Twitter stressed that this would be access to “public and historical data;” *clickonline.com* suggested that the data could be used for “everything from figuring out where a disease originated to looking more closely at patterns of interaction between individuals.” <http://www.clickonline.com/tech/twitter-to-open-up-its-archives-for-science/22744/>; for the Twitter announcement see <https://blog.twitter.com/2014/introducing-twitter-data-grants>

Bilateral and multilateral news.

Al-Qaeda. In a statement posted on websites, al-Qaeda announced that it has no links with ISIS, an Iraqi militant group that started as an al-Qaeda branch. Preserving the image of the letter is vital to understanding the evolution of the continued fighting in Iraq. Meanwhile, in late January the Iraqi Interior Ministry posted on its website a photo of the leader of ISIS and said it had obtained “three handwritten letters” of his, reported *al-Akhbar*. For the al-Qaeda letter in Arabic, see <http://www.xendan.org/arabic/drejaa.aspx?=hewal&jmara=23506&Jor=3> ; for the photograph of the ISIS leader, see <http://english.al-akhbar.com/node/18445>; for a commentary on ISIS, see http://www.al-monitor.com/pulse/originals/2014/02/iraq-isis-baghdadi-mystery.html?utm_source=Al-

[Monitor+Newsletter+%5BEnglish%5D&utm_campaign=01033cff20-January_9_2014+8_2014&utm_medium=email&utm_term=0_28264b27a0-01033cff20-93088897](http://www.al-monitor.com/pulse/originals/2014/02/palestinian-authority-hamas-national-id-religion.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=193f1ae499-January_9_2014+8_2014&utm_medium=email&utm_term=0_28264b27a0-193f1ae499-93088897)

Armenia/Middle East. Elke Hartmann, a German-Armenian historian specializing in modern Ottoman history, warned in an interview with *hetq*, “Aleppo and the Armenian community are being destroyed right in front of our eyes, and we haven’t been able to salvage enough of the archives there. There’s a wealth of personal archives and photographs in Aleppo. The town is famous for such rich individual collections.” <http://hetq.am/eng/news/32468/german-armenian-historian-warns->

China/Japan/South Korea. The government of Japan announced that a “team of scholars would examine what historical evidence had been used” in 1993 as background to Japan’s apology to women forced into sexual slavery by the Japanese army during World War II, reported the *New York Times*. A former official who took part in drafting the apology testified before the Parliament “that the main evidence was the testimony of 16 former sex slaves and that no documents were found to corroborate [corroborate] their stories.” http://www.nytimes.com/2014/03/01/world/asia/japan-to-review-apology-made-to-wwii-comfort-women.html?_r=1

France/Southern Europe/Northern Africa. *Agence France Press* reported that declassified French documents show the “radioactive spread from French nuclear tests in Algeria in the 1960s” was much greater than previously acknowledged, stretching “across all of West Africa and up to southern Europe.” Military veterans believe they have health problems stemming from the exposure to radiation, and “a number of civil cases” have been filed by Algerians against France. <http://www.france24.com/en/20140214-map-shows-huge-radiation-spread-french-saharan-nuclear-tests/>

Guatemala/United States. A former Guatemalan Army officer wanted in Guatemala for his participation in the Dos Erres massacre in Guatemala in 1982 was sentenced to ten years in prison in the United States for fraud on his citizenship application, *Pro Publica* reported. For background, see *HRWG News* 2013-10. <http://www.propublica.org/article/a-commander-of-the-dos-erres-massacre-squad-gets-10-years-in-prison>

India/United Kingdom. The U.K. government acknowledged that it gave advice to the Indian government before Indian troops stormed the Golden Temple at Amritsar in 1984, leaving hundreds dead. After two declassified documents “released inadvertently as part of annual releases under the Public Records Act” suggested British involvement, the government ordered an inquiry by the Cabinet Secretary. He reported that his team “searched around 200 files (in excess of 23,000 documents) held by all relevant Departments” although “some military files on various operations were destroyed in November 2009” as “part of a routine process.” Fortunately, “copies of at least some documents on the destroyed files were also in other departmental files.” He recommended “the public release of the documents in annexes” to the report. For the *BBC* story on the report and a link to the report (without links to the documents in the annexes), see <http://www.bbc.com/news/uk-26027631>

