
ARCHIVES AND HUMAN RIGHTS

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Commentary.

Perhaps it was pirates—at least, one theory is that today’s concept of universal jurisdiction originated in the threat pirates made half a millennium ago to the safety of seaborne trade and communication links between States and, therefore, all nations could punish them. Interesting as the historical roots are (see, for example, Yana Shy Kraytman’s “Universal Jurisdiction—Historical Roots and Modern Implications” in the *Brussels Journal of International Studies* 2005), the modern use of universal jurisdiction emerges in the wake of World War II. Today’s international legal profession is increasingly attuned to the use of universal jurisdiction.

The Princeton Principles of Universal Jurisdiction, published in 2001, define universal jurisdiction as “criminal jurisdiction based solely on the nature of the crime, without regard to where the crime was committed, the nationality of the alleged or convicted perpetrator, the nationality of the victim, or any other connection to the state exercising such jurisdiction.” <https://icj2.wpenginepowered.com/wp-content/uploads/2001/01/Princeton-Principles-Universal-Jurisdiction-report-2001-eng.pdf> The *Universal Jurisdiction Annual Review 2022* reported that in 2021 there were 125 active charges of international crimes in 16 countries, including 34 charges for war crimes, 66 for crimes against humanity, 25 for genocide. https://www.ecchr.eu/fileadmin/Publikationen/Trial_UJAR_25_03_2022_Digital.pdf

January brought a striking number of advances in universal jurisdiction cases:

Finland/Liberia/Sierra Leone. In April 2022 a Tampere, Finland, court dismissed all charges against Gibril Massaquoi, the former Lieutenant-Colonel and spokesman of the Revolutionary United Front in Sierra Leone’s civil war. The prosecution appealed, and the appeal is now underway, with the court moving to Liberia to hear witnesses, the NGO Civitas Maxima reported. For background, see *SAHR News* 2022-04. <https://civitas-maxima.org/trial-monitoring-gibril-massaquois-appeal/>

Germany/Myanmar. The NGO Fortify Rights and 16 individual complainants submitted a 215-page criminal complaint and “more than 1,000 pages of evidence to assist the Office of the Federal Prosecutor [Germany] to investigate and prosecute those responsible for the Rohingya genocide as well as atrocity crimes related to the [Myanmar] military junta’s *coup d’etat* launched on February 1, 2021.” In addition to “more than 1,000 interviews with survivors of international crimes in Myanmar,” the complaint draws on “leaked documents and information provided by Myanmar military and police deserters and others that shed light on the military’s operations, crimes and command structures.” <https://www.fortifyrights.org/mya-inv-2023-01-24/>

Germany/Syria. *Justiceinfo.et* interviewed Patrick Kroker of the NGO European Center for Constitutional and Human Rights that represents one of the plaintiffs in the German case against Moafak D., a former member of a Syrian militia charged with the war crime of “throwing a grenade at a crowd that had gathered to collect UN aid packages in March 2014” in Yarmouk, a refugee camp and neighborhood in Damascus, Syria. Kroker said that during the trial in Berlin “the testimonies of the nine eyewitnesses were the most important. They are supported by a fairly large amount of images, partly from social networks, recorded before the crime and after in hospitals. But there is no material from the moment just before and after the crime.” Kroker made an important point about the Assad regime’s

“widespread and systematic attack against its civilian population from April 2011” and the terrible situation in Yarmouk: “The war crimes charge does not register all of this. For the efficiency of the trial, it makes sense to focus on war crimes, because the court does not have to prove the whole context. But this does not fully reflect the injustice that occurred in Yarmouk and the suffering of the victims.”

