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The following is the ninth in a series of brief discussions of the Principles of Access to Archives adopted by the International Council on Archives at its Annual General Meeting in August 2012.

**Principle 8. Institutions holding archives ensure that operational constraints do not prevent access to archives.**

*The equal right to access archival records is not simply equal treatment but also includes the equal right to benefit from the archives.*

*Archivists understand the needs of both existing and potential researchers and use this understanding to develop policies and services that meet those needs and minimize operational constraints on access. In particular, they assist those who are disabled, illiterate or disadvantaged and would otherwise have significant difficulties in using archives.*

*Governmental archival institutions do not charge an admission fee to persons who want to do research in the archives. When private archival institutions charge admission fees, they should consider the applicant's ability to pay and the fee charged must not be a bar to use of the archives.*

*Users, whether visiting the archival institution or living at a distance from it, can obtain copies of archives in the variety of formats that are within the technical capacity of the archival institution. Institutions may make reasonable charges for copying service on demand.*

*Partial release of archives is a means to provide access when the entire file or item cannot be released. If an archival item contains sensitive information in a few sentences or a limited number of pages, that information is removed and the remainder of the item released for public access. To the greatest extent practicable, archivists do not refuse to redact archives because of the labor required to make redactions; however, if redaction makes the requested item or file misleading or unintelligible, archivists do not redact and the material remains closed.*

This Principle addresses several issues, two of which are fees for service and partial release or redaction when entire items or files cannot be released. Here are three examples of situations covered by Principle 8:

Researchers who are unable to learn whether the records are available may waste time and money. In an open letter published in November 2005, three researchers wrote about their problems with archives in Romania. One, a Ph.D. candidate at the Sorbonne, reported that he applied for permission to use the Securitate archives (the Securitate was Romania's communist-era secret police), paying more than \$500 for a permit that he was issued in July 2004. When he went to the archives, however, he learned that finding aids were not available and that he needed to "wait some time to allow [the archives] to carry on the necessary investigations." There followed a year and a half of "complete silence" (Francois Bocholier, Stefano Bottoni and Dennis Deletant to "Dear Colleagues and Friends," 2005-11-25, copy in my possession).

Fees for using archival materials can be a serious hindrance to some researchers. As reported in the General section below, documentary filmmakers complain about the cost of obtaining footage about the Holocaust. Hungary's National Digital Archive and Film Institute charges 4,000 euros per minute for worldwide rights to use footage of Jews in Budapest being marched to trains that would take them to Auschwitz. A staff member of the Institute explained the fee by saying that although the archives is partly state funded, "We also have to make money in order to survive." With the deaths of most people who can tell the personal story of the Nazi atrocities, the films are increasingly important sources for education about the events, and the costs charged to use the film must not be a bar to their use.

Redaction and release of partial items is an important means of providing enhanced access when an entire item or file cannot be made public, but it must be done carefully and consistently. In April the National Security Archive, a non-governmental organization in the United States that files many Freedom of Information Act requests, released copies of four different redactions of the same document over a twelve year period. Every copy was different, but when all versions are put together the entire document has been released. This inconsistency brings disrepute on the practice of redaction which can be an important tool for providing access while protecting information that must be withheld for a time.

<http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB420/>

As the Hungarian archivist pointed out, archives need to stretch their funds and personnel to cover the operations of the archives. But archivists must be sure that the operational constraints they live with and impose on the research public are fair, consistent, and do not prevent access to archives.

## **International news.**

African Commission on Human and Peoples' Rights. The African Commission on Human and Peoples' Rights adopted a model law on access to information in Africa. For the press release, see

[http://www.saha.org.za/news/2013/March/the\\_african\\_commission\\_on\\_human\\_and\\_peoples\\_rights\\_press\\_release.htm](http://www.saha.org.za/news/2013/March/the_african_commission_on_human_and_peoples_rights_press_release.htm); for the model law, see [http://www1.chr.up.ac.za/images/files/news/news\\_2013/English%20Model%20Law%20booklet.PDF](http://www1.chr.up.ac.za/images/files/news/news_2013/English%20Model%20Law%20booklet.PDF) Thanks to the South African History Archives for alerting us to this important step.

