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## ARCHIVES AND HUMAN RIGHTS

### News from the Section on Archives and Human Rights

#### *Winner of the Premio Internacional Derechos Humanos 2020 de la Asociación pro Derechos Humanos de España*

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#### Commentary.

White flags—nearly 700,00 of them—fluttered on the Mall in Washington, D.C. in September, one for every person in the U.S. who has died of Covid-19. [https://i.natgeofe.com/n/4822dc08-0db8-4499-b752-2ab308e510b0/20210917\\_DC\\_FLAGS\\_NIKON\\_Z7\\_CARD\\_3\\_0036\\_b\\_16x9.jpg?w=1200](https://i.natgeofe.com/n/4822dc08-0db8-4499-b752-2ab308e510b0/20210917_DC_FLAGS_NIKON_Z7_CARD_3_0036_b_16x9.jpg?w=1200) These mass illnesses and deaths, in the U.S. and around the world, have generated an equally massive volume of records.

The records story begins with the records of research, as scientists raced to develop a vaccine. Other researchers tried to find the source of the virus, a search that continues, with one group believing it came from a lab in China and another believing it derives from a natural origin such as bats. Still other researchers are working to find a drug that can be taken orally at home at the onset of a Covid illness to prevent developing serious disease and hospitalization. [https://theintercept.com/2021/09/06/new-details-emerge-about-coronavirus-research-at-chinese-lab/?utm\\_medium=email&utm\\_source=The%20Intercept%20Newsletter](https://theintercept.com/2021/09/06/new-details-emerge-about-coronavirus-research-at-chinese-lab/?utm_medium=email&utm_source=The%20Intercept%20Newsletter); <https://www.nature.com/articles/d41586-021-02596-2/>

Along with the race for a vaccine, manufacturing turned to production of everything from vials to carry the vaccine, syringes and needles to administer it, cartons and refrigeration equipment to store and transport it, and personal protective gear for medical workers and, well, just everyone. The business records for this switch in manufacturing or acceleration of production must be enormous. Then came the challenge of transporting vaccines from the factory to the place where the injection can be given: trucks and planes, shipment and delivery, tracking and monitoring. (For a U.S. view, see <https://theconversation.com/how-covid-19-vaccines-will-get-from-the-factory-to-your-local-pharmacy-151362>)

Now, with vaccines available, although unevenly across the world (for a look at what is called “vaccine apartheid,” see <https://abcnews.go.com/Technology/wireStory/african-leaders-highlight-vaccine-inequity-speeches-80189809>) other issues have arisen: Who gets the vaccine? How can we know someone has been vaccinated? How many people have died? All are questions that involve documents.

Who gets the vaccine, in countries where it is available? The Bureau of Investigative Journalism and the *Daily Telegraph* reported on the administrative barriers in Europe that are “blocking access to Covid-19 vaccines for nearly 4 million undocumented migrants. Countries including Germany, Spain, Norway and Bulgaria require some form of ID, health card or a residency permit. In Hungary, Belgium, Slovakia and Greece, vaccinations are officially available only to people with a social security number.” [https://www.thebureauinvestigates.com/stories/2021-09-01/red-tape-keeping-covid-vaccine-out-of-reach-for-nearly-4m-undocumented-migrants-across-europe?utm\\_source=STAT+Newsletters&utm\\_campaign=26db4f08a1-MR\\_COPY\\_12&utm\\_medium=email&utm\\_term=0\\_8cab1d7961-26db4f08a1-149736437](https://www.thebureauinvestigates.com/stories/2021-09-01/red-tape-keeping-covid-vaccine-out-of-reach-for-nearly-4m-undocumented-migrants-across-europe?utm_source=STAT+Newsletters&utm_campaign=26db4f08a1-MR_COPY_12&utm_medium=email&utm_term=0_8cab1d7961-26db4f08a1-149736437)

How do we know who is vaccinated? “Medics in Bulgaria are increasingly concerned about what they believe is a thriving black market in fake documents that purport to prove that the holder is vaccinated against or has tested negative for COVID-19,” *BIRN* reported. Bulgaria is the country with the lowest vaccination rate in Europe, with only 20% of the population vaccinated by the end of September. (See also the item on slavery, below, for another instance of certification fraud.) <https://balkaninsight.com/2021/09/29/fake-vaccination-certificates-add-to-bulgarias-covid-19-woes/>

And in the hard-hit U.S., a former director of the U.S. Centers for Disease Control and Prevention warned, in an essay published in the *New York Times*, that “without a unified approach to verify compliance” with vaccination requirements, “verification will be inaccurate, inconsistent and potentially insecure.” Further, he wrote, “without clear safeguards, digital verification systems could be compromised: Vaccination status could be falsified, and private health data could be shared publicly.” <https://www.nytimes.com/2021/09/21/opinion/cdc-coronavirus-vaccine.html>

And how do we know who has died? As Covid swept through India, the “shortcomings” of its death records “were suddenly on display,” *Undark* reported. India simply did not know how many people were dying of Covid. Although a government survey in 2018 suggested that India “registered 86% of all its deaths in its civil registration system,” only 1 in 5 deaths were “medically certified by a physician” and even those doctors are not all “well trained to certify deaths.” Cause of death data is like the “thermometer of a health system,” an Indian public health doctor said, and an epidemiologist at the University of Toronto explained, “Counting the dead helps the living. The main benefit of having data on who dies, and when, is to be able to understand what can be done about it today.” <https://undark.org/2021/09/01/the-struggle-to-keep-track-of-indias-dead/>

Archivists in many parts of the world are actively seeking to document the impact of Covid-19 on communities, families, and individuals. Archivists in business, government, and scientific and medical facilities, too, urgently need to capture the records of the response to the pandemic. Just as the president of Tanzania told the UN General Assembly, “We tend to forget that no one is safe until everyone is safe,” no one body of records or personal materials will tell the whole story of the pandemic and the responses to it. Also at the UN, the president of Bolivia said, “Access to the vaccine should be considered a human right.” Archivists, as duty-bearers for human rights, must ensure that the records of the complex response to Covid-19 are selected, preserved, and made available to ensure that the world, now and in the future, knows that all these things happened among us.

**SAHR News.** In the First Tuesday Talk on 7 December Giulia Barrera will discuss the use of historical and archival evidence in the Condor cases in Italian courts.

### **International news.**

**Inter-American Commission on Human Rights.** “On International Bisexual Awareness Day, the Inter-American Commission on Human Rights called again on States in the Americas to implement policies to promote the systematic collection and analysis of disaggregated statistical data on violence and discrimination affecting bisexual and pan sexual people. Its aim in doing so is to implement actions and public policies to guarantee the human rights of these groups.” Noting that “statistical data need to be collected to uniformly and accurately measure trends in violence and discrimination and the prevalence of these,” the Commission went on to urge that the data “be collected by appropriately trained, qualified individuals and that state census offices and other official bodies must receive information on sexual orientation, gender identity or expression, and sexual characteristics, while creating data security and confidentiality mechanisms to preserve the life and integrity of LGBTI persons.” [http://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media\\_center/preleases/2021/250.asp](http://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2021/250.asp)

**International Court of Justice.** Azerbaijan and Armenia each filed a case against the other for “alleged violations of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).” They also filed cases against each other in January. <https://abcnews.go.com/International/wireStory/azerbaijan-files-case-alleging-ethnic-cleansing-armenia-80196054>; <https://www.icj-cij.org/public/files/case-related/180/180-20210916-PRE-01-00-EN.pdf>; <https://www.icj-cij.org/public/files/case-related/181/181-20210923-PRE-01-00-EN.pdf>

**International Criminal Court (ICC).** “Human rights lawyers representing hundreds of victims of Yemen’s civil war are calling on the International Criminal Court to open an investigation into war crimes and crimes against humanity allegedly committed by the Saudi Arabia-led coalition during the devastating conflict,” *AP* reported. Although neither Yemen, Saudi Arabia or the United Arab Emirates are member states of the court, “in a 212-page written submission, the lawyers argue that the court should exercise jurisdiction because some members of the coalition are ICC member states.” The filing

said “Jordan deployed fighter jets to the coalition, Senegal provided troops . . . the Maldives supported it diplomatically” and crimes allegedly were committed in Yemen by mercenaries from Colombia.