Israel/Palestine. The Palestinian Authority (PA) decided to stop including religious affiliation on national ID cards “so that there will no longer be any differentiation between Muslims and Christians on the IDs,” *Al-Monitor* reported. However, religion is still on the person’s birth certificate. “Israel has objected to abolishing religion on Palestinian IDs because it controls their official records, IDs and passports and the PA does not have the right to make amendments to this effect without the prior approval of Israel, according to the Oslo Accords,” said the undersecretary of the PA Ministry of Interior. http://www.al-monitor.com/pulse/originals/2014/02/palestinian-authority-hamas-national-id-religion.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=193f1ae499-January_9_2014+8_2014&utm_medium=email&utm_term=0_28264b27a0-193f1ae499-93088897

Japan/United States. In a story from January, the *Japan Times* reported that the U.S. conducted biological tests in Okinawa in the early 1960s when the U.S. still controlled the island: “Documents made available by U.S. authorities” showed “at least a dozen” tests in 1961 and 1962 in which rice blast fungus was released over rice paddies in two locations to test “how it affected production.” Previously 20 barrels of toxic ingredients to make defoliants were found buried at the site of what was once a U.S. Air Force base

on Okinawa; the nearby water was polluted with a dioxin at 280 times the safe limit.

<http://www.japantimes.co.jp/news/2014/01/12/national/u-s-army-tested-biological-weapons-in-okinawa/#.UtNfINKSz18>

Kyrgyzstan/Tajikistan. In mid-January fighting broke out over the question of the exact line of the border between Kyrgyzstan and Tajikistan lies, putting eight persons in the hospital, reported *Radio Free Europe/Radio Liberty*. A proposed negotiation between the two countries in 2008 to work out the border has foundered because Tajikistan relies on “documents and maps from the 1924-1927 period,” while Kyrgyzstan uses “maps of the bilateral commissions from the periods of 1958-1959 and 1989.”

<http://www.rferl.org/content/kyrgyzstan-tajikistan-exclaves-vorukh-tensions/25232311.html>

Libya/United States. Video from a closed-circuit camera in a neighborhood in Tripoli, Libya, and obtained by the *Washington Post* shows the abduction of an al-Qaeda terrorism suspect by U.S. Special Operations forces last October. A top-secret document leaked by Edward Snowden last year identified the man abducted as a member of the Libyan Islamic Fighting Group and a “senior AG planner.”

http://article.wn.com/view/2014/02/10/Video_shows_US_abduction_of_accused_alQaeda_terrorist_on_tri/

South Africa/Sweden. *Svenska Dagbladet* reported that novelist Steig Larsson, the author of *The Girl with the Dragon Tattoo* who died in 2004, had 15 boxes of documents linking the 1986 killing of Swedish prime minister Olaf Palme to a Swedish former military officer and the South African security services. He had turned “some” of the documents over to the police. The newspaper quoted a Swedish police professor as saying “the Swedish police were ill-equipped to deal with politically motivated murders.”

<http://www.thelocal.se/20140225/millennium-author-tracked-south-african-palme-killer>

United Kingdom/Former Colonies. The so-called “Special Collections” archives of the Foreign and Commonwealth Office (FCO) continue to make news. In answer to a question in Parliament, Foreign Office minister Baroness Warsi announced that an “FCO Records Day” will be held 9 May to provide “a further opportunity for interested historians to discuss the Special Collections and other archive records issues with FCO officials who are responsible for the management and release of FCO archive records.” *The Independent* reported that Tony Badger, appointed in December as the “independent reviewer” of the archives, is concerned that not enough people are assigned to review the documents. The *Gibraltar Chronicle* noted that a number of files in the Special Collections relate to the enclave, including files “on a 1970 inquiry into the Gibraltar Police force.”

<http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/140204w0001.htm>;

<http://www.independent.co.uk/news/uk/politics/a-new-excuse-for-burying-bad-news-cambridge-professor-seeks-assurances-from-foreign-office-over-declassification-of-its-archives-9117073.html>;

http://www.chronicle.gi/headlines_details.php?id=32809

National news.

Argentina. Nine persons died in a fire at a Buenos Aires warehouse that destroyed “an archive of corporate and banking industry documents,” reported the *Associated Press*.