Council of Europe/Hungary. The Council of Europe, established in 1949, now has 47 member states. The European Court of Human Rights is a subsidiary body. For the first time in its history, the Council has a report from its Monitoring Committee recommending that a "formal procedure" be established "to monitor Hungary's respecting of its obligations to the Council of Europe." The report identifies five areas of particular concern: Hungary's Act of Religion and the Status of Churches, the Act on Elections of Members of the Parliament, the Act on the Constitutional Court, the Act on the Judiciary, and media legislation. The Council will discuss the proposal at its June session. If the recommendation is adopted, reviewing records will be an important part of the monitoring activity. [http://www.euractiv.com/central-europe/council-europe-puts-heat-hungary-news-519402?utm\\_source=RSS\\_Feedutm\\_medium=RSSutm\\_campaign=EurActivRSS](http://www.euractiv.com/central-europe/council-europe-puts-heat-hungary-news-519402?utm_source=RSS_Feedutm_medium=RSSutm_campaign=EurActivRSS); see Report at [http://www.assembly.coe.int/Communication/amondoc08\\_2013.pdf](http://www.assembly.coe.int/Communication/amondoc08_2013.pdf)

European Commission. The European Commission proposed eliminating the requirement to stamp public documents in order to have them recognized as authentic in another European Union member state. The simplification will apply to public documents concerning name, marriage and registered partnership, birth,

parenthood, adoption, death, residence, citizenship and nationality, real estate, legal status and representation of a company or undertaking, intellectual property rights and documents proving the absence of a criminal record. The proposal now goes to the European Parliament and the Council of Ministers for action.

[http://ec.europa.eu/commission\\_2010-2014/reding/multimedia/news/2013/04/20130424\\_en.htm](http://ec.europa.eu/commission_2010-2014/reding/multimedia/news/2013/04/20130424_en.htm)

International Court of Justice/Bosnia/Serbia. Three scholars published The International Court of Justice – Bosnia and Herzegovina vs. Serbia and Montenegro, in which they call on Bosnian legal authorities “to prepare new evidence, present new facts and initiate a revision of the 2007 ICJ verdict that absolved Belgrade for responsibility for genocide,” Balkan Transitional Justice reported.

[http://www.balkaninsight.com/en/article/bosniak-scholars-want-new-suit-against-serbia-and-montenegro?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=ad194f5c20-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email](http://www.balkaninsight.com/en/article/bosniak-scholars-want-new-suit-against-serbia-and-montenegro?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=ad194f5c20-RSS_EMAIL_CAMPAIGN&utm_medium=email)

International Criminal Court/Bemba (Central African Republic). A defense witness in the trial of Jean-Pierre Bemba said Bemba “formed a commission to probe the conduct of his fighters immediately after receiving a report from the International Federation of Human Rights alleging that members of his Movement for the Liberation of Congo (MLC) were committing crimes,” reported War Crimes Prosecution Watch. The witness said the commission went to the town of Sibut, interviewed “numerous people” and made a video of the interviews showing that the MLC had “good relations with the civilian population.” The video was screened in the court. The witness said the commission reported verbally to Bemba “and no written record of it exists.” [http://publicinternationallawandpolicygroup.org/wp-content/uploads/2013/04/WCPW\\_042213\\_Master.html#car4](http://publicinternationallawandpolicygroup.org/wp-content/uploads/2013/04/WCPW_042213_Master.html#car4)

International Criminal Tribunal for Rwanda/Rwanda. The East African Legislative Assembly passed a motion supporting the transfer to Rwanda of “all the archives” of the International Criminal Court for Rwanda.

<http://allafrica.com/stories/201304180338.html>

## News of April 2013

Special Tribunal for Lebanon. Hackers broke into the website of the Beirut, Lebanon, newspaper Al Mustaqbal and posted personal data on 167 Lebanese men said to be witnesses before the Special Tribunal, including “their names, passport pictures, their places and years of birth, cities of residence and professions. The text in Arabic and English said that the information about the witnesses was leaked by the tribunal,” reported the New York Times. The Tribunal quickly issued a condemnation of the hacking and said that the list was not accurate; at the end of April the Tribunal announced it would appoint a special investigator to probe this and two other incidents “which could potentially be considered interference with the administration of justice through publication of alleged witness identities.”

<http://www.nytimes.com/2013/04/14/world/middleeast/hackers-reveal-witness-names-in-hariri-murder-trial.html>; <http://www.stl-tsl.org/en/media/press-releases/tribunal-condemns-attempts-to-interfere-with-judicial-process>; <http://www.stl-tsl.org/en/media/press-releases/29-04-2013-tribunal-to-launch-investigation-in-alleged-witness-intimidation>

## General news.

Forbes reported that Google announced a new feature called “Inactive Account Manager” that allows Google users to tell Google what to do with their digital assets (email, chats, searches, phone calls, documents, photos, videos) when they die.