<https://apnews.com/article/middle-east-crime-war-crimes-yemen-fefba6965cecdde71ff76f7a05c95798>

International Labor Organization (ILO). The ILO released the *World Social Protection Report* that said “over half of the global population lacks any form of social protection,” *DW* reported. “Social protection includes access to health care and income security, for example in cases of unemployment, inability to work, old age and for families with children.” The data comes from an ILO “social security inquiry” sent to governments every three years and other “national sources.” <https://www.dw.com/en/over-half-of-the-global-population-lack-social-protection/a-59040216>; <https://www.social-protection.org/gimi/WSPDB.action?id=42>

Kosovo Specialist Chambers. The Kosovo war crimes court opened its first trial. The case is against former Kosovo Liberation Army unit commander Salih Mustafa, accused of “involvement in murder, torture, cruel treatment and arbitrary detentions during the Kosovo war in April 1999,” *BIRN* reported. For background, see *SAHR News* 2021-02. <https://balkaninsight.com/2021/09/15/first-trial-of-kosovo-ex-guerrilla-opens-at-hague-war-crimes-court/>

United Nations. The UN Human Rights Office published a report that analyzed how artificial intelligence--“including profiling, automated decision-making and other machine-learning technologies—affects people’s right to privacy and other rights, including the rights to health, education, freedom of movement, freedom of peaceful assembly and association and freedom of expression.” It reported that there “have already been numerous cases of people being treated unjustly because of AI, such as being denied social security benefits because of faulty AI tools or arrested because of lawed facial recognition.” The High Commissioner for Human Rights said, “Given the rapid and continuous growth of AI, filling the immense accountability gap in how data is collected, stored, shared and used is one of the most urgent human rights questions we face.” <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27469&LangID=E>

World Health Organization (WHO). WHO issued the “Final Report of the Independent Commission on the review of sexual abuse and exploitation during the response to the 10<sup>th</sup> Ebola virus disease epidemic in DRC” (Democratic Republic of Congo). The Commission said it found that “more than 80 aid workers” were involved in the abuse, and “at least 21 of 83 alleged perpetrators were employed by the WHO,” *Reuters* reported. The “abuses, which included nine allegations of rape, were committed by both national and international staff.” Women had accused aid workers of demanding sex in exchange for jobs between 2018-2020, and a Commission member told the press that “29 of the women became pregnant and some were forced to later abort by their abusers.” Both the UN Secretary-General and the WHO director-general issued apologies, with WHO pledging to take “further steps” and to “refer the rape allegations to Congo and to countries of the alleged perpetrators.” <https://www.who.int/publications/m/item/final-report-of-the-independent-commission-on-the-review-of-sexual-abuse-and-exploitation-ebola-drc>

World Meteorological Organization (WMO). WMO issued an “Atlas” of “some 11,000 disasters occurring between 1970-2019, including major catastrophes such as Ethiopia’s 1983 drought, which was the single most fatal event with 300,000 deaths, and Hurricane Katrina in 2005 that was the most costly, with losses of \$163.61 billion.” *Reuters* summarized the findings as showing that the number of disasters driven by climate change “have increased fivefold over the past 50 years, killing more than 2 million people and costing \$3.64 trillion in total losses.” And while early warning systems “have led to a significant reduction in mortality,” the report also said “severe gaps” in weather observations, especially in Africa, are “undermining the accuracy of early warning systems.” WMO said the report was based on data from its Emergency Events Database. [Weather disasters killed 2 million in last 50 years, UN says \(trust.org\); https://library.wmo.int/index.php?lvl=notice\\_display&id=21930#.YTDtcBgXCUn](https://library.wmo.int/index.php?lvl=notice_display&id=21930#.YTDtcBgXCUn)

## World/general news.

Business records. A massive legal settlement was reached on 1 September between Purdue Pharma and states, cities, counties and native tribes in the U.S. which had filed “thousands of lawsuits” over Purdue’s marketing of OxyContin that spurred the opioid crisis, Antoine Lentacker wrote in *The Conversation*. As part of the litigation, Purdue was forced to turn over masses of documents. Lentacker,

who is a member of the National Advisory Committee for the Opioid Industry Documents Archives, a partnership of the University of California, San Francisco, and Johns Hopkins University, reported that “30 million documents—business plans, memos, emails, meeting minutes, legal records and even deposition videos—will be turned over to archivists and made available in a text-searchable form through a user-friendly portal.” [https://theconversation.com/how-the-purdue-opioid-settlement-could-help-the-public-understand-the-roots-of-the-drug-crisis-166701?utm\\_medium=email&utm\\_campaign=Daily%20Newsletter%20%20September%202%202021%20-%202049620176&utm\\_content=Daily%20Newsletter%20%20September%202%202021%20-%202049620176+CID\\_1f93bdfb9de4c1f3779146fd7cc55e1d&utm\\_source=campaign\\_monitor\\_us&utm\\_term=How%20the%20Purdue%20opioioid%20settlement%20could%20help%20the%20public%20understand%20the%20roots%20of%20the%20drug%20crisis](https://theconversation.com/how-the-purdue-opioid-settlement-could-help-the-public-understand-the-roots-of-the-drug-crisis-166701?utm_medium=email&utm_campaign=Daily%20Newsletter%20%20September%202%202021%20-%202049620176&utm_content=Daily%20Newsletter%20%20September%202%202021%20-%202049620176+CID_1f93bdfb9de4c1f3779146fd7cc55e1d&utm_source=campaign_monitor_us&utm_term=How%20the%20Purdue%20opioioid%20settlement%20could%20help%20the%20public%20understand%20the%20roots%20of%20the%20drug%20crisis)

Amnesty International issued “A Double Dose of Inequality: Pharma Companies and the Covid-19 Vaccines Crisis.” It focuses “on the extent to which leading Covid-19 vaccine developers are meeting their responsibility to respect human rights” as outlined in the UN Guiding Principles on Business and Human Rights. Excluding Russian and Chinese companies “as there is a lack of transparency around their operations,” Amnesty looked at the 6 major producers: AstraZeneca, BioNTech SE, Johnson & Johnson, Moderna, Novavax, and Pfizer. A section on methodology lists the great variety of sources Amnesty used, highlighting the importance of archives as a tool in assessing corporate human rights responsibility. <https://www.amnesty.org/en/documents/pol40/4621/2021/en/>

“Social audits are a voluntary process carried out to assess and verify a company’s compliance with specified labour and/or environmental standards,” Business & Human Rights Resource Centre explained, and a number of firms will do the audit and issue a certificate of compliance. The value of such certificates has come into question; for example, “multiple social audit firms” audited the factories in the Rana Plaza building in Bangladesh before its collapse in 2013 that killed 1,132 people--the audits “failed to report on structural defects.” Not all social audits are carried out by commercial firms; some audits by industry alliances have also been questioned. The report said that “efforts to secure the legal accountability of social audit firms face limitations” such as “dangers and difficulties those affected face when collecting evidence.” Among the recommendations is that governments should enact mandatory human rights and environmental due diligence legislation (mHREDD) that stipulates “that social audits and certifications do not equate to human rights due diligence” and that companies should “remove confidentiality restrictions to disclosing audit reports and contracts.” [https://media.business-humanrights.org/media/documents/Executive\\_Summary\\_EN\\_2021\\_CLA\\_Annual\\_Briefing.pdf](https://media.business-humanrights.org/media/documents/Executive_Summary_EN_2021_CLA_Annual_Briefing.pdf)

Reviewing the content of posts and removing sordid content is a key business requirement for Facebook, stemming from a 2007 legal settlement with the State of New York. The *New York Times* reported that Facebook outsources the work, with a third of it going to the firm Accenture. The *Times* interviewed more than 40 current and former Accenture and Facebook employees, labor lawyers and others, and reviewed “Facebook and Accenture documents, legal records and regulatory filings.” While “more than 90% of objectionable material that comes across Facebook and Instagram is removed by A.I. [artificial intelligence],” the rest is handled by workers who since October 2019 have been warned by Accenture that the job has “the potential to negatively impact your emotional or mental health.” <https://economictimes.indiatimes.com/tech/information-tech/accenture-the-silent-partner-cleaning-up-facebook-for-500-million-a-year/articleshow/85828288.cms>