<https://www-justiceinfo-net.translate.google.fr/110921-patrick-kroker-vu-blessures-personne-survivre.html? x tr sl=auto& x tr tl=en& x tr hl=auto>

Iran/Sweden. In Stockholm the appeals trial of Hamid Noury, an Iranian citizen, began, contesting his sentence to life in prison for committing war crimes and murder during the Iran-Iraq war in the 1980s, *AP* reported. For background, see *SAHR News* 2022-07. <https://apnews.com/article/iran-politics-stockholm-legal-proceedings-crime-935a0486cc8c5b324c6b661c9c03ca4c>

Liberia/Switzerland. In 2021 a Swiss court gave a 20-year sentence to Alieu Kosiah, a former rebel commander for fought with the United Liberation Movement of Liberia for Democracy (ULIMO) against former Liberian President Charles Taylor’s army between 1993-1995. He was convicted, said *swissinfo.ch*, of “22 counts of war crimes including rape, murder and an act of cannibalism.” He appealed the conviction, and the appeals trial began in January. For background, see *SAHR News* 2021-06. <https://www.swissinfo.ch/eng/liberian-war-crimes-appeal-trial-opens-in-switzerland/48195632>

These universal jurisdiction cases often rely heavily on the testimony of witnesses rather than institutional records, although the Myanmar case in Germany does include leaked documents. Satellite imagery and its forensic analyses are increasingly important, as are the records of social media. But at least as important as the documentation used in the pleadings and the courtroom are the records assembled as prosecutors define and refine cases and judges ponder the legal matters before them. The records of these universal jurisdiction cases are held in one State but are essential sources for the history of the people of another State. They may be the only records of horrifying events, and in the near future they will likely be the most easily accessible records about them. The importance and responsibility of court archivists for the records of these cases is unquestionable.

International news.

Extraordinary Chambers in the Courts of Cambodia (ECCC). In 2021 the United Nations and the government of Cambodia agreed that that the archives of the Extraordinary Chambers must be preserved and made “as broadly accessible as possible.” Both parties are to “have a complete set of the archives of the Extraordinary Chambers, including all documents and materials,” including a complete set of classified documents and materials, when all residual functions are completed. Cambodia’s government is responsible for providing “electronic access to, and printed copies of, the public archives to the public.” The ECCC archives is a new member of ICA. <https://www.eccc.gov.kh/en/articles/eccc-joins-international-council-archives>

European Court of Human Rights. The Court ruled that it “can adjudicate on cases brought by the Netherlands and Ukraine against Russia for alleged rights violations in eastern Ukraine in 2014, including the downing of Malaysia Airlines Flight MH17,” *AP* reported. <https://apnews.com/article/russia-ukraine-moscow-netherlands-human-rights-63564ad2165875c83d2570337363ec1e>

European Union Court of Justice. The Court ruled that the European Union states “must grant access to documents drawn up within its [EU] working groups relating to the legislative procedure concerning the amendment of the directive on the annual financial statements.” Although the case concerned only the financial statements, the judgment appears to apply to all working groups, making it an important statement on openness. https://www.reuters.com/world/europe/eu-court-backs-move-prise-open-blocs-decision-making-2023-01-25/?utm_source=Sailthru&utm_medium=Newsletter&utm_campaign=Daily-Briefing&utm_term=012523

Inter-American Court of Human Rights. Chile and Colombia requested an advisory opinion on climate change and human rights, stating “there is a close link between the climate emergency and the impact on human rights, which requires inter-American standards to accelerate the response to the climate emergency.” https://cejil.org/en/blog/chile-and-colombia-join-forces-to-ask-regional-human-rights-court-for-guidelines-to-respond-to-climate-emergency/?utm_source=substack&utm_medium=email

International Court of Justice/United Nations. The UN General Assembly requested an advisory opinion for the Court on “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem.” The UN resolution passed with a final vote of 87 in favor, 53 nations abstaining, and 26 opposed; among those opposed were the U.S., Israel, the U.K., and Germany. <https://www.icj-cij.org/public/files/case-related/186/186-20230120-PRE-01-00-EN.pdf>

United Nations. The UN Inter-Agency Group for Child Mortality Estimation issued two reports. The first estimated that “five million boys and girls died before their fifth birthday together with some 2.1 million counterparts aged between five and 24 years” and a second found that “1.9 million babies were stillborn during the same period.” The reports’ “estimates are based on nationally available data from censuses, surveys or vital registration systems,” but the available data is often inadequate as “just 36 countries had high-quality national data for 2021 included in the estimation model.” <https://news.un.org/en/story/2023/01/1132187>