<http://www.forbes.com/sites/kashmirhill/2013/04/11/google-death-manager-new-feature-to-tell-the-company-what-to-do-with-your-data-when-you-die/>

Haaretz published an article on complaints by documentary filmmakers that the cost of obtaining Holocaust footage from European archives and distributors is “unbearably high.”

<http://www.france24.com/en/20130408-haaretz-unbearably-high-cost-holocaust-footage>

## Bilateral and multilateral news.

Al-Qaeda/United States. Pretrial hearings of five prisoners charged with plotting the September 11 attacks in the United States have been postponed for two months at

the Guantanamo military court “because of lost files caused by Pentagon computer problems,” reported Reuters. Defense lawyers said three to four weeks of “confidential work files had disappeared from Pentagon computer systems” when “technicians tried to set up a means of automatically saving new documents and updates” on computers linked between Washington and the Guantanamo Bay naval base. <http://www.reuters.com/article/2013/04/17/us-usa-guantanamo-delay-idUSBRE93G0YT20130417?feedType=RSS&feedName=everything&virtualBrandChannel=11563>

Armenia/Turkey. In a demonstration of the continuing power of photographs, at the Istanbul observance of the 1915 massacre of Armenians by the Ottomans, human rights activists sat behind pictures of Armenian victims taken nearly 100 years ago. <http://www.al-monitor.com/pulse/originals/2013/04/pkk-withdrawal-armenian-genocide-day.html#ixzz2RzDD2wfr>

Australia/Israel. BBC and many other media reported that Israel's Justice Ministry will not indict anyone in connection with the 2010 prison death in Israel of an Australian, Ben Zygier, known as “Prisoner X” (for earlier reports, see HRWG News 2013-02, 2013-03.) An earlier report said the prison monitoring of Zygier was inadequate and a “monitoring diary was not properly filled in.” The files on the case are to be “passed to the prison authorities to establish” whether internal disciplinary action should be taken. <http://www.bbc.co.uk/news/world-middle-east-22295510>

Bangladesh/India/Pakistan. According to a report by Pakistani PKK.H.tv “most of the official records of the war that led to the liberation of Bangladesh have been destroyed.” This is a reprint—a puzzling three years later--of a Times of India story from May 2010 (see HRWG News 2010-05). <http://www.pakistankakhudahafiz.com/2013/04/28/truth-lost-most-military-records-of-bangladesh-war-missing%E2%80%8f/>

Colombia/United States. The National Security Archive, a non-governmental organization in Washington, D.C., filed a lawsuit in 2010 to obtain documents that Chiquita Brands International, a U.S. food producer and distributor (especially known for bananas), provided to the U.S. Securities and Exchange Commission from 1998 to 2004 “as part of an investigation of the company's illegal transactions with leftist insurgents and right-wing paramilitaries from the United Self-Defense Forces of





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Colombia.” Now Chiquita has filed a “reverse Freedom of information Act” lawsuit to block the release of the records. <http://www.gwu.edu/~nsarchiv/news/20130408/>

France/Tunisia. A place in the 13th arrondissement in Paris was named for the Tunisian union leader Farhat Hached, assassinated by French paramilitaries in 1952. The occasion was accompanied by demands from Hached’s descendants and other Tunisians to open the archives in France that concern the assassination. <http://forumdesdemocrates.over-blog.com/article-farhat-hached-la-france-reflechit-a-ouvrir-les-archives-117525019.html>

Guatemala/United States. A feature story on the U.S. doctor who led the shocking study of sexually transmitted diseases using Guatemalan subjects (the records of the study were found in 2010) was published by the New York Times. (For background, see HRWG News 2010-09, 2010-10, and 2010-11.) <http://www.nytimes.com/2013/04/02/health/link-to-ethical-scandals-tarnishes-prestigious-parran-award.html?pagewanted=all>

Ireland/United Kingdom/United States. The U.S. Supreme Court declined to hear an appeal of the decision to hand over portions of Boston University’s oral history transcripts and recordings of persons involved in the “Troubles” in Northern Ireland to authorities in the U.K. (for background see HRWG News 2012-01, 2012-07 and 2013-01). <http://www.boston.com/news/local/massachusetts/2013/04/15/court-rejects-appeal-over-secret-ira-tapes/2Jv7Z3M60XJr60ZawFou9H/story.html>

Israel/Palestine. Addameer Prisoner Support and Human Rights Association is a Palestinian non-government organization with a Documentation and Research Unit that collects detailed statistics and information on Palestinians detained by Israeli forces, including children. An article in Al-Monitor, based on Addameer research, reported that as of 1 April, 236 Palestinian children were held, including 39 under the age of 16. Preserving the records of NGOs like Addameer is an important archival responsibility. <http://www.al-monitor.com/pulse/originals/2013/04/palestinian-detained-children-education-israel.html>; for the Addameer statistics, see <http://www.addameer.org/etemplate.php?id=599>