France’s Court of Cassation “overturned a decision by a lower court to dismiss charges brought against cement giant Lafarge for complicity in crimes against humanity in Syria’s civil war,” *AFP* reported, sending the case back to the investigating magistrates to reconsider the charges. For background, see *SAHR News 2019-11*. <https://www.france24.com/en/live-news/20210907-france-s-lafarge-loses-ruling-in-syria-crimes-against-humanity-case>; [https://www.business-humanrights.org/en/latest-news/historic-victory-before-french-supreme-court-on-the-indictment-of-multinational-lafarge-for-complicity-in-crimes-against-humanity/?mc\\_cid=f45959fa24&mc\\_eid=f1f6556540](https://www.business-humanrights.org/en/latest-news/historic-victory-before-french-supreme-court-on-the-indictment-of-multinational-lafarge-for-complicity-in-crimes-against-humanity/?mc_cid=f45959fa24&mc_eid=f1f6556540)

Vale, the mining company, announced that it has “given up all rights to mining prospects on indigenous lands in Brazil,” returning to the National Mining Agency “89 licences for mineral research and mining activities in lands that interfere with indigenous reservations” with 15 more to be returned, *Reuters* reported. Vale’s Brumadinho dam collapsed in Brazil in January 2019 killing 270 people. For background, see *SAHR News 2021-02 and 06*. <https://www.reuters.com/business/sustainable-business/miner-vale-drops-prospects-rights-indigenous-lands-brazil-2021-09-22/>

“Three palm oil companies have sued the local government in Indonesia’s West Papua province after their plantation licenses were revoked following a recent audit,” *Mongabay* reported. The companies had controlled 90,031 hectares (222,471 acres). The government said they lacked a “right-to-cultivate” permit and had failed to obtain consent from the Indigenous communities living in the area.  
<https://news.mongabay.com/2021/09/palm-oil-firms-in-papua-hit-back-with-lawsuit-after-permits-are-revoked/>

Casualties in armed conflicts. Two NGOs, the Cluster Munition Coalition and the International Campaign to Ban Landmines, issued *Cluster Munition Monitor 2021*. “Globally, the Monitor recorded at least 360 new cluster munition casualties in 2020 caused either from cluster munition attacks (142) or due to remnants of these weapons (218).” This is an increase from 2019 (317) and 2018 (277). Further, “the real number of new casualties is likely to be much higher as many have gone unrecorded due to challenges with data collection.” <http://www.the-monitor.org/media/3299097/CMM2021-Press-Release.pdf>

Data breaches. Epik, the “favorite Internet company of the far right,” was hacked by the hacker group Anonymous, and three massive releases of data were made public, the last on October 4. According to the *Washington Post*, the first of the leaks included “website purchase records, internal company emails and customer account credentials revealing who administers some of the biggest far-right website. The data includes client names, home addresses, email addresses, phone numbers and passwords left in plain, readable text.” Among the sites that Epik services is 8chan, which the gunman who killed 51 Muslims in Christchurch, New Zealand, in 2019 used to post his “manifesto,” and Gab, which was used for antisemitic posts by the man who killed 11 people in a Pittsburgh synagogue in 2018.  
<https://www.rsn.org/001/huge-anonymous-hack-reveals-details-of-whos-behind-proud-boys-and-other-farright-websites.html?print=1>

Human rights defenders/aid workers. Global Witness, an NGO based in London, has gathered data on killings of land and environmental defenders since 2012. It reported that 2020 was the worst year since they began monitoring, with 227 lethal attacks, “an average of more than 4 people a week.” Over half the killings were in just three countries: Colombia, Mexico and the Philippines; Colombia led the list with 65 land and environmental defenders murdered. “Almost 30% of the attacks were reportedly linked to resource exploitation (logging, mining and large-scale agribusiness) and hydroelectric dams and other infrastructure.” Sadly, although Indigenous people make up about 5% of the world’s population, “over a third of all fatal attacks” killed Indigenous people. The sober conclusion: “Meaningful climate action requires protecting defenders, and vice versa. Without significant change this situation is only likely to get worse—as more land is grabbed and more forests are felled in the interest of short-term profits, both the climate crisis and attacks against defenders will continue to worsen.”  
<https://www.globalwitness.org/en/campaigns/environmental-activists/last-line-defence/>

Missing persons. The Institute for Security Studies (ISS), an NGO based in South Africa, said the number of people missing in Africa “appears to be rising. By the end of June, the International Committee of the Red Cross (ICRC) had recorded more than 48,000 missing across the continent—an increase of 4,000 since June 2020.” The ICRC numbers show that 82% of the missing are from armed conflict in just 7 African countries, but the number of missing while migrating is rising. “No reliable information exists” on the true number of missing, and ISS urges governments to, “depending on the circumstances,” issue death certificates or certificates of absence and adopt “procedures to search for and identify missing migrants . . . along with information exchange and coordination protocols.”  
<https://issafrica.org/iss-today/families-are-central-to-the-search-for-africas-disappeared>

Privacy. The email service ProtonMail, which advertised itself as not keeping “any IP logs that can be linked to your anonymous email account,” actually may: it “turned over a French climate activist’s IP address and browser fingerprint to Swiss authorities,” *Ars Technica* reported. A Swiss court had demanded that ProtonMail “begin logging IP address and browser fingerprint information for a particular ProtonMail account,” and the company complied. It now emphasizes the use of the Tor network to reach ProtonMail: “Since the Tor network itself hides users’ network origin prior to packets ever reaching ProtonMail, even a valid subpoena can’t get that information out of ProtonMail—because the company never receives the data in the first place.” <https://arstechnica.com/information-technology/2021/09/privacy-focused-protonmail-provided-a-users-ip-address-to-authorities/>

**Refugees.** Amnesty International reconstructed a “suspected illegal pushback” of a group of 32 Afghan refugees on the border between Poland and Belarus in August “using photogrammetry and spatial modelling techniques.” Under European Union and international refugee law, a country is “obliged to ensure an individual assessment of all asylum claims and refrain from unlawful returns, including pushbacks and collective expulsions.” Amnesty “identified and located border posts in high resolution satellite imagery” and found variance from the Polish government’s border data. Then video imagery, including film made by *Polsat News* from a helicopter on 27 August, allowed the analysts to show that the group of refugees “was shifted from being partially on the Polish side and partially on the Belarussian side on the 18<sup>th</sup> of August to being completely moved to the Belarussian side.”

<https://www.amnesty.org/en/latest/news/2021/09/poland-digital-investigation-proves-poland-violated-refugees-rights/>

**Slavery.** Italian and Moldovan police, supported by Europol and Eurojust, raided 6 houses in Italy of a “family-based criminal association which recruited Moldavian women and transported them to Italy with tourist visas” for “labor exploitation,” *Eurasia Review* reported. The raid led to 6 arrests, identification of 87 victims, and “seizures including 27 passports of victims and documentation revealing payments from the victims.” The traffickers had forced the victims to pay them for transportation and finding employment and had “collected the ID cards and passports of victims pending full payment of the ‘debt’.” Even more exploitive, the traffickers “also used their victims’ documents for fraudulent activities, such as false COVID-19 health certificates and employment contracts.”

<https://www.eurasiareview.com/09092021-italy-nearly-90-victims-of-labor-exploitation-identified/>

**Technology.** Lithuania’s National Cyber Security Centre tested 5G mobile phones from Chinese manufacturers and found that the Xiaomi company’s Mi 10T 5G phone had “software that could detect and censor” more than 449 terms including “Free Tibet,” “Long live Taiwan independence,” or “democracy movement.” Xiaomi told *BBC* that it is “fully GDPR compliant” (GDPR is the European Union’s privacy regulation). The report from the Security Centre also “highlighted a flaw in Huawei’s P40 5G phone, which put users at risk of cyber-security breaches.” Huawei said “it abides by the laws and regulations of the countries where it operates, and prioritises cyber-security and privacy.”