<http://www.nuevodiarioweb.com.ar/nota/pais/507350/lugar-tragedia-deposito-empresa-iron-mountain.html>

<http://bigstory.ap.org/article/7-die-fire-destroying-argentine-bank-archives>

Bosnia. One of the storage areas of the national archives burned; the fire apparently was an act of vandalism. Among the records destroyed were Austro-Hungarian and Ottoman period materials and, reported *The Guardian*, “documents from the war crimes commission after the second world war.”

<http://www.theguardian.com/world/2014/feb/09/bosnia-herzegovina-fire-ottoman-archives>

Bulgaria. Bulgaria’s president, in a video address on the Day of Recognition and Honoring of the victims of the communist regime, called “the lack of an unambiguous evaluation of the crimes of communism” the “deepest flaw of the transition period,” urged “full disclosure of the archive of the Communist-era state

security service, Darzhavna Sigurnost,” and “suggested that all documents related to the activities of DS had to be archived, digitalized and given to the State Archive Agency,” reported *novinite.com*. The president was quoted as saying, “There’s nothing left to hide after 25 years. Let everybody have access to these records, instead of having a mediator read the archives for us.” Currently a committee reviews the records and determines whether a person was affiliated with the communist-era security or intelligence services. <http://www.novinite.com/articles/157791/Bulgaria+President+Urges+Opening+of+Communist-Era+State+Security+Files>

Burundi. The International Crisis Group, an NGO, issued a two part report on the need for land reform in Burundi. One of its recommendation is “to include all land users (particularly women and children) in land certification and to allow the advance registration of estates for the purposes of succession (ie, before the concerned person’s death).” This will require the reinvigoration of the national archives system in Burundi to ensure that the registrations are reliably preserved and protected.

http://www.crisisgroup.org/en/regions/africa/central-africa/burundi/213-fields-of-bitterness-i-land-reform-in-burundi.aspx?utm_source=wu10feb14&utm_medium=burundi-report&utm_campaign=wuemail

Canada. *Postmedia News* reported that the national government has not yet issued a request for proposal for a contractor “to sort through the documents at federal archives” relating to the residential schools and provide them to the Truth and Reconciliation Commission. For background, see *HRWG News* 2012-12. <http://www.montrealgazette.com/news/Documents+delay+hampers+truth+reconciliation+process/9479485/story.html>

Colombia. The weekly news magazine *La Semana* published transcripts of recordings of military officers’ phone calls, and excerpts of the calls were aired on radio and television. In one conversation, the armed forces chief talked with a colonel in jail who is “under investigation for killing two civilians as part of the ‘false positives’ affair,” reported *Thomson Reuters Foundation*. (“False positives” are the innocent men killed by security forces who then claimed they were guerillas killed in battle, thus inflating the body count.) The chief told the colonel “that he and others should ‘form a mafia’ to make counter-allegations against the prosecutors investigating them;” the president fired the chief. The armed forces also reportedly “intercepted cellular phone communications and emails of government representatives” to the talks with the FARC rebels. <http://www.trust.org/item/20140225182643-wzrhj/?source=hpeditorial>

Egypt. The *Washington Post* reported that *al-Tahrir*, a private Egyptian television channel, broadcast a 22 minute video, apparently taken by police on 29 December 2013, of the arrest and interrogation of two *al-Jazeera* journalists. http://www.washingtonpost.com/world/middle_east/egyptian-tv-air-arrest-of-al-jazeera-reporters/2014/02/03/6c820fb6-8ce3-11e3-95dd-36ff657a4dae_story.html

El Salvador. The Supreme Court ordered the General Prosecutor to reopen an investigation into the alleged massacre of dozens of civilians in San Francisco Angulo in 1981, *Reuters* reported. This comes as (1) the Supreme Court is considering a challenge to overturn the amnesty law on civil war violations, (2) the presidential election run-off is coming in March,(3) in the wake of the closure of Tutela Legal, with its files on the human rights violations during the civil war, and (4) after the burning of Pro-Busqueda’s files on children missing in the civil war (for background, see *HRWG News* 2013-10 and 2013-11). <http://www.reuters.com/article/2014/02/06/us-elsalvador-justice-idUSBREA1506K20140206>