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Israel/Palestine/United Kingdom. Colonial administration records released by the National Archives in London included records of the High Commissioner of Palestine from the end of the British mandate in 1948. According to thejc.com, “atrocities on both sides [Jews and Arabs] are detailed” in the records. The records are part of those that had been held by the Foreign and Commonwealth Office until disclosed in the course of a lawsuit in 2011 (for background, see HRWG News 2012-07 and 2012-12). <http://www.thejc.com/news/uk-news/106487/british-saw-1948-jewish-fighters-those-nazi-germany>; for the archival description of the records, see <https://www.gov.uk/archive-records#colonial-administration-files>

Kenya/ United Kingdom/British Colonies. The Guardian reported that although the government pledged to turn over the cache of Foreign and Commonwealth Office records to the National Archives (see item above), the Office “is holding back significant numbers of documents, using a legal exemption contained within a catch-all clause.” Withheld documents are said to include a file of minutes of the British colonial cabinet in Kenya in 1963, a file on compensation paid after the 1946 bombing of the King David Hotel in Jerusalem, and a file “containing telegrams that British diplomats sent to London from Mauritius in 1968, the year that colony proclaimed independence” which may include information on the expulsion of about 1500 Chagos islanders following the lease of Diego Garcia to the U.S. for use as a military base. <http://www.guardian.co.uk/uk/2013/apr/26/national-archives-colonial-documents-secret>

### **National news.**

Albania. For the first time in Albania’s history, a referendum initiative by voters has succeeded in gathering the necessary number of signatures. Activists collected more than 64,000 signatures (50,000 were needed) to call a referendum to annual two articles of a law that allows waste to be imported into Albania, BIRN reported. The signatures were certified by the Central Electoral Commission. <http://www.balkaninsight.com/en/article/albania-president-green-lights-waste-referendum>

Algeria. A fire in the archives of the law court in Oran destroyed 50 or 60 files of closed civil cases, but no criminal case files were burned, according to Le Matin. <http://www.lematindz.net/news/11519-un-incendie-devaste-le-service-des-archives-de-la-cour-doran.html>



Argentina. Memoria Abierta announced that it has digitized and is making available for research use 530 hours of television coverage of the 1985 trial of the members of the military dictatorship that ruled Argentina from 1976-1983. Thanks to Memoria for this information. <http://www.memoriaabierta.org.ar/>

Australia. Both Queensland and Victoria provinces had records practices the news in April. In Queensland, the Parliamentary Crime and Misconduct Committee released its finding on the release and shredding of the Fitzgerald Inquiry files: the actions were unlawful. (The Fitzgerald Inquiry was a 1987-1989 investigation into policed corruption; for background see HRWG News 2013-03.)

The Crime and Misconduct Commission, which was responsible for the Fitzgerald files, issued a statement acknowledging its failure to “appropriately manage” the records, reported the Herald Sun.

<http://www.heraldsun.com.au/news/national/fitzgerald-inquiry-files-release-was-unlawful-says-parliamentary-crime-and-misconduct-committee/story-fndo45r1-1226613504430>

Also in Queensland, the Carmody Inquiry into child protection is investigating the decision in 1990 to shred documents of the 1989 Heiner inquiry that examined conditions at the John Oxley Youth Detention Centre. The records of the 1989 inquiry may have contained evidence of child abuse at the Oxley facility. See HRWG News 2013-02 for background. <http://www.heraldsun.com.au/news/shredding-of-documents-in-heiner-affair-under-fire-in-carmody-inquiry-into-child-protection/story-e6frf7jo-1226626972720>

Meanwhile, in Victoria a parliamentary inquiry into how churches have handled sex abuse cases heard testimony from Debbie Prout of the Records and Information Management Professionals of Australasia, who said that the Department of Human Services has “a profound conflict of interest” because the better it manages its records, the “higher the chance of lawsuits would be,” reported theage.com. Prout estimated that 90 percent of the Department’s records are not properly managed. <http://www.theage.com.au/victoria/poor-recordkeeping-holds-back-pursuits-of-justice-20130405-2hcay.html> At the same inquiry, the bishop of the Ballarat Diocese admitted the diocese “destroyed documents detailing accusations of paedophilia” against Catholic priests, reported the Herald Sun.