Lithuania’s Defence Ministry advised consumers to throw away their Chinese phones and avoid buying new ones. <https://www.bbc.com/news/technology-58652249>

Emirati human rights activist Alaa Al-Siddiq died in a car accident in England in June. Researchers at Citizen Lab at the University of Toronto, Canada, examined her electronic devices and concluded “she was most likely hacked by a government client of NSO Group, the Israeli spyware company, beginning in 2015, when she lived in Qatar, to 2020, when she was living in London.” She was informed of the hacking before her death, but the Lab confirmed it publicly only after she died. *The Guardian* commented, “The case exemplifies a worrying trend for activists such as Al-Siddiq, who escaped the UAE to live in the relative safety of the U.K., but was never out of the reach of Pegasus, NSO’s spyware. When the spyware is used by a government to infect a phone, Pegasus can monitor conversations, read text messages, see photographs and emails, and can turn a mobile into a remote listening device.” <https://www.theguardian.com/world/2021/sep/24/new-evidence-suggests-spyware-used-to-surveil-emirati-activist-aaaa-al-siddiq>

### **Bilateral and multilateral news.**

**Argentina/United States.** The National Security Archive, a U.S. NGO, posted “key administrative papers on the Argentina Declassification Project (ADP) begun by President Barack Obama and completed during the Trump Administration” that reviewed for release and opened U.S. documents on the violence during Argentina’s “dirty war” period (1975-1984). For the project “several hundred archivists, analysts, Freedom of Information Act officers, and records managers, representing 16 different government agencies, devoted over 30,000 hours to identify and process approximately 47,000 pages of CIA, FBI, Defense Intelligence Agency, National Security Council, State Department and White House documents.” <https://nsarchive.gwu.edu/briefing-book/southern-cone/2021-09-22/declassification-diplomacy-lessons-learned-argentina?eType=EmailBlastContent&eId=063f8dbc-1de5-4e8e-8743-8b3a3b4bb3d9>

**Armenia/Azerbaijan.** “Human rights advocates and lawyers in Armenia have identified the Azeri troops who committed war crimes by executing captured Armenian servicemen and mutilating their bodies on

October 20, 2020, in Kovsakan (Zangelan),” *Armenpress* reported. Armenia’s Ombudsman said the men were identified by using facial recognition technology on photographs, which are included in his report on the crimes. <https://armenpress.am/eng/news/1062641.html>

Australia/Chile/United States. The National Security Archive published declassified Australian records obtained through the Australian Freedom of Information Act by Clinton Fernandes, a professor at the University of New South Wales. The records reveal that at the request of the U.S. Central Intelligence Agency “the Australian Secret Intelligence Service (ASIS) established a ‘station’ in Santiago in 1971 and conducted clandestine spy operations to directly support U.S. intervention in Chile.” The station appears to have been closed in 1973 after the Labor Party took power, either before or shortly after the 11 September 1973 military coup in Chile. One of the final cables informs the Australian headquarters that “all remaining station records etc. have been destroyed.” <https://nsarchive.gwu.edu/briefing-book/chile/2021-09-10/australian-spies-aided-and-abetted-cia-chile?eType=EmailBlastContent&eId=adfbac80-045f-4ce0-8657-b2ddd9be07c3>

Germany/Syria. The Higher Regional Court of Koblenz, Germany, denied the request to allow audio recordings to be made of the closing stages of the trial of Anwar Raslan, a former colonel in the Syrian General Intelligence Service charged with crimes against humanity. The request had been made by Syrian NGOs. The German court’s decision “is not publicly available,” reported the Syria Justice and Accountability Centre, and the decision cannot be appealed. For background, see *SAHR News* 2021-07. This is a serious missed opportunity to document a trial with important evidence for the history of the war in Syria. [https://syriaaccountability.org/updates/2021/09/30/a-missed-opportunity-court-denies-recording-of-closing-statements-in-koblenz/?utm\\_source=SJAC+Weekly+Update&utm\\_campaign=ac2eae18d9-EMAIL\\_CAMPAIGN\\_2019\\_01\\_10\\_02\\_56\\_COPY\\_03&utm\\_medium=email&utm\\_term=0\\_0a7405c641-ac2eae18d9-96428969](https://syriaaccountability.org/updates/2021/09/30/a-missed-opportunity-court-denies-recording-of-closing-statements-in-koblenz/?utm_source=SJAC+Weekly+Update&utm_campaign=ac2eae18d9-EMAIL_CAMPAIGN_2019_01_10_02_56_COPY_03&utm_medium=email&utm_term=0_0a7405c641-ac2eae18d9-96428969)

Guyana/Venezuela. The Venezuelan government signed an agreement in Mexico City with the opposition party Unity Platform of Venezuela, in which one of the points of agreement was that the “mineral, forest and oil-rich Essequibo Region” of neighboring Guyana is part of the territory of Venezuela, *CMC* reported. Guyana’s Ministry of Foreign Affairs and International Cooperation reacted sharply, saying, “Guyana cannot be used as an altar of sacrifice for settlement of Venezuela’s internal political differences.” The International Court of Justice is currently considering the question of the boundary, with the 1899 Arbitral Award which settled the boundary between the then British Guyana and Venezuela as evidence. <https://jamaica-gleaner.com/article/world-news/20210909/govt-rejects-political-agreement-reached-venezuela>

Liberia/United States. The U.S. District Court in Pennsylvania convicted Moses Thomas, a commander of the Armed Forces of Liberia’s elite Special Anti-Terrorist Unit, “for war crimes, crimes against humanity, extrajudicial killing, attempted extrajudicial killing and torture.” The case focused on the 1990 massacre of over 600 civilians sheltering in St. Paul’s Lutheran Church in Monrovia, Liberia, *RFI* reported. In March 2021 lawyers for the plaintiffs, who are survivors of Liberia’s bloody civil war, “filed nearly 2,000 pages of evidence with the court.” Thomas fled the U.S. and is now in Liberia; according to the head of the Lutheran Church Massacre survivors group, they will “pressure the government to turn over Thomas to the U.S. authorities.” <https://www.rfi.fr/en/africa/20210922-us-court-finds-former-liberian-military-commander-thomas-liable-for-war-crimes>

Mexico/United States. A blog essay by Benjamin T. Smith, a professor at the University of Warwick, described the U.S. campaign against Mexican drug smugglers in the early 1970s, the Nixon Administration’s “war on drugs.” He obtained “an extraordinary transcript of a 1975 grand jury investigation” into the practices of the U.S. Department of Justice’s Bureau of Narcotics and Dangerous Drugs, revealing a “host of unsanctioned methods” including murder and torture. In addition, “recently declassified Mexican secret service documents reveal that in 1978 a Mexican lawyer was tossed into the cells” with drug suspects and “took their testimonies and compiled a report” that makes “disturbing reading.” He concluded that the “war on drugs” resulted in corruption in the Mexican military and police that continues until today. <https://www.thedope.co.uk/documents>

Mideast war. *BBC* reported that while the UN High Commissioner for Human Rights told the UN Human Rights Council that after “complex and painstaking work” the office had established that 350,209 individuals—civilians and combatants—had been killed in Syria between March 2011 and

March 2021, the U.K.-based Syrian Observatory for Human Rights put the toll at over 606,000. The High Commissioner said the UN figure excluded “records with only partial information” and a “wider number of killings . . . have yet to be documented.” [https://www.bbc.com/news/world-middle-east-58664859?utm\\_source=SJAC+Weekly+Update&utm\\_campaign=ac2eae18d9-EMAIL\\_CAMPAIGN\\_2019\\_01\\_10\\_02\\_56\\_COPY\\_03&utm\\_medium=email&utm\\_term=0\\_0a7405c641-ac2eae18d9-96428969](https://www.bbc.com/news/world-middle-east-58664859?utm_source=SJAC+Weekly+Update&utm_campaign=ac2eae18d9-EMAIL_CAMPAIGN_2019_01_10_02_56_COPY_03&utm_medium=email&utm_term=0_0a7405c641-ac2eae18d9-96428969)