Ethiopia. In yet another example of the importance of preserving satellite imagery, Human Rights Watch (HRW) and International Rivers reported that images show “extensive clearance of land used by indigenous groups to make way for state-run sugar plantations” in the Lower Omo Valley, where HRW has “documented the forced resettlement of some indigenous people in the area” and where “virtually all of the traditional lands of the 7,000-member Bodi indigenous group have been cleared in the last 15 months, without adequate consultation or compensation.” <http://www.hrw.org/news/2014/02/18/ethiopia-land-water-grabs-devastate-communities>

France. A description of the files of the Surete generale, returned to France from Russia in 1994 and 2001, has been released by the collaborative project of ANR PAPRIKA@2F and the department of Justice and

Interior of the national archives. This description, the first of a larger project, covers the files on the surveillance of the French communist party between 1921 and 1940.

<http://anrapaprika.hypotheses.org/1755>

The paper archives of the former General Secretary Claude G eant, Chief of staff of former President Nicolas Sarkozy, have vanished without trace. When the judge investigating the involvement of the Sarkozy administration in a merger of two important French banks in 2009 requested the records, the current General Secretary reported, "They have never been transferred to the Archives nationales, and they haven't been kept at the Presidential office either." The loss of information from the government's inner circle will (at minimum) hinder the writing of history of the Sarkozy administration. Thanks to Hans von Rutte for the information.

http://www.lemonde.fr/societe/article/2014/02/15/les-archives-papier-de-l-ancien-secretaire-general-de-l-elysee-claude-gueant-ont-disparu_4367231_3224.html?xtmc=gueant&xtcr=1

Germany. *Pro Publica* published a diagram hand-drawn by the Stasi, the East German secret police, showing the 46 social connections "the Stasi gleaned about a poet they were spying on." The document was obtained by the author of the book *Dragnet Nation*; it is a fascinating example of linkages as seen by surveillance operatives. <http://www.propublica.org/article/how-the-stasi-spied-on-social-networks>

Honduras. Human Rights Watch (HRW) issued a report on 29 homicides and two abductions in the Bajo Aguan region of northern Honduras. In addition to interviews, HRW "used court documents and written complaints to non-governmental organizations," but the report stressed the difficulty of getting information from the public prosecutor on the cases because "under Honduran law, documents regarding investigative steps taken by police are kept confidential while investigations are in progress." In practice this means that "until charges have been filed against alleged perpetrators," relatives of victims and human rights groups have no information and will never have any if charges are not filed.

<http://www.hrw.org/news/2014/02/12/honduras-no-justice-wave-killings-over-land>

Segundo Informe de Seguimiento a las Recomendaciones de la Comisi n de la Verdad y la Reconciliaci n (a follow-up report on the recommendations of the Truth and Reconciliation Commission) was published at the end of December 2013. Thanks to Nilda Lopez Fernandez for the information.

http://www.sjdh.gob.hn/recomendacionesCVR/?q=publicaciones_USR_CVR

India. Following the assassination in 1984 of prime minister Indira Gandhi by her Sikh bodyguards, anti-Sikh riots broke out and thousands were killed. At least ten commissions and committees have investigated the riots, and in February the government recommended forming yet another special investigation team. Three lawsuits are still ongoing, and in one of these a New Delhi city court heard "an application seeking prosecution of four Delhi Police officers . . . for destroying the records and files" relating to the riots from the Nangloi (a town west of New Delhi) police station in 1992. The court ordered the police "to place before this court the statutory rules governing destruction of official records of the Delhi Police" and any orders issued by the police during 1991-1992 governing the destruction of records, reported *ZNews* and the *Times of India*. http://zeenews.india.com/news/delhi/1984-riots-court-queries-police-on-destruction-of-records_908458.html; <http://timesofindia.indiatimes.com/india/Tardy-probe-sudden-twists-marred-1984-anti-Sikh-riots-trials/articleshow/29784410.cms>

Kenya. In an article in *Standard Digital*, a Kenyan lawyer wrote, "Property transactions turn into nightmares when official documents disappear in the Ministry of Lands. Such transactions hit dead ends as land registrars insist that the 'lost' original documents in their custody must be traced before the transaction is completed." He urged "registries countrywide" to turn to digital records. Land transactions have been a volatile topic in Kenya; last year the truth commission was pressured to soften its chapter on historical land injustices (for background, see *HRWG News* 2013-06).