<http://www.heraldsun.com.au/news/ballarat-diocese-admits-to-destroying-documents-detailing-accusations-of-paedophilia/story-e6frf7jo-1226631871741>

Canada. The Aboriginal Peoples Television Network reported on a 2009 document from the Aboriginal Affairs department that was obtained through the Access to Information Act. In it the Canadian government took the position that “there was no deliberate destruction of student records and residential school documents and that documents were destroyed as a result of institutions that burnt down or were flooded,” but APTN listed document destructions in 1936, 1944, and 1954 that included school medical accounts, accident records, and correspondence. The Truth and Reconciliation Commission on residential schools continues to seek all relevant documents from the government; the Auditor General of Canada “recently found that nearly three years after the TRC and Aboriginal Affairs began the process of finding and transferring historical Indian residential school records, no one knows how much it will cost to gather all the material” or even who will pay for the work.  
<http://aptn.ca/pages/news/2013/05/01/ottawa-fears-admission-it-purposely-destroyed-indian-residential-school-files-would-lead-to-court-fights-documents/>

A trial in Vancouver on the sinking of a ferry that ran aground, resulting in two deaths, heard from the corporate records manager of the ferry company. She examined payroll records and log books and reported that the “officer in charge of navigation” of the doomed ferry sailed past the sinking spot nearly 800 times, the province.com reported. The government alleges that the officer was criminally negligent in failing to steer the ferry away from the island on which it crashed.  
<http://www.theprovince.com/news/national/Ferries+officer+sailed+past+sinking+spot+times+court+hears/8213572/story.html>

China/Hong Kong. The Economist blog published an article on the absence of an official archives law in Hong Kong, noting the destruction of records of the immigration department related to the denial of entry of Falun Gong practitioners, of public health, and of the city’s anti-graft body.  
<http://www.economist.com/blogs/analects/2013/04/public-records-hong-kong>

Czech Republic. The director of the Institute for the Study of Totalitarian Regimes, which manages the records of the communist-era security service, was “summarily dismissed by the six-member supervisory board,” reported Radio Praha. He was the fourth director in four years. The members of the Institute’s academic council resigned in protest; an office head of the Security Service Archives, the part of the Institute that manages the records, filed a criminal complaint against the five members of the Council who voted for the dismissal; and another unit head was fired.



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The former director said he thinks he was dismissed because “there are people and forces who are afraid of the truth;” he argued that the files must be made available to cut the “corruption potential” of closed records.

<http://www.radio.cz/en/section/curaffrs/more-turmoil-for-body-overseeing-secret-police-archives-as-director-sacked>; <http://praguemonitor.com/2013/04/12/members-academic-council-resign-protest-herman-sacking>;  
<http://m.radio.cz/en/section/news/news-2013-04-15>;  
<http://www.economist.com/blogs/easternapproaches/2013/04/czech-politics-1>

Georgia. Parliament is debating a draft law to establish a commission to review court decisions from 2005 until October 1, 2012, reported Eurasia.net. The records of cases to be reviewed are those from the previous government that “ride largely on the punishment adjudicated, or on a discernible disregard for human rights.”

<http://www.eurasianet.org/node/66796>

The Minister of Internal Affairs announced that the Ministry’s Constitutional Security Department under the previous government was conducting illegal wiretaps “both by phone and computer,” and as soon as the current investigation into the tapping is completed “the archives will be immediately destroyed, possibly in public,” reported Trend News Agency. <http://technews.tmcnet.com/news/2013/05/01/7104610.htm>

Germany. The New York Times reported that Germany’s Central Office for the Investigation of Nazi Crimes has a list of 50 former Auschwitz guards who are still alive and may be eligible for prosecution. To compile the list “staff members searched old court records and Holocaust-related documents looking for names” and “checked the names of the Auschwitz guards against databases to determine which were still alive.” [http://www.nytimes.com/2013/04/11/world/europe/nearly-70-years-later-a-new-round-of-auschwitz-prosecutions.html?\\_r=0](http://www.nytimes.com/2013/04/11/world/europe/nearly-70-years-later-a-new-round-of-auschwitz-prosecutions.html?_r=0)

The director of the International Tracing Service, which holds some 25 kilometers of records from the World War II era relating to displaced persons, plans to “hold international conferences, get foreign students to use the ITS, publish more research and host national teachers’ workshops,” she told Reuters.