The Committee on Economic, Social and Cultural Rights issued “General comment No. 26 (2022) on land and economic, social and cultural rights,” on “secure and equitable access to, use of and control over land for individuals and communities.” The text focuses on the rights of the most disadvantaged and marginalized individuals and groups; it noted “the impact of titling has been mixed,” as it both recognized dwellers as owners but also led to the “commodification of property rights.” It said States must carry out land registration and land administration “without any discrimination, including discrimination on the basis of a change of marital status, lack of legal capacity and lack of access to economic resources.” Further, “States parties should identify all existing tenure rights and rights holders, not only those in written records.” <https://www.ohchr.org/en/documents/general-comments-and-recommendations/ec12gc26-general-comment-no-26-2022-land-and>

The UN Office on Drugs and Crimes (UNODC) issued its latest “Global Report on Trafficking in Persons.” Covering 141 countries, based on trafficking cases “detected between 2017 and 2021” and analysis of 800 court case summaries, it found that the “number of victims detected globally fell by 11% in 2020 from 2019.” The decrease was notable in low- and medium-income countries, and UNODC speculated that the Covid pandemic, “in addition to reducing opportunities for traffickers to operate, may have weakened law enforcement capacities to detect victims.” <https://www.unodc.org/unodc/en/press/releases/2023/January/global-report-on-trafficking-in-persons-2022.html>

International Service for Human Rights, an NGO based in Geneva and New York, issued a briefing paper on “the powerful role of China over the UN human rights treaty bodies (UNTBs), identifying ways in which China deploys influence, from an official discourse that consistently focuses on restricting their scope of work to direct threats to independent NGOs who wish to engage with the UN experts.” https://ishr.ch/wp-content/uploads/2023/01/ISHR-UNTB-China_paper_exec_summary_ENG.pdf

United Nations High Commissioner for Human Rights. Addressing the Committee on the Rights of the Child, the High Commissioner said, “The data reflects the chilling reality. Children account for 41% of the world’s more than 100 million forcibly displaced people” and “in 15 crisis-affected countries, some 40 million children are severely nutrition insecure.” https://news.un.org/en/story/2023/01/1132472?utm_source=UN+News+-+Newsletter&utm_campaign=cf2e8ee1c4-EMAIL_CAMPAIGN_2023_01_17_01_00&utm_medium=email&utm_term=0_fdbf1af606-cf2e8ee1c4-%5BLIST_EMAIL_ID%5D

United Nations High Commissioner for Refugees (UNHCR). “More than 3,500 desperate Rohingya attempted deadly sea crossings in 39 boats in the Andaman Sea and the Bay of Bengal in 2022,” a 360% increase from 2021. UNHCR called for a “comprehensive regional response” to address the rise in deadly sea journeys, and deplored the lack of response by “maritime authorities in the region to rescue and disembark people in distress . . . with many boats adrift for weeks.” Most boats departed from Myanmar and Bangladesh. <https://www.unhcr.org/news/briefing/2023/1/63c66c3c4/unhcr-seeks-comprehensive-regional-response-address-rise-deadly-south-east.html>

World/general news.

Business. NGOs Reclaim Finance and Bank Track published a report showing that 56 of the biggest banks in the Net-Zero Banking Alliance “have provided US\$270 billion to 102 major fossil fuel expanders” since committing to net zero. Further, 58 of the largest members of the Net Zero Asset Managers initiative “held at least US\$847 billion of stocks and bonds in 201 major fossil fuel developers as of September 2022.” The data came primarily from Bloomberg, Refinitiv and IJGlobal and covered “the period from the time each institution joined GFANZ [Glasgow Financial Alliance for Net Zero] until September 2022.”

https://www.banktrack.org/news/throwing_fuel_on_the_fire_gfanz_members_provide_billions_in_finance_for_fossil_fuel_expansion#inform=1