<http://www.standardmedia.co.ke/lifestyle/article/2000105163/manual-land-records-a-nightmare>

Macedonia. The former director of the Macedonian Cultural Heritage Protection Office and seven other people were arrested for allegedly stealing ancient artifacts from museums. According to *Transitions*

Online, police searching the suspects' houses found some of the missing items along with "documents and items, a number of inventory books, inbound and outbound books, report[s] of archaeological excavations." http://www.tol.org/client/article/24188-mass-layoffs-at-albanian-state-news-agency-macedonian-heritage-official-accused-of-plunder.html?utm_source=TOL+mailing+list&utm_campaign=3cb94248e4-TOL_newsletter_27_8_2012&utm_medium=email&utm_term=0_35d0a711b5-3cb94248e4-298065710

Myanmar. At the end of March, Myanmar plans to take its first nationwide census in thirty years. The census is planning to use "an old and much-criticised list of 135 [ethnic] groups produced in the 1980s," reported the International Crisis Group, which is a problem because the constitution and election laws "provide for a set of ethnically delineated constituencies for those groups that meet a certain population threshold." The Group urged the government to limit the census to "just the key demographic questions on age, sex and marital status," thereby avoiding the question of ethnic identity. Census records must be strongly protected to ensure that the information is accurate and reliable for all future purposes. http://www.crisisgroup.org/en/publication-type/alerts/2014/myanmar-conflict-alert-a-risky-census.aspx?utm_source=wu10feb14&utm_medium=myanmar-alert&utm_campaign=wuemail

Himal.mag published an article on the importance of private papers and collections which "can contribute to the ongoing debate on the country's controversial march towards neoliberalism.." Thanks to Patrick Pierce for this reference. <http://www.himalmag.com/component/content/article/5223-sourcing-critique.html>

New Zealand. The New Zealand Security Intelligence Service announced the transfer to the national archives of "the remaining 25 volumes of its historical file series" covering 1920-1945. These volumes are indexes ("Recording Sheets") to the reports of the New Zealand Police Special Branch, which was established in 1920 "to investigate and report on revolutionary matters." The Recording Sheets are "restricted for 100 years after date of the last action on the file" but may be requested for earlier release under the Official Information Act. <http://www.security.govt.nz/archives/second-transfer/>

Peru. In the late 1990s, Peru had a program of forcible sterilization of women under the National Reproductive Health and Family Planning Program. Nearly 350,000 women were sterilized, and lawsuits over the program have been going on ever since a complaint to the Inter-American Commission on Human Rights was filed in 1999 by a group of human rights organizations. In late January the public prosecutor in Lima closed the cases, arguing that "there is no evidence" that the sterilizations were the result of government policy. However, according to *La Republica*, "government documents show that not only did [former Peruvian president] Fujimori know about the sterilizations, but had an active hand in their planning" and cited "a number of memos from one of the former health ministers to Fujimori presenting data about the sterilization project, "other papers relating to meetings" about the project that Fujimori participated in, and "memos communicating quotas for sterilizations and penalties for doctors involved in the surgeries." http://www.eurasiareview.com/16022014-peru-women-seek-justice-sterilization/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29; <http://www.peruthisweek.com/news-government-documents-show-that-fujimori-knew-about-forced-sterilizations-102118>

Philippines. The government is undertaking a project to document the human rights violations that occurred during the martial law period of the Ferdinand Marcos regime, thereby helping victims assemble the information necessary to file a claim with the Human Rights Victims Claims Board. The "Martial Law Files Project," reported *The Philippine Star*, "aims at mapping the existing files, records and archives dispersed among different state and non-state organizations and institutions." The money to pay claims comes from money returned to the Philippine government from Switzerland where it was deposited during the Marcos regime. The Swiss Ambassador to the Philippines noted, "The importance of preserving archives and records on human rights violations committed during dictatorships or wars is often underestimated or even forgotten" but "documenting atrocities and human fates is essential to allow mechanisms such as judicial investigations and prosecutions, truth commissions, reparation programs and vetting processes to be based on accurate and credible documents and evidence and therefore bring justice for individuals and reconciliation for societies."