The families of those kidnapped by ISIS sent an open letter to the U.S. Administration “to ask for support in the search for our loved ones.” They pointed out that between 8,000 and 10,000 civilians remain missing in Northeast Syria. They said they knew that “during the fight against ISIS, U.S. and allied forces entered ISIS facilities, collecting a wide variety of data, including physical documents, computers, and hard drives. We demand a thorough search of this data for information regarding those kidnapped in Northeast Syria. Declassifying some of the information and sharing it with human rights organizations engaged in investigations could provide strong leads and help us in our search for our loved ones.” [Letter from the Families of those Kidnapped by ISIS to the United States Administration - Syria Justice & Accountability Centre \(syriaaccountability.org\)](#)

The NGO Syrian Network for Human Rights (SNHR) “released its sixth annual report on Russian forces’ violations since the start of Russia’s military intervention in Syria on September 30, 2015.” It said the intervention “has resulted in the death of 6,910 civilians, including 2,030 children, and carried out 1,231 attacks on vital facilities.” Using the information in its database, SNHR assigned responsibility to Russian forces in relation to specific incidents by “cross-checking large quantities of information and statements published by Russian officials, in addition to cross-checking a large number of first-hand accounts, most of which come from central signal operators.” <https://sn4hr.org/blog/2021/09/30/56864/>

Saudi Arabia/United Arab Emirates/Yemen. NGOs Mwatana for Human Rights and the Global Rights Compliance issued a report titled “Starvation Makers,” that said the “warring parties in Yemen have deliberately deprived civilians of objects essential to their survival (OIS), starving them, in some cases to death, over the course of the conflict.” The report documented “airstrikes by the Saudi/UAE-led coalition on farms, water facilities, and artisanal fishing boats and equipment that destroyed, damaged and/or rendered useless OIS, namely agricultural areas, irrigation works, livestock, foodstuffs, water infrastructures, fishing boats and fishing equipment.” It also documented forcible restricted access to humanitarian relief, the de facto naval and aerial blockade, and the “widespread and indiscriminate use of landmines in wholly civilian areas.” <https://mwatana.org/en/the-use-of-starvation/>

South China Sea. A researcher using at the U.K. National Archives found “an 1899 translation of a letter in which the Zongli Yamn—equivalent to the foreign ministry—of the Qing Empire informed British officials that Chinese authorities could not accept liability for the looting of a ship’s cargo in the late 1890s in the Paracels.” The letter said the Chinese government “refused compensation” for the cargo “because the islands were ‘high seas’ and were not Chinese territory,” *Benar News* reported. Questions of the historical disposition of the Paracel Islands is important to China, Vietnam and Taiwan, which all claim sovereignty over them; they are currently controlled by China. “China justifies its sweeping maritime and territorial claims on the basis of historic rights—a position that was rejected by an international arbitral tribunal in 2016 in a case brought by the Philippines.” An expert at the ISEAS-Yusof Ishak Institute in Singapore warned, “No one piece of ‘evidence’ is ever conclusive in this long-running war of documents and maps between Vietnam and China.” <https://www.eurasiareview.com/08092021-archive-find-could-hurt-chinas-historic-claim-to-paracel-islands/>

### **National news.**

Belarus. A group calling itself Cyber Partisans hacked government computer systems, the *Washington Post* reported. “The records—ranging from tapped phone calls to internal documents—offer a sweeping look at Belarus’s efforts to crush political dissent and could be part of potential future judicial reckonings over jailings and other abuses that have been widely condemned by the West.” The hackers “claim to have access to more than 6 terabytes of data, including the entire national passport database and a confidential database of security officials and others.” And they say they have “access to 5.3 million recordings of wire-tapped phone calls, including those of top police and security officials, on the



servers of the Interior Ministry.” [https://www.washingtonpost.com/world/europe/belarus-hack-cyber-partisans-lukashenko/2021/09/14/5ad56006-fabd-11eb-911c-524bc8b68f17\\_story.html?utm\\_campaign=wp\\_main&utm\\_medium=social&utm\\_source=facebook&fbclid=IwAR3SERaX7rJ9uW5\\_CP75aMIoJskTVsUx9tbrNnh81dOeKWrmREJwYIJ3Gol](https://www.washingtonpost.com/world/europe/belarus-hack-cyber-partisans-lukashenko/2021/09/14/5ad56006-fabd-11eb-911c-524bc8b68f17_story.html?utm_campaign=wp_main&utm_medium=social&utm_source=facebook&fbclid=IwAR3SERaX7rJ9uW5_CP75aMIoJskTVsUx9tbrNnh81dOeKWrmREJwYIJ3Gol)

**Brazil.** Mapbiomas, “a collaborative platform that analyzes satellite images with artificial intelligence to track the destruction” of the Amazon rainforest, reported that “illegal mining expanded by nearly 500% on protected indigenous reservations in Brazil in a decade and by more than 300% on protected park lands,” *AFP* reported. The study also “found the total area covered by mines, both legal and illegal, is nearly 6 times bigger today than in 1985 in Brazil”—and 72.5% of the mines are in the Amazon, “a vital resource in the race to curb climate change.” <https://www.macaubusiness.com/illegal-mining-on-brazil-indigenous-land-up-500-in-decade/>

In August “a group of whistleblowing doctors handed a 10,000-page dossier to investigators containing a series of incendiary allegations” against Prevent Senior, a health maintenance organization that caters to senior citizens, the *Guardian* reported. “The dossier contained claims that elderly patients had been used as ‘human guinea pigs’ for the testing of unproven Covid ‘remedies’ without giving their full consent.” The company denied the allegations. <https://www.theguardian.com/global-development/2021/sep/29/brazil-prevent-senior-hospital-chain-covid-accusations>

Land-grabbing in Brazil is nicknamed “grilagem,” which *Thomson Reuters Foundation* says comes from “the Portuguese word for cricket, because land-grabbers would put fake deeds into a drawer with the insects so their dropping would make the papers look older and more legitimate.” A variation is green land grabbing. Every rural property owner “must set aside a share of their land” as a nature reserve, and in green land grabbing a farm owner “grabs” a piece of land in areas that are already protected so more land can be cropped or cleared on the properties they already have. “To take possession of the land, farmers first assign themselves as owners on a government-run electronic registry called the Cadastro Ambiental Rural (CAR), and then use the land as if they had the deeds.” They count on the fact that the government rarely checks registrations. <https://news.trust.org/item/20210929090849-bswj7/>

**Burundi.** The UN Commission of Inquiry on Burundi issued its fifth report, saying “many serious human rights violations have happened in the context of multiple armed attacks committed since August 2020.” The press release introducing the report said, “During the past five years, the UN Commission of Inquiry on Burundi has been the only remaining independent international mechanism to document, monitor, and report on human rights violations in Burundi. Since its creation, it has conducted more than 1,770 interviews, including remotely, in the Democratic Republic of the Congo (DRC), Rwanda, Tanzania, Uganda, as well as Burundi.” This is another reminder of the vital importance of the records of such UN bodies and their potential as evidence to hold perpetrators accountable. <https://www.ohchr.org/EN/HRBodies/HRC/CoIBurundi/Pages/CoIBurundiReportHRC48.aspx>

**China/Hong Kong.** Police raided the offices of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China, which organized Hong Kong’s annual commemoration of the Tiananmen Square massacre and had a historical museum dedicated to the memory of that event. *Hong Kong Free Press* reported, “Officers were seen taking away key exhibits and boxes of material. Police also froze around HK \$2.2 million worth of their assets.” By the end of the month, and after the arrest of five “leading members” of the Alliance, *rthk* reported that the Alliance decided to disband. <https://hongkongfp.com/2021/09/11/hong-kong-govt-seeks-to-strike-tiananmen-massacre-vigil-group-off-companies-registry-amid-national-security-charges/>; <https://news.rthk.hk/rthk/en/component/k2/1612242-20210925.htm>

**Colombia.** *InSight Crime* and the Brazilian NGO Igarape Institute are working to map environmental crime in the Amazon Basin, where many violations go unreported. “Since the FARC demobilization in 2016, deforestation has accelerated to record levels. In 2017, a record high of 219,973 hectares was deforested in Colombia, up 23 percent from the previous year. This marked a significant leap from the 120,933 hectares of forest cleared in 2013,” when Colombia’s Institute of Hydrology, Meteorology and Environmental Studies, “charged with managing technical and scientific data on the environment, began producing its annual deforestation monitoring report.” Alongside logging, one of the main drivers of deforestation is illegal mining, mainly that of gold, which spreads “mercury and associated social and health-related challenges in its wake.” Data from the United Nations Office on Drugs and Crime

published in late 2020 “revealed that while alluvial gold mining – both legal and illegal – affected 92,046 hectares in 2018, this figure rose to 98,028 in 2019. The UNODC added that two-thirds of all alluvial gold mining in Colombia is illegal.” <https://insightcrime.org/investigations/root-environmental-crime-colombia-executive-summary/>