The judges in the French court’s public health and environment division dismissed a case that has been pending since 2006 concerning the “massive poisoning of the French West Indies with chlordecone, a pesticide authorized in banana plantations until 1993,” *RFI* reported. The judges called the pollution a “health scandal” for the inhabitants of Martinique and Guadeloupe, but said dismissing the case “was justified by difficulties in providing direct criminal proof of the misuse of the pesticide ‘committed 10, 15 or 30 years before the complaints were lodged.’” <https://www.rfi.fr/en/france/20230106-paris-court-dismisses-probe-into-mass-poisoning-of-french-west-indies>

Researchers from Harvard University (U.S.) and the Potsdam (Germany) Institute for Climate Impact Research “analyzed 32 internal documents produced in-house by ExxonMobil scientists and managers between 1977 and 2002, and 72 peer-reviewed scientific publications authored or coauthored by ExxonMobil scientists between 1982 and 2014.” They found “that in private and academic circles since the late 1970s and early 1980s, ExxonMobil predicted global warming correctly and skillfully,” they reported in *Science*. For background, see *SAHR News* 2021-05. <https://www.science.org/doi/10.1126/science.abk0063>

“The Brazilian Federal Court has accepted the complaint filed by the Federal Public Ministry . . . against 16 people and the companies Vale and Tüv Süd for the rupture of the Córrego do Feijão dam in Brumadinho” in January 2019 that left 270 people dead, *Mining.com* reported. For background, see *SAHR News* 2022-07. <https://www.mining.com/vale-tuv-sud-and-16-people-become-defendants-for-the-brumadinho-disaster/>

The NGO Special Advisory Council–Myanmar (SAC-M) published “Fatal Business: The Myanmar Military’s Weapon Production,” reporting that Myanmar “currently has an extremely robust production capacity for small arms to meet its operational needs, which are focused almost exclusively on the brutal internal suppression of the Myanmar population.” By analyzing “witness statements and video and photographic evidence” of human rights violations since the February 2021 seizure of government, the researchers found that security forces were armed “with a variety of locally produced firearms.” Some critical supplies for weapons come from China and India, but many European, Asian and U.S. firms are also suppliers, with goods often transiting through Singapore and Taiwan. To develop the report, SAC-M “reviewed leaked budget-related documents” from Myanmar’s military-controlled Ministry of Defence and the Directorate of Defence Industries as well as “shipment records from subscription-based import/export databases.” It urged countries to ban exports to Myanmar by the supplier companies. <https://specialadvisorycouncil.org/wp-content/uploads/2023/01/SAC-M-REPORT-Fatal-Business-ENGLISH-1.pdf>

“Barrick Gold has paid Sh21.594 billion to compensate 4,881 people who have agreed to leave” an area where the company wants to expand mining in its North Mara mine in Tanzania, reported *Mwananchi Communication Limited*. In November 21 Tanzanians sued Barrick Gold in Canada for human rights violations and deaths at its North Mara gold mine; it is not clear if this compensation will affect the suit. For background, see *SAHR News* 2022-11. <https://www.thecitizen.co.tz/tanzania/news/business/barrick-pays-sh21-6bn-for-compensation-4080478>

France’s anti-terrorism prosecutors announced that they have “closed with no further action” a complaint filed against TotalEnergies by two NGOs, Darwin Climax Coalition and Razom We Stand, alleging “war crimes complicity” for helping produce fuel for Russian warplanes that have bombed Ukraine, *France24* reported. The prosecutors said they had decided following an “exhaustive legal and factual analysis of all the elements submitted by the complainants and, at its own initiative, TotalEnergies.” Lawyers for the NGOs plan to appeal. <https://www.france24.com/en/europe/20230116-charges-dismissed-against-totalenergies-for-complicity-in-ukraine-war-crimes>

Climate change. NGO Global Water Monitor produced its 2022 report, saying 2022 “will be remembered as the third consecutive La Nina year. There were extraordinarily devastating floods in Pakistan, while multi-year droughts in eastern South America, the western USA and the Horn of Africa intensified further.” In a clear discussion of how the staff members measure and interpret change, the report said the information is based on satellite observations and, “where they are available, onsite observations” which are “usually more accurate and necessary to calibrate remote sensing approaches.” To measure change, historical data is used, but “record length, frequency and spatial detail vary between data sources.” <https://wenfo.org/globalwater/2022report/#gallery>