[http://www.huffingtonpost.com/2013/04/03/german-holocaust-archive-bad-arsen\\_n\\_3005313.html?utm\\_hp\\_ref=tw](http://www.huffingtonpost.com/2013/04/03/german-holocaust-archive-bad-arsen_n_3005313.html?utm_hp_ref=tw)

Iraq. A 2009 Iraq law authorizes compensation to the families of people who died or were wounded in acts of violence since the fall of Saddam Hussein in 2003. A government committee with branches in the provinces has “the responsibility of examining the documents of beneficiaries,” reported Al-Monitor; in January the government formed a supreme committee to speed up the compensation process because beneficiaries complained of “years-long delays in processing their official forms.” <http://www.al-monitor.com/pulse/originals/2013/04/iraq-terrorism-compensation-victims.html>

Iraqi children of Al-Qaeda fighters whose fathers fled and whose mothers have no paperwork to document the marriage are considered “non-nationalized” children, reported Al-Monitor. The parliamentary Committee on Human Rights has “registered” 520 cases of these children, but believes that many others are unreported. No current legislation permits the formal registration of such children; until a new law is passed and they are registered, the children cannot go to school and they and their mothers live with “poverty, social exclusion and harassment by the security services.” <http://www.al-monitor.com/pulse/culture/2013/04/iraq-children-al-qaeda-fighters-legal-problems.html>

Kosovo. The trial of five men from a clinic involved in the illegal trading of human organs ended with convictions (see HRWG News 2013-02 for background). Medical logs were key evidence, along with testimony from around 80 witnesses. After the convictions the European Union’s rule of law mission, which made the first public allegations about the organ trafficking, announced it was launching a further investigation into people suspected of involvement in the organ-trading ring. [http://www.balkaninsight.com/en/article/details-on-kidney-transplants-revealed-in-kosovo-organ-trafficking-case?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=17741d9762-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email](http://www.balkaninsight.com/en/article/details-on-kidney-transplants-revealed-in-kosovo-organ-trafficking-case?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=17741d9762-RSS_EMAIL_CAMPAIGN&utm_medium=email); <http://www.balkaninsight.com/en/article/kosovo-convicts-five-over-human-organ-trafficking> ; [http://www.balkaninsight.com/en/article/serbia-welcomes-verdict-in-medicus-case?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=43a7a4e169-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_561b9a25c3-43a7a4e169-311109073](http://www.balkaninsight.com/en/article/serbia-welcomes-verdict-in-medicus-case?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=43a7a4e169-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-43a7a4e169-311109073)

The EU rule of law mission also announced that it had recovered the remains of at least seven people in unmarked graves, BIRN reported. The mission said in a statement that the discovery “is the result of several weeks of analysis of a variety of documents dating from the 1998-1999 conflict.” More than 1700 people are still missing. [http://www.balkaninsight.com/en/article/presumed-missing-persons-remains-recovered-in-kosovo?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=17741d9762-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email](http://www.balkaninsight.com/en/article/presumed-missing-persons-remains-recovered-in-kosovo?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=17741d9762-RSS_EMAIL_CAMPAIGN&utm_medium=email)

Lebanon. The Lebanese Interior Ministry registered the first civil marriage contract on April 25, 2013. “For the first time since 1936, when the French Mandate governing Lebanon instituted sectarian personal status laws in Lebanon,” Al-Monitor reported, “two Lebanese citizens were able to conduct a civil marriage on Lebanese territory—without being forced to resort to a religious authority.” The Interior Ministry’s new records of civil contracts will be vital records for the Lebanese people. <http://www.al-monitor.com/pulse/originals/2013/04/lebanon-first-civil-marriage-political-change.html>

Moldova. The Moldovan newspaper Panorama reported that Moldova’s president Nicolae Timofti, while he was a judge during Moldova’s communist years, signed orders committing Gheorghe David, a prominent Moldovan-nationalist dissident, to a psychiatric hospital for “anti-Soviet assertions,” Radio Free Europe/Radio Liberty reported. David’s sister told the radios that the time he spent in the hospital “had a devastating impact” on him. The former president of Moldova called upon Timofti to resign, saying he “sent a young man to a madhouse because that man spoke the truth.” Moldova had no vetting or lustration program following the communist era and “archives have disappeared.” <http://www.rferl.org/content/moldova-president-timofti-soviet-past-divided-generation/24964184.html>

New Zealand. The Diversityworks Trust of New Zealand is developing an online national archive of film and video material relating to the New Zealand deaf community. Called Sign DNA, one of its managers told Scoop Independent News that New Zealand Sign Language “is a visual language so, for the first time, this archive of films and videos presents Deaf culture and history in the first language of Deaf people, stretching back to at least the 1950s.” <http://www.scoop.co.nz/stories/CU1304/S00302/internetnz-funding-supports-sign-language-archive.htm>





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Romania. The Institute for the Investigation of Communist Crimes and the Memory of the Romanian Exile announced that it is investigating 35 people “who held chief positions in the former repressive system and who are suspected of having committed various political crimes during the communist regime.” These people, who were employees of the Directorate General of Penitentiaries during 1950-1964, are suspected of “having committed killing acts.” The archives used for the research were not specified.