Democratic Republic of Congo. Four people were arrested for possessing a video of the 2017 killing of two UN experts in central Democratic Republic of Congo, *AFP* reported. Two of the arrested are journalists, a print reporter and a videographer. The military prosecutor handling the case said, “We still need to know what happened for these four people to be in possession of this video almost immediately after the murder.” International journalism organizations expressed concern over the arrests. <https://www.barrons.com/news/more-arrests-over-video-of-un-experts-murder-in-dr-congo-01632829808>

Egypt. “Egyptian security forces have for years carried out extrajudicial executions, claiming that the men had been killed in shootouts,” HRW’s deputy Middle East director said as HRW released a new report on the extrajudicial killings. HRW found that “the Interior Ministry announced the deaths of at least 755 people in 143 alleged shootouts between January 2015 and December 2020, with only one suspect arrested. The ministry statement identified only 141 of those killed and used copy-paste language, providing very little detail.” <https://www.hrw.org/news/2021/09/07/egypt-shootouts-disguise-apparent-extrajudicial-executions>

Eritrea. Basing its findings on interviews with refugees and aid workers and analysis of satellite imagery, HRW said “Eritrean government forces and Tigrayan militias have committed killings, rape and other grave abuses against Eritrean refugees in Ethiopia’s Tigray region” between November 2020 and January 2021. Many refugees remain unaccounted for: “UNHCR told Human Rights Watch that as of late August, of the refugees who are known to have received food rations in Hitsats and Shimelba [refugee camps] in October 2020, 12,611 have been identified, while 7,643 remain unaccounted for.” Among its recommendations, HRW urges the Eritrean and Ethiopian governments to work with UNHCR to “account for the whereabouts and well-being of the thousands of refugees from Hitsats and Shimelba camps and throughout Tigray.” <https://www.hrw.org/news/2021/09/16/ethiopia-eritrean-refugees-targeted-tigray>

Ethiopia. The Physical Geography Research Group at Mekelle University and the University of Ghent continued their remarkable study of the ability of people to farm in the conflict-ridden Tigray region. Using field data collected “in very difficult conditions” and satellite imagery, the team estimates “that only 20-50% of the farmland will produce reasonable outputs, which is well below what is required to sustain the local population in a subsistence farming economy.” For background, see *SAHR News* 2021-05. [https://www.researchgate.net/publication/354385966\\_August\\_2021\\_status\\_of\\_cropping\\_in\\_the\\_wider\\_surroundings\\_of\\_Mekelle\\_Tigray\\_Ethiopia](https://www.researchgate.net/publication/354385966_August_2021_status_of_cropping_in_the_wider_surroundings_of_Mekelle_Tigray_Ethiopia)

Georgia. Someone claiming to be a former employee of the State Security Service (SSS) leaked “thousands” of files, showing that the SSS eavesdropped on senior clergymen of the Georgian Orthodox Church, diplomats, Georgian journalists, and opposition politicians. The Prime Minister said the recordings were “fabrication and falsification,” but at least two opposition politicians “have confirmed the veracity of their conversations with the clergy described in the leaked documents,” *Civil.ge* reported. Georgia’s Public Defender said that the SSS spying was “a gross violation of human rights that needs to be addressed,” while the European Union’s External Action Service called the spying on diplomats “a very serious matter” and said the bloc would take “appropriate steps in response,” *RFE/RL* reported. <https://civil.ge/archives/440008>; <https://www.rferl.org/a/eu-georgia-leak-spying/31473207.html>

Kosovo. The European Union’s mission in Kosovo said it has assisted the police “in developing a database to help investigate war crimes,” *AP* reported. In 2018 the EU Rule of Law Mission in Kosovo (EULEX) gave “all its files, including around 400 crime cases, to the government.” The police have opened investigations into all missing persons’ cases, and a EULEX analyst said the hope is “that by linking missing persons’ cases to existing war crimes investigations,” the number of persons still unaccounted for will be “further reduced and their relatives will obtain justice and reparation.” <https://www.seattletimes.com/nation-world/world/eu-mission-helps-kosovo-with-database-on-war-crimes/>

For the first time, “Kosovo’s Justice Ministry has put together a team to devise a national strategy on transitional justice,” *BIRN* reported. The head of the Transitional Justice Division at the Ministry said that, among other actions, “We want to gather all the information related to the war and turn it into official state information and create a narrative for the war,” naming the Humanitarian Law Center, Human Rights Watch and others as sources. <https://balkaninsight.com/2021/09/02/22-years-on-kosovo-plans-post-war-truth-and-justice-strategy/>

Malaysia. The government is planning to implement a national bio-metric registry system, the National Digital Identification (NDI) system. It will “contain names, aliases, personal details, along with facial bio-metrics and fingerprints,” *Eurasia Review* reported. The system can be linked to CCTV systems so it “can be used in facial recognition systems.” The NDI is to be “rolled out in 2022, after the Personal Data Protection Act is reviewed and amended to ‘provide greater rights and control over personal data as well as clarity on personal data management using technology’.” <https://www.eurasiareview.com/30092021-malaysia-introducing-national-biometric-database-registry-analysis/>

Mexico. Mexico’s Supreme Court ruled unanimously that “penalizing abortion is unconstitutional.” This means that courts can no longer prosecute abortion cases. “Hundreds of mostly poor Mexican women have been prosecuted for abortion, while at least several dozen remain jailed,” *Reuters* reported. The government of the state of Coahuila issued a statement saying “the ruling would have retroactive effects and that any woman imprisoned for abortion should be released ‘immediately’.” Clearing the records of those prosecuted should be the next step. [Mexico's top court decriminalizes abortion in 'watershed moment' \(trust.org\)](https://www.trust.org/article/2021/09/02/mexico-top-court-decriminalizes-abortion-in-watershed-moment)

Myanmar. Reporting to the UN Human Rights Council, the Special Rapporteur on the situation of human rights in Myanmar warned that the conditions in the country have worsened. Since the military coup on 1 February, he said, “the junta and its forces have murdered more than 1,100 people, arbitrarily detained more than 8,000, and forcibly displaced more than 230,000 civilians,” and that he “had received credible reports that at least 177 individuals were arbitrarily detained when the initial target of a raid had successfully eluded arrest” including “children as young as 20-weeks old.” Healthcare workers or facilities were attacked “in at least 260 separate incidences from 1 February to 25 August” and there are “outstanding arrest warrants for 600 healthcare workers, forcing them into hiding.” <https://news.un.org/en/story/2021/09/1100752>

These bleak remarks were supplemented by the report of the Independent Investigative Mechanism for Myanmar, which focused on “expanding the collection and analysis of information and evidence, increasing the availability of evidence and analytical documents for sharing with courts and tribunals, and advancing the development of cooperation frameworks with new information and assistance providers.” As of June 15, “the Mechanism has collected and processed for potential sharing over 1.3 information items from a broad range of sources and covering a variety of formats, including documents, photographs, videos, geospatial imagery, witness statements and open-source materials.” These are held in a “secure and state-of-the-art electronically stored information management system.” <https://search.aol.com/click/?vlt=AwrJ7FxOwFhhXIsAfbJpCWVH; ylu=Y29sbwNiZjEEcG9zAzIEdnRpZAMEc2VjA3Ny/RV=2/RE=1633225150/RO=10/RU=https%3a%2f%2fnews.un.org%2fen%2fstory%2f2021%2f09%2f1100752/RK=0/RS=RIV77JeeR9BQx5zeNmtRB5bcdPk; https://undocs.org/A/HRC/48/18>

Netherlands. “The city of Utrecht . . . announced that it will grant citizens whose names are related to slavery or colonial history with the opportunity to change their surnames free of charge,” reported an opinion piece published by *Thomson Reuters Foundation*. This is significant, because a name change requires “filling-in a detailed questionnaire and exposing the applicant to a psychological test” and then paying a non-refundable fee of 835 euros. <https://news.trust.org/item/20210920124528-qlnyv/>

Nicaragua. Human Rights Watch said the Nicaraguan government has arbitrarily detained “dozens of critics” and “has charged many with serious crimes without providing substantiating evidence.” Since August, HRW conducted phone interviews with 19 people who have information about 28 of the 36 cases of people arbitrarily detained since late May and “reviewed official sources, including police records, Attorney General Office news releases, court documents, media reports, and publications by local and international human rights groups to corroborate their testimonies.” Lawyers for the detainees said that “for months” they had “no access to court documents, despite repeatedly requesting them.”