A team of legal scholars analyzed litigation in 20 cases in 4 Latin American countries to see if the cases are helping achieve climate action “undertaken in a just and inclusive manner with attention to those in vulnerable situations,” a concept termed “just transition litigation.” They concluded that “just transition litigation cases do not pose a threat to the energy transition or broader decarbonization processes. However, they require fulfillment of certain procedural requirements, which may delay decarbonization policies in Latin America.” https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=1198&context=sabin_climate_change

Environment. The UN-backed Scientific Assessment Panel to the Montreal Protocol on Ozone Depleting Substances published its quadrennial assessment report. It confirmed “the phase out of nearly 99% of banned ozone-depleting substances . . . leading to the notable recovery of the ozone layer in the upper stratosphere and decreased human exposure to harmful ultraviolet (UV) rays from the sun.” The assessment was “based on extensive studies, research and data compiled by a large international group of experts, including many from the World Meteorological Organization (WMO), United Nations Environment Programme (UNEP), the US National Oceanic and Atmospheric Administration (NOAA), the US National Aeronautics and Space Administration (NASA) and European Union.”

<https://www.unep.org/news-and-stories/press-release/ozone-layer-recovery-track-helping-avoid-global-warming-05degc>

Writing in *Science*, an international team of 35 scientists and researchers said that “human activity and drought may have degraded more than a third of the Amazon rainforest, double the previous estimate,” the *Guardian* reported. “This degradation is on top of the 17% of the original forest that has been completely cleared over the past half century.” The findings “are based on a review of existing studies, recent satellite data, and a new assessment of drought impacts.”

<https://www.science.org/doi/10.1126/science.abp8622>; https://www.theguardian.com/environment/2023/jan/26/human-activity-and-drought-degrading-more-than-a-third-of-amazon-rainforest?utm_source=substack&utm_medium=email

Freedom of expression. UNESCO released “World Trends in Freedom of Expression and Media Development: Global Report 2021-2022.” For the report, researchers from UNESCO, the Data-Pop Alliance and *Economist Impact* analyzed 160 data sources and confirmed “that 85% of the world’s population experienced a decline in press freedom in their country over the past five years.”

<https://www.unesco.org/reports/world-media-trends/2021/en>

In its annual report the Committee to Protect Journalists said that in 2022 there was “a 50% uptick in the killing of journalists, with at least 41 media workers killed in ‘direct connection with their work’.” Latin America was the deadliest region. <https://cpj.org/wp-content/uploads/2022/11/CPJ.Annual.Report.2022.pdf>

But Africa is dangerous, too. In the space of three days, three prominent African leaders died, all of whom spoke out. In Rwanda, on 20 January, journalist “John Williams Ntwali was reportedly killed in an ‘auto accident,’ which many observers believe was a cover for political assassination,” *The Africa Report* said. “The Rwandan authorities have so far failed to produce photo evidence or CCTV footage of the ‘accident’.” On January 21 “the brave and award-winning human rights lawyer Thulani Rudolph Maseko was assassinated . . . shot several times in his home.” Then, “on 22 January, the body of Cameroonian journalist Martinez Zogo was found on the side of a road – naked, mutilated, and in a state of decomposition – after ‘unidentified attackers’ had abducted him after trying to enter a police station to escape his attackers. Zogo, the editor-in-chief of the privately owned radio broadcaster *Amplitude FM*, had recently reported on a case of alleged embezzlement involving a media outlet with government connections.” https://www.theafricareport.com/279711/cameroon-eswatini-rwanda-three-devastating-days-that-shook-africa/?utm_source=substack&utm_medium=email