[http://www.iiccr.ro/en/press/press\\_releases/iiccr\\_investigating\\_35\\_people\\_under\\_suspicion\\_of\\_having\\_committed\\_various\\_crimes/](http://www.iiccr.ro/en/press/press_releases/iiccr_investigating_35_people_under_suspicion_of_having_committed_various_crimes/)

Russia. In March, Memorial, a human rights organization in Moscow, issued a disk listing 44,500 people who were on “Stalin’s Shooting Lists” and supporting documents. This is an update of Memorial’s 2002 release of victims. According to The Moscow News, “Stalin’s initials, scribbled in bright red pencil, appear on 357 lists” which were prepared by local branches of the NKVD, then sent to Moscow and compiled for review. The original records are in the Russian State Archives of Social-Political history. [http://indrus.in/arts/2013/04/04/stalins\\_secret\\_kill\\_lists\\_23513.html](http://indrus.in/arts/2013/04/04/stalins_secret_kill_lists_23513.html)

Somalia. A study, jointly funded and commissioned by the United Nations Food and Agriculture Organization’s (FAO) Food Security and Nutrition Analysis Unit for Somalia (FSNAU) and the USAID-funded Famine Early Warning Systems Network (FEWS NET), released a report on the 2011 Somali famine, saying that an estimated 260,000 people died, half of them age five or younger. That doubles the previous estimates of the death toll. It is based on 200 mortality surveys conducted by FSNAU and partners in Somalia since 2007—including 61 from the emergency period—as well as data on food prices, wages, epidemics, conflict, and humanitarian assistance. [http://www.fews.net/docs/Publications/FSNAU\\_FEWSNET\\_PR\\_050113\\_FINAL.pdf](http://www.fews.net/docs/Publications/FSNAU_FEWSNET_PR_050113_FINAL.pdf)

Syria. The New York Times published a feature article on the Syrian Observatory for Human Rights and its work to obtain documentation of the deaths in Syria’s civil war. <http://www.nytimes.com/2013/04/10/world/middleeast/the-man-behind-the-casualty-figures-in-syria.html?pagewanted=all>

Human Rights Watch issued a report, “Death from the Skies: Deliberate and Indiscriminate Air Strikes on Civilians,” based on “visits to 50 sites of government air strikes in opposition-controlled areas in Aleppo, Idlib, and Latakia governorates, and more than 140 interviews with witnesses and victims.” The Watch’s archives are a



very significant source for future work on the violence.

<http://www.hrw.org/reports/2013/04/11/death-skies>

Turkey. A retired general was indicted concerning the suspicious death of former President Turugt Ozal in 1993. The indictment notes inconsistencies in the cause of death on the death certificate and burial certificate and the lack of entries in the president's medical file on the results of blood tests. The president's body was exhumed last October "after years of rumors that he was murdered" by poisoning, and a review board reported that "poisonous substances were detected" in the remains, reported haberler.com. <http://en.haberler.com/court-accepts-indictment-in-ozal-case-on-eve-of-269888/>

United States. The biggest story in the United States in April was the bombing in Boston. According to FCW, a media company focusing on technology use in the Federal government, less than 24 hours after the bombing "the Federal Bureau of investigation had compiled 10 terabytes of data." By the time the search for the perpetrators ended four days later, the investigators had analyzed "mountains of cell phone tower call logs, text messages, social media data, photographs and video surveillance footage." [http://fcw.com/articles/2013/04/26/big-data-boston-bomb-probe.aspx?sc\\_lang=en](http://fcw.com/articles/2013/04/26/big-data-boston-bomb-probe.aspx?sc_lang=en)

The Constitution Project, a "legal advocacy group" led by two former congressmen (one Democrat, one Republican), published a 600 page report on U.S. anti-terrorist policies of the last twelve years. They said they were attempting to act as a truth commission. Based on unclassified information and "the testimonies of dozens of inmates and officials," the study concluded that the U.S. did torture captives in the aftermath of the 9/11 attacks, and the authors condemned torture and the continued operation of the Guantanamo detention center. <http://rt.com/news/constitution-project-torture-guantanamo-report-949/>

The Environmental Protection Agency acknowledged releasing personal details on approximately 80,000 farmers to environmental groups who asked for records under the Freedom of Information Act, Fox News and other media reported. The records related to farms with "concentrated animal feeding operations" and included names, email and personal addresses and phone numbers.