When HRW was able to review charging documents, they found “prosecutors had often failed to identify specific acts by the defendants to support the charges.” <https://www.hrw.org/news/2021/09/20/nicaragua-trumped-charges-against-#>

Philippines. The International Criminal Court “formally authorized an official probe into alleged crimes against humanity in Philippine President Rodrigo Duterte’s ‘war on drugs’,” *Al Jazeera* reported. The judges said they “considered the evidence presented on behalf of at least 204 victims” and “reviewed supporting materials that indicate that Philippine authorities ‘failed to take meaningful steps to investigate or prosecute the killings’.” In addition to the drug war, the ICC “will look into alleged summary executions committed in the southern city of Davao between 2011 and 2016, when Duterte was mayor,” where an earlier ICC investigation found “at least 385 extrajudicial killings.” <https://www.aljazeera.com/news/2021/9/15/philippines-icc-agrees-to-probe-dutertes-war-on-drugs>

Russia. The European Court of Human Rights ruled that the Russian government failed to “thoroughly investigate” the murder of Natalya Estemirova, a human rights defender and researcher at the prominent NGO Memorial, the *New York Times* reported. Ms. Estemirova “had for years documented victims of abductions, extrajudicial killings and house burning in Chechnya,” until she was killed in July 2009. The court “pointed to contradictions in the evidence files that ‘led to doubt that the investigation had been effective’.” The court awarded Ms. Estemirova’s family 20,000 euros in damages but also “ruled that the authorities could not be held directly responsible for the killing,” a finding that disappointed human rights advocates. <https://www.nytimes.com/2021/08/31/world/europe/russia-murder-ruling-natalya-estemirova.html>

Rwanda. Paul Rusesabagina, who is “credited with sheltering ethnic Tutsis” in Hotel Rwanda where he was manager during Rwanda’s 1994 genocide, was convicted “on 8 charges including membership in a terrorist group, murder and abduction” and sentenced to 25 years in prison. Court watchers and the governments of Belgium and the U.S. said he did not get a fair trial, and his attorney “asserted that Rusesabagina’s legal papers were confiscated by prison authorities,” *AP* reported. <https://apnews.com/article/hotel-rwanda-terrorism-guilty-paul-rusesabagina-cebe0de9289c62eb93e4fac56df9420a>

Serbia. The European Association of History Educators issued a statement in support of the Association for Social History UDI – Euroclio, the Serbian history teachers’ association. It said Euroclio “has been subjected to slander and false allegations concerning their work on the recent history of the region. Some of our colleagues have received a wave of false accusations related to their work, and personal photos of members were published online without permission. These actions resulted from a seminar organized by . . Euroclio involving teacher training on the use of archival material made available by the UN’s International Residual Mechanism for Criminal Tribunals.” <https://www.euroclio.eu/2021/09/01/press-release-solidarity-with-association-for-social-history-udi-euroclio/>

Sri Lanka. The UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence told the Human Rights Council of his visit to Sri Lanka. In a brief report, he said, “Over the past 18 months, the human rights situation in Sri Lanka has seen a marked deterioration that is not conducive to advancing the country’s transitional justice process and may in fact threaten it.” He said the commission of inquiry to investigate allegations of political victimization of public servants, established by the president, has “interfered in . . criminal trials, including by withholding documentary evidence.” He also noted that “Sri Lanka has yet to set up a land commission to document and carry out a systematic mapping of military-occupied private and public land for effective and comprehensive restitution.” <https://undocs.org/A/HRC/48/60/Add.2>

Syria. The Independent International Commission of Inquiry on the Syrian Arab Republic submitted a report to the Human Rights Council. The Chair of the Commission said, “One decade in, the parties to the conflict continue to perpetrate war crimes and crimes against humanity and [are] infringing the basic human rights of Syrians.” A Commissioner added, “This is no time for anyone to think that Syria is a country fit for its refugees to return.” The Commission documented the killing and maiming of at least 243 people in 7 attacks by “vehicle-borne improvised explosive devices.” In a sobering section, the report said an estimated 40,000 children are held in refugee camps near the Iraqi border in northeast Syria; half are Iraqi, another nearly 8,000 children come from around 60 countries. Most of the children are under 12 years old, but their home countries refuse to repatriate them. In the year from 1 July 2020

to 30 June 2021 the Commission conducted 538 interviews and collected and analyzed “documents, reports, photographs, videos and satellite imagery from multiple sources,” leading to the report’s conclusions. <https://undocs.org/en/A/HRC/48/70>

In an echo of the Commission’s warning, Amnesty International, in a report ominously titled “You’re going to your death,” said “Syrian security forces have subjected Syrians who returned home after seeking refuge abroad to detention, disappearance and torture, including sexual violence.” Amnesty documented 24 cases where men, women and children were targeted for fleeing the country; 14 cases of sexual violence committed by security forces; unlawful detention of 13 women and 10 children, aged between 3 weeks old and 16 years old, of whom 5 children were subjected “to torture and other ill treatment;” 59 cases of men, women and children arbitrarily detained, of whom 33 were subjected to “torture or other ill-treatment;” 27 cases of enforced disappearance, of whom the fate of 17 remains unknown; and 27 cases where returnees were “detained as a means of extortion.”

<https://www.amnesty.org/en/latest/news/2021/09/syria-former-refugees-tortured-raped-disappeared-after-returning-home/>

United States. In 1910, Black farmers had 16 million acres of land and were about 14% of farmers; today they have fewer than 4.7 million acres and make up about 1% of U.S. farmers, *AP* reported. Discrimination in loan practices, including from the U.S. Department of Agriculture, is a large part of the story, but inheritance practices also are some of it. Among Black people, Appalachian mountains whites, Hispanics in southwestern “colonia communities” and Native American tribes, land may be “passed on to several surviving kin without a will, known as ‘heirs’ property’.” This results in a “lack of access to money, because lenders are usually reluctant to extend credit without a clear title to the land.” “In the South, particularly, many Black landowners distrusted the local courts, or were barred from them, and failed to leave wills or even record their deeds.” Over several generations this would mean a single piece of land was owned by dozens of individuals, and when one decides to sell a portion, speculators can move in, getting a toehold for buying the entire parcel. [https://apnews.com/article/Battle-for-Black-Farms-e1034c6701f55a3a5362447e0354c4cd?utm\\_source=Sailthru&utm\\_medium=email&utm\\_campaign=Sep01\\_MorningWire&utm\\_term=Morning%20Wire%20Subscribers](https://apnews.com/article/Battle-for-Black-Farms-e1034c6701f55a3a5362447e0354c4cd?utm_source=Sailthru&utm_medium=email&utm_campaign=Sep01_MorningWire&utm_term=Morning%20Wire%20Subscribers)