<http://www.philstar.com/headlines/2014/02/01/1285324/chr-putting-together-martial-law-files>
<http://newsinfo.inquirer.net/579055/how-much-is-suffering-under-marcos-worth>

Romania. The Institute for Investigating the Crimes of Communism “handed a file to prosecutors detailing allegations against Florian Cormos,” reported the *Associated Press*. Cormos commanded the Cernavoda labor camp between December 1952 and April 1953; “there are believed to be no survivors among those held at Cernavoda at the time” because, said the Institute’s director Cormos “imposed a regime of extermination.” <http://www.startribune.com/world/244857461.html>

Russia. The *BBC News Magazine* published a feature on Exploration, a group of volunteers in Russia who search the battlefields on World War II’s Eastern front to unearth remains. Up to four million persons are still officially considered missing in action from the Front. When a volunteer finds remains, they are photographed and the location “is recorded and entered into a digital database;” if an ID tag is found it is analyzed, then the group uses “old army lists, classified documents and contacts in the military or police to identify the soldier precisely and to locate surviving members of his family.”
<http://www.bbc.co.uk/news/magazine-25589709>

Rwanda. The Senate approved a bill to establish the Rwanda Archives and Library Service Authority.
<http://allafrica.com/stories/201402170113.html>

Serbia. The Humanitarian Law Center called for the “continuous screening of all members of law enforcement agencies and the military” to ensure that perpetrators of war crimes (“actions, covering up crimes, as well as any omissions and failures to prevent human rights violations during the armed conflicts in the former Yugoslavia”) are not still in the active forces. “The authority that would conduct such checks should . . . draw information from the records of the Serbian Security Information Agency and other agencies, and from court records, records of other government bodies and organisations vested with public authority.” towardsJUSTICE@hlc-rdc.org

Sierra Leone. Human Rights Watch (HRW) released a report on the human rights impact of the mining activity of African Minerals Limited and the “government’s failure to provide adequate oversight” of the company’s actions. HRW recommended that the government should “put into effect Sierra Leone’s new law on access to information and publicize all mining contracts,” “allow residents to obtain accurate information--without fear of reprisal—on the deployment of the country’s resources,” and “meaningfully address . . . lack of clarity in land ownership.” The report is based on “more than 96 in-person interviews” and “the review of numerous documents.” <http://www.hrw.org/reports/2014/02/19/whose-development-0>

Slovenia. The national archives posted online the first batch (10,000 out of 5 million pages) of Communist-era Yugoslav secret service (UDBA) records and “a list of surveillance equipment” used by the service from 1942 to 1951. The archives’ director said “amending the legislation on the state archives could enable the digitalization of the entire UDBA materials with the prior erasing of names and sensitive data from documents that are to be posted on the internet.”
<http://www.mia.mk/en/Inside/RenderSingleNews/363/115064526>

Sri Lanka. The Public Interest Advocacy Centre (PIAC) of Australia published a report on its investigation of “flagrant and reckless” violations of human rights committed during the final months of Sri Lanka’s civil war in 2008-2009 and called for an independent, international inquiry. PIAC listed its sources as witness accounts, photographs and videos, satellite imagery, “confidential correspondence – including correspondence between key international officials, international agency staff and the Sri Lanka Government relating to the conflict,” UN and non-governmental organization reports, and “relevant and credible media reporting from both the international media and Sri Lankan media.”
<http://www.theguardian.com/world/2014/feb/05/sri-lankan-forces-committed-flagrant-and-reckless-violations-of-human-rights-report-claims>; for report see
http://www.piac.asn.au/sites/default/files/publications/extras/island_of_impunity.pdf

Syria. Human Rights Watch, in a new report in late January, said “satellite imagery, witness statements, and video and photographic evidence show that Syrian authorities deliberately and unlawfully demolished thousands of residential buildings in Damascus and Hama in 2012 and 2013.”
<http://www.hrw.org/node/122718>

Tajikistan. The government is issuing new ID cards that will have a unique number that, said the deputy foreign minister, “will be connected to a database that contains all information about the citizen, including home address and any changes of last name.” The Interior Ministry will collect the data and fingerprints, reported *Central Asia Online*. http://www.eurasiareview.com/07022014-tajikistan-revamp-citizens-ids/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