<http://www.foxnews.com/politics/2013/04/09/epa-acknowledges-giving-out-personal-info-in-request-that-included-data-on/>



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The New York Times carried a long feature on the payments to black, Hispanic and women farmers who were discriminated against by the Department of Agriculture for decades. The story focused on the claim process for reparations and the lack of evidence in agency records. <http://www.nytimes.com/2013/04/26/us/farm-loan-bias-claims-often-unsupported-cost-us-millions.html?pagewanted=all>

Health care information exchanges have been losing popularity. The Wisconsin exchange recently shut down, and its former director published a good description of the exchange's efforts to comply with state and Federal government records retention requirements even after the exchange closed. The exchange used provenance as its data storage strategy. <http://www.healthcareinfosecurity.com/protecting-data-when-hie-shuts-down-a-5698?rf=2013-04-19-eh&elq=ef5edc590340480eaf1dfd3617494ac8&elqCampaignId=6489>

The Southern Poverty Law Project donated its collection of materials on extremist and hate groups in the United States to Duke University.  
<http://today.duke.edu/2013/04/splcextremistliterature>

Colorado. The former convict believed to have killed the director of Colorado's prisons in March was allowed to leave prison four years early because his most recent felony conviction was incorrectly recorded in his case file.  
<http://www.cnn.com/2013/04/05/us/colorado-ebel-killings>

Kansas. A judge ruled that investigation materials relating to the "In Cold Blood" murder case (described in the classic book by Truman Capote) and kept by a deceased Kansas Bureau of Investigation agent at his home may not be auctioned off or publicly disclosed until the judge examines them. For background, see HRWG News 2012-09. [http://www.huffingtonpost.com/huff-wires/20130423/us-in-cold-blood-records/?utm\\_hp\\_ref=media&ir=media](http://www.huffingtonpost.com/huff-wires/20130423/us-in-cold-blood-records/?utm_hp_ref=media&ir=media)

Maryland. The state legislature passed a law to prevent the disclosure under the state's records act of the names of people who apply to buy guns, who hold gun collector's licenses, who have "concealed-carry" permits, and details about weapons sales, according to the Baltimore Sun.  
<http://www.baltimoresun.com/news/maryland/bs-md-gun-law-exemptions-0130426,0,1762682.story>



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Ohio. A couple sued 86 county recorders, two county fiscal officers and one county engineer's office for giving public access to the records of land transactions in the state during the 1940s and 1950s that restrict the sale, rental or lease of property to white people only. The suit claims that the release of such documents violates the 14th Amendment of the U.S. Constitution, which requires equal protection of law for all persons. The plaintiffs want county recorders to "sequester" or "redact the racially-offensive portions," according to the story in the Zanesville Times Recorder. In reply, the attorney for the county officials argued, "The fact that ancient documents reflect prejudices or wrongdoings of a bygone day is a reminder to us all not to ever let them reoccur; but that does not justify the punishment of the historians who merely maintain those documents."

<http://www.zanesvilletimesrecorder.com/apps/pbcs.dll/article?AID=/201304051729/NEWS01/304050021&gcheck=1>

Wisconsin. The Archdiocese of Milwaukee agreed to make public its records relating to sex abuse by Catholic clergy. Some 3000 pages of records will be posted on the archdiocese website on July 1. According to the Journal Sentinel, the material to be release includes "portions of priest personnel files . . . pages from the files of the bishops, the vicar for clergy and other sources within the archdiocese" along with the depositions of three former archbishops.

<http://www.jsonline.com/features/religion/archdiocese-of-milwaukee-to-release-clergy-sex-abuse-records-ki9dqe8-201360021.html>

## **Publications.**

Documenta, the Zabreb, Croatia, center for dealing with the past, recently published *Work on dealing with the past: A handbook for civil society organizations*. Intended for civil society organizations and individuals, the handbook presents various approaches to dealing with the past from the perspective of human rights and international humanitarian law, historical remembrance, archives, as well as from a psychological perspective. During 2013 and 2014 the handbook will be translated into English, Albanian, Arabic, Russian and French. Thanks to Documenta for sending this information.

[http://www.documenta.hr/assets/files/publikacije/Rad\\_na\\_suocavanju\\_s\\_prosloscu.pdf](http://www.documenta.hr/assets/files/publikacije/Rad_na_suocavanju_s_prosloscu.pdf)



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