More than 1,000 pages of records from the U.S. Customs and Border Protection Agency (CBP), a part of the huge U.S. Department of Homeland Security (DHS), were obtained by the NGOs American Civil Liberties Union and CLEAR in a lawsuit for information on how CBP’s Tactical Terrorism Response Teams (TTRT) work and whether constitutional and privacy protections are being violated, *The Intercept* reported. The documents showed that between 2017 and 2019 TTRT units “detained and interrogated more than 600,000 travellers—about a third of them U.S. citizens. Of those detained, more than 8,000 foreign visitors with legal travel documents were denied entry to the United States.” At least 14 U.S. citizens were also prevented from entering the country, “which civil liberties advocates say violated their rights.” According to the Brennan Center for Justice, an NGO, DHS is the largest collector of domestic intelligence. “Much” of the data collected by CBP “goes into a massive database it administers called the Automated Targeting System,” which includes data from “at least 14 other databases within DHS, the FBI and the Department of Justice, including immigration enforcement data, as well as the Terrorist Screening Database and other watchlists.” [https://theintercept.com/2021/09/04/cbp-border-tactical-terrorism-response-teams/?utm\\_medium=email&utm\\_source=The%20Intercept%20Newsletter](https://theintercept.com/2021/09/04/cbp-border-tactical-terrorism-response-teams/?utm_medium=email&utm_source=The%20Intercept%20Newsletter)

On the 20<sup>th</sup> anniversary of the terrorist attacks against the World Trade Center in New York and the Pentagon and the airplane crash in Pennsylvania, President Biden signed an executive order requiring review for declassification and release within 6 months of the classified government documents from the FBI’s investigation of the attacks. At the same time, *CNN* reported that “some of the most iconic 9/11 news coverage is lost” due to the Adobe corporation ending support on for Flash, “its once ubiquitous multimedia content player.” <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/09/03/executive-order-on-declassification-review-of-certain-documents-concerning-the-terrorist-attacks-of-september-11-2001/>; <https://www.cnn.com/2021/09/10/tech/digital-news-coverage-9-11/index.html>

The Civil Liberties Defense Center, an NGO, told the U.S. District Court in Colorado that U.S. Bureau of Prisons staff attacked Eric King, a prisoner, and “then deleted video evidence, and may have misrepresented facts about the incident to the FBI,” *Motherboard* reported. In response, the U.S. Attorney’s Office handling the case “admitted that it destroyed footage but said it did so within the

bounds of its existing video retention policy.” [https://www.vice.com/en/article/bvzqqa/prison-destroyed-video-proof-of-guards-torturing-anti-fascist-lawyers-say?utm\\_source=email&utm\\_medium=editorial&utm\\_content=news&utm\\_campaign=210929](https://www.vice.com/en/article/bvzqqa/prison-destroyed-video-proof-of-guards-torturing-anti-fascist-lawyers-say?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=210929)

*ProPublica* reported that three friends of then-president Trump suggested to the head of the Veterans’ Administration (VA) that it sell access to patient data from VA hospitals and said that “interested companies” included Johnson & Johnson, CVS, and Apple. The emails on the plan were released by the House of Representatives Oversight Committee; they do not show whether the idea was acted on. [https://www.propublica.org/article/trumps-mar-a-lago-buddies-trying-to-get-the-va-to-sell-access-to-veterans-medical-records?utm\\_source=STAT+Newsletters&utm\\_campaign=2fe901153d-MR\\_COPY\\_01&utm\\_medium=email&utm\\_term=0\\_8cab1d7961-2fe901153d-149736437](https://www.propublica.org/article/trumps-mar-a-lago-buddies-trying-to-get-the-va-to-sell-access-to-veterans-medical-records?utm_source=STAT+Newsletters&utm_campaign=2fe901153d-MR_COPY_01&utm_medium=email&utm_term=0_8cab1d7961-2fe901153d-149736437)

The U.S. Commerce Department announced that it is closing the 15-year-old Investigations and Threat Management Service, which an internal review determined “improperly launched criminal investigations and collected information on hundreds of its employees and average citizens” without “adequate legal authority” to do so. The *Washington Post* reported that the unit had “opened cases ranging from counterespionage to background searches on U.S. residents who wrote innocuous letters to the department’s top official” and “nearly every case languished for years without resolution, leaving individuals listed internally as still under scrutiny.” In April 2021 the unit had 1,945 open cases; the team that did the internal review leading to the decision to close the unit said its task was complicated because the Service’s “case files are not well-organized.” <https://www.msn.com/en-us/news/us/commerce-dept-security-unit-to-be-shut-down-after-overstepping-legal-limits-in-launching-probes-officials-say/ar-AA04cD2>

A study by researchers at the University of Washington said police killings in the U.S. “have been undercounted by more than half over the past four decades,” the *New York Times* reported. “Researchers compared information from a federal database known as the National Vital Statistics System, which collects death certificates, with recent data from three organizations that track police killings through news reports and public records requests. When extrapolating and modelling that data back decades, they identified a startling discrepancy: About 55% of fatal encounters with the police between 1980 and 2018 were listed as another cause of death. The findings reflect both the contentious role of medical examiners and coroners in obscuring the real extent of police violence, and the lack of centralized national data.” <https://www.nytimes.com/2021/09/30/us/police-killings-undercounted-study.html>

United States/California. The *Guardian* reported on the 6,000 pages of documents the Brennan Center, obtained from the Los Angeles Police Department. The documents revealed that officers are instructed “to collect the social media information of every civilian they interview, including individuals who are not arrested or accused of a crime” and fill out “field interview cards” (one of the cards is shown in the *Guardian* story). The police may ask for a social security number and are to tell the person that it “must be provided,” although a law professor who previously served on the Los Angeles police commission said “she was not aware of any law requiring individuals to disclose social security numbers to local police.” [https://www.theguardian.com/us-news/2021/sep/08/revealed-los-angeles-police-officers-gathering-social-media?utm\\_source=email&utm\\_medium=editorial&utm\\_content=news&utm\\_campaign=210909](https://www.theguardian.com/us-news/2021/sep/08/revealed-los-angeles-police-officers-gathering-social-media?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=210909); <https://www.brennancenter.org/our-work/research-reports/lapd-social-media-monitoring-documents>

Venezuela. The UN Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela issued a report on the Venezuelan justice system. Among its dismal findings: “The Mission has reasonable grounds to believe that instead of providing protection to victims of human rights violations and crimes, the justice system has played a significant role in the State’s repression of Government opponents.” “The Mission documented discrepancies in the issuance of arrest warrants, including between the arrest records issued by intelligence or law enforcement bodies and filings prepared by the prosecution. Prosecutorial and judicial actors either played a direct role in the discrepancies, such as by backdating arrest warrants, or an indirect role, by routinely including the inaccurate or deceptive arrest records in the legal case file. The Mission’s review of case file documents revealed amended dates appearing to cover up failures to obtain arrest warrants at the time of arrest or failure to present the detainee before a judge within legal timeframes. In some cases, the official dates of arrest appear to cover up periods during which victims claim to have suffered short term enforced disappearances, during which they were held incommunicado and subjected to torture or cruel, inhuman and degrading treatment, including sexual violence.” The Mission accompanied the report with a helpful fact sheet, explaining that it investigated 183 detentions of perceived or real government opponents and

had “conducted an extensive document review of thousands of pages of legal case files, including arrest warrant requests by the prosecution, arrest and search warrant orders by courts, and records of initial appearances, preliminary hearings, oral and public trials, and appeals.” The Mission also conducted 177 interviews. <https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFMV/A.HRC.48.69%20EN.pdf>

Seven prominent NGOs issued a statement of concern that Administrative Providence 002-2021 requires “organizations in Venezuela to register their activities and funding sources with the National Office Against Organized Crime and Terrorist Financing,” saying it “seeks to criminalize and restrict the critical work that civil society organizations are doing in Venezuela.” <https://cejil.org/comunicado-de-prensa/venezuela-organizaciones-internacionales-expresamos-preocupacion-por-puesta-en-marcha-de-providencia-administrativa-que-criminaliza-y-limita-la-labor-de-defensa-de-las-organizaciones-de-la-sociedad-c/>

**Publications.** “Safe Havens for Archives at Risk” is now available in French: <https://www.safehavensforarchives.org/fr/>

European Coalition for Corporate Justice, “Suing Goliath: An analysis of civil cases against EU companies for overseas human rights and environmental abuses”: <https://corporatejustice.org/publications/suing-goliath/>

Ahmad Said, MENA Prison Forum, “Prisonbirds’ Dictionary: An Outline of Egyptian Prison Lingo”: [https://www.menaprisonforum.org/Uploads/2021-08/LogPDF14\\_1628960155.pdf](https://www.menaprisonforum.org/Uploads/2021-08/LogPDF14_1628960155.pdf)

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