Medical records. “We continue to ask China for more rapid, regular, reliable data on hospitalizations and deaths, as well as more comprehensive, real-time viral sequencing,” World Health Organization (WHO) director-general Tedros Ghebreyesus said, *CNN* reported. WHO’s executive director for health emergencies said the numbers released by China “under-represent the true impact of the disease” in terms of hospital and ICU admissions and deaths. China said it has been forthcoming. https://www.cnn.com/2023/01/05/china/china-covid-outbreak-who-data-intl-hnk/index.html?utm_term=1672987766009c0afa9b63916&utm_source=cnn_Meanwhile+in+China+-+01.06.2023&utm_medium=email&bt_ee=zF8cEorrssob60kGs5Xcfwu9w3MC2XydDKZMfzxOhGBuonVPhbV5gMx7XQqWRWn&bt_ts=1672987766012

Asparaginase is one of the most important chemotherapy drugs, especially for childhood cancers. *STAT*, the *Mail&Guardian* and the Bureau of Investigative Journalism issued a report showing that “at least a dozen brands of asparaginase have proven to be poor quality, with ten still on the market. In some cases brands fell well below the standard needed to treat cancer. Many have also been found to contain contaminants such as bacteria that could be harmful to patients.” Shipping data showed that almost 100 countries have received substandard asparaginase. <https://www.thebureauinvestigates.com/stories/2023-01-25/the-drug-was-meant-to-save-childrens-lives-instead-theyre-dying>

Migration. In 2018 a group of aid workers—17 foreigners and 7 Greek—who participated in migrant rescue operations were charged in Greece with espionage, forgery and unlawful use of radio frequencies. “A court on the Greek island of Lesbos . . . rejected charges, ruling on procedural grounds to return the case to the prosecution for refileing,” *AP* reported. The court agreed with the defense that the prosecution had not “translated for the foreign defendants” the charging documents and that the espionage charges were vague. <https://www.france24.com/en/europe/20230113-greek-court-rejects-charges-against-aid-workers-who-helped-migrants-in-lesbos>

U.S. Immigration and Customs Enforcement issued its annual report covering 1 October 2021 to 30 September 2022. During the period it deported 72,177 people to more than 150 countries, including “2,667 known or suspected gang members, 55 known or suspected terrorists, seven human rights violators, and 74 foreign fugitives wanted by their governments for crimes including homicide, rape, terrorism, and kidnapping.” <https://www.ice.gov/news/releases/ice-releases-fy-2022-annual-report>

Privacy. “Online pharmacies that sell abortion pills are sharing sensitive data with Google and other third parties, which may allow law enforcement to prosecute those who use the medications to end their pregnancies, a *ProPublica* analysis has found. Using a tool created by the Markup, a nonprofit tech-journalism newsroom, *ProPublica* ran checks on 11 online pharmacies that sell abortion medication to reveal the webtracking technology they use. Late last year and in early January, *ProPublica* found web trackers on the sites of at least nine online pharmacies that provide pills by mail.” https://www.propublica.org/article/websites-selling-abortion-pills-share-sensitive-data-with-google?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=230118

Ireland, the European Union’s data watchdog that oversees Meta because the company’s EU headquarters are based in Dublin, ruled that “bundling personalized ads with terms of service” is a “violation of GDPR,” the EU’s General Data Protection Regulation, *WIRED* reported. Presently Meta users “opt in to personalized advertising by agreeing to the company’s terms of service—a lengthy contract users must accept to use its products.” The ruling included a €390 million (\$414 million) fine and is targeted specifically at Facebook and Instagram, but could affect the larger tech world. https://www.wired.com/story/meta-surveillance-capitalism/?bxiid=5c48efcf2ddf9c4807adf975&cndid=53684912&esrc=sign-up-page&source=EDT_WIR_NEWSLETTER_0_DAILY_ZZ&utm_brand=wired&utm_campaign=aud-dev&utm_content=WIR_Daily_010623&utm_mailing=WIR_Daily_010623&utm_medium=email&utm_source=nl&utm_term=P7

Technology. In September 2022 the *New York Times* published an article about the candid phone conversations Russian troops were having with parents, friends, and spouses. According to *Motherboard*, the online version of the story accidentally leaked the phone numbers of the Russian soldiers. “The exposure potentially put the people at risk of reprisal from their own government and other third parties. The news highlights not only the risks phones pose in wartime, but also the security hazards that can be posed by journalists.” https://www.vice.com/en/article/epz3xi/new-york-times-exposed-russian-soldiers-criticizing-war-phone-numbers?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=230112