Ukraine. Many media carried stories about journalists, citizens and protesters recovering government documents from the estate of former Ukrainian president Viktor Yanukovich; according to the financial times, one “set” of military and security papers “revealed that snipers who killed dozens of protesters on Kiev’s central square last Thursday [February 20] came from Ukraine’s ‘Omega’ special forces.”
<http://nypost.com/2014/02/24/ousted-ukrainian-presidents-files-found-dumped-in-a-lake/>;
<http://www.youtube.com/watch?v=R5U8qSmmSXI> (France 24);
<http://www.ft.com/cms/s/0/f7ad71be-9d75-11e3-a599-00144feab7de.html#axzz2uLdVwdAE>;
<http://www.smh.com.au/world/mysterious-documents-dumped-in-river-near-ukrainian-leaders-home-20140225-hvdq8.html> (photo essay); http://www.eurasiareview.com/26022014-ukrainian-journalists-rush-find-deposed-presidents-dirty-secrets/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

United Kingdom. Several stories on medical records made news in February. Early in the month the *Daily Mail* reported that despite the protests of a “growing” number of family doctors (GPs), “unless patient object, officials will start to extract confidential data” from the GPs’ files next month. At least four GPs are refusing to hand over their patients’ records, one of whom said he “had been told by NHS [National Health Service] officials his decision not to co-operate may cost him his job.” Later the NHS plans were “put on hold.” <http://www.dailymail.co.uk/news/article-2552651/GPs-revolt-patient-records-Growing-anger-NHS-plan-harvest-private-data.html>

The Telegraph reported that “medical records of every NHS hospital patient in the country have been sold for insurance purposes,” citing a report by the Institute and Faculty of Actuaries that “discloses that it was able to obtain 13 years of hospital data—covering 47 million patients—in order to help insurance companies ‘refine’ their premiums.” <http://www.telegraph.co.uk/health/healthnews/10656893/Hospital-records-of-all-NHS-patients-sold-to-insurers.html>

United Kingdom/Northern Ireland. The *Belfast Newsletter* wrote that the Department of Justice in Northern Ireland was “fined almost £150,000 for a serious breach of the Data Protection Act” after confidential documents containing personal data “were found inside a filing cabinet sold in an auction.” <http://www.newsletter.co.uk/news/regional/victims-documents-found-in-auctioned-filing-cabinet-1-5871440>

United States. In a case involving an alleged sexual assault at the U.S. Naval Academy, the “attorneys for the alleged victim . . . have been trying to block a judge from reviewing years of counseling records” for the therapy she underwent after the encounter, reported the *Washington Post*. The *Post* quoted military lawyers as saying that “asking to see counseling records in sexual assault cases is routine” and helps “expose inconsistencies in an alleged victim’s statements,” while advocates for sexual assault victims say “the victims needs to be assured of confidentiality to be effectively treated and to be effectively diagnosed.” <http://www.washingtonpost.com/blogs/local/wp/2014/02/14/alleged-military-sex-assault-victims-seek-to-block-use-of-counseling-records/>

Through the Freedom of Information Act, the U.S. non-governmental organization Judicial Watch obtained a copy of the email from the admiral who headed the U.S. Special Operations Command that killed Osama bin Laden to the unit members eleven days after the raid, saying “one particular item that I want to emphasize is photos; particularly UBLs remains. At this point – all photos should have been turned over to the CIA; if you still have them destroy them immediately or get them” (the location to which the photos are to be sent is redacted). For background see *HRWG News* 2013-07, for the *Associated Press* story, see http://www.huffingtonpost.com/2014/02/10/osama-bin-laden-photos_n_4763860.html; for the Judicial Watch announcement, see <http://www.judicialwatch.org/press-room/press-releases/pentagon-destruction-of-bin-laden-death-photos/>

United States/California. An explosion in 2010 of a pipeline left eight people dead and 66 injured and caused extensive property destruction in San Bruno, California. Now the city of San Bruno has filed a lawsuit against the State of California’s Public Utilities Commission (CPUC), asking for records of the Commission’s relationship with the pipeline company, saying it is “concerned the leadership of the CPUC is in the pocket of the utility company it is supposed to regulate,” reported the *San Francisco Examiner*. For background, see *HRWG News* 2012-02 and 05. <http://www.sfoxaminer.com/sanfrancisco/san-bruno-files-suit-against-cpuc-to-acquire-documents-related-to-2010-pipeline-blast/Content?oid=2696746>

United States/Connecticut. The Connecticut Freedom of Information Act prohibits release of any medical records, a standard that is stricter than the Federal FOIA. Historians, the Connecticut Council on Freedom of Information and others testified at a State legislative hearing, arguing that medical and mental health records should be released 50 years after the death of the person involved, reported the *Hartford Courant*. The state mental health commissioner is opposed. http://articles.courant.com/2014-02-22/news/hc-lender-civil-war-records-0223-20140222_1_foi-commission-new-bill-information-act

United States/Indiana. A data file “placed in the wrong folder” in the university registrar’s office and not discovered for nearly a year “exposed personal information on 146,000 students and recent graduates of Indiana University,” the *Chronicle of Higher Education* reported. <http://chronicle.com/blogs/wiredcampus/data-breach-at-indiana-u-exposes-information-on-146000-students/50729>

United States/North Carolina. Two spills of toxic coal ash into the Dan River left communities without safe drinking water and significant environmental damage. The *Associated Press* reported that the United States Attorney’s office in North Carolina issued subpoenas for records from Duke Energy, the company whose facility leaked the coal ash, as well as to the State’s Department of Environment and Natural Resources for email, memos and reports related to “the state’s oversight of the company’s 30 other coal ash dumps in North Carolina.” <http://www.cbsnews.com/news/federal-authorities-open-criminal-probe-into-north-carolina-toxic-sludge-spill/>

United States/Texas. In 1991 a house fire killed three children; their father was convicted of setting the fire and was executed. Now the district attorney has made the file on the case available to investigators at The Innocence Project, an NGO, and on the basis of evidence in the file they have asked for a retrospective pardon, reported the *New York Times*. http://www.nytimes.com/2014/02/28/us/evidence-of-concealed-jailhouse-deal-raises-questions-about-a-texas-execution.html?_r=0 .

United States/Virginia. School officials in Fairfax County said about 5600 employees’ file were shredded in 2006 “but the discovery was only made last year,” reported the *Washington Post*. The files contained forms completed by applicants for employment that verify “a person’s identity and eligibility to work in the United States.” Employers are supposed to keep the files for a fixed period of time and if they don’t can face Federal government fines; in this case, that could amount to more than \$6 million. http://www.washingtonpost.com/local/education/fairfax-schools-system-destroyed-sensitive-worker-files-could-face-fine-of-up-to-6-million/2014/01/31/beb62e9c-8aaf-11e3-a5bd-844629433ba3_story.html

Venezuela. A video posted online by the newspaper *Ultimas Noticias* during the ongoing street violence “shows uniformed police accompanied by men in civilian clothing in Caracas who appear to be shooting live ammunition at fleeing protesters—among them 24-year-old Bassil Da Costa, who is seen falling to the ground with a fatal gunshot to the head,” reported Human Rights Watch. Preserving that video is important to future prosecutions. <http://www.hrw.org/news/2014/02/21/venezuela-violence-against-protesters-journalists>

Publications.

Human Rights Watch released *World Report 2014*, its influential review of human rights issues around the world. <http://www.hrw.org/world-report/2014/essays/rights-struggles-of-2013>

The Humanitarian Law Center in Belgrade, Serbia, has a new newsletter, “Through Accession towards Justice.” towardsJUSTICE@hlc-rdc.org

A report by the staff members of the Historical Archives of the National Police of Guatemala, *From Silence to Memory: Revelations of the AHPN*, is available in an English translation issued by the University of Oregon. For further information, see <http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB448/>

A documentary on the Guatemala police archives, *Keep Your Eyes on Guatemala*, produced and directed by Gabriela Martinez Escobar, is now available on YouTube:
<http://www.youtube.com/watch?v=NM5NtNn50Fs> (English)
<http://www.youtube.com/watch?v=hD2IP5QrSK8> (Spanish)

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