World War II. “In 1953, Poland’s then-communist rulers relinquished all claims to war reparations under pressure from the Soviet Union, which wanted to free East Germany, also a Soviet satellite, from any liabilities,” *Reuters* explained. Poland’s current government says that agreement is invalid as “Poland was unable to negotiate fair compensation” and has demanded reparations from Germany of about \$1.4 trillion. In a recent diplomatic note Germany said the issue is closed, all financial claims related to the war have been settled. https://www.reuters.com/world/europe/poland-says-germany-refused-talks-ww2-reparations-2023-01-03/?utm_source=reddit.com

Adolfo Kaminsky died. During World War II he removed supposedly indelible blue ink from paper French identity and ration cards, enabling him “to erase Jewish-sounding names like Abraham or Isaac that were officially inscribed” and substitute “typically gentile-sounding ones,” thereby saving the lives of thousands of French Jews, the *New York Times* reported. <https://historynewsnetwork.org/article/184724>

“During the years of suffering and tragedy that defined the Warsaw Ghetto in the midst of World War II, a team of Jewish doctors secretly documented the effects of starvation on the human body when the Nazis severely limited the amount of food available in the Jewish ghetto.” Merry Fitzpatrick, an assistant professor at Tufts University (U.S.) who studies food security and malnutrition, discussed the significance of the work in a podcast on *The Conversation Weekly*. She pointed out that ethics today require scientists to treat—not simply observe--victims of starvation, so the unique record made by the Warsaw doctors provides information that may help current medicine understand and prevent deaths or long-term harm from starvation through better treatment for the severely malnourished. <https://theconversation.com/jewish-doctors-in-the-warsaw-ghetto-secretly-documented-the-effects-of-nazi-imposed-starvation-and-the-knowledge-is-helping-researchers-today-podcast-198283>

For the first time, the German parliament focused its “annual Holocaust memorial commemorations on people persecuted and killed over their sexual or gender identity during World War II,” *CNN* reported. The ceremony was welcomed by Germany’s LGBTQ association, as the president of the Bundestag (lower house) recognized the long period in which homosexual activity under Nazi-era laws remained illegal, only fully abolished in 1994. <https://www.cnn.com/2023/01/27/europe/germany-nazi-lgbt-victims-intl/index.html>

On International Holocaust Remembrance Day, 26 January, the director of Germany’s Central Office of State Judicial Authorities for the Investigation of National Socialist Crimes told *Reuters* “he has handed over five cases to local prosecutors in Germany that he believes still have a chance of going to trial.” “Since it was founded in 1958, the Central Office has launched 7,694 investigations into World War Two-era crimes, some involving multiple suspects, supporting many of the 18,688 cases which have come before German courts.” The Office has “catalogued names of people and places of interest on more than 1.7 million index cards.” Sadly, the same day “a survey found that nearly a quarter of Dutch people born after 1980 believe the Holocaust was a myth or that the number of its victims was greatly exaggerated.” <https://www.reuters.com/world/europe/race-against-clock-germanys-top-nazi-hunter-2023-01-26/>

Bilateral and multilateral news.

Afghanistan/United States. Through a Freedom of Information Act lawsuit against the U.S. military, the *New York Times* obtained 66 “partially redacted pages” of an investigation into the air strike in August 2021 that killed 10 Afghan civilians. The documents “provide detailed examples of how assumptions and biases led to the deadly blunder.” <https://afghanistanpeacecampaign.org/2023/01/06/military-investigation-reveals-how-the-u-s-botched-a-drone-strike-in-kabul/>

Africa. The Mo Ibrahim Foundation released its annual Ibrahim Index of African Governance, which showed that the continent is “less safe, secure and democratic than a decade ago, with insecurity holding back progress in health, education and economic opportunities,” the *Guardian* reported. The Index said security, the rule of law, and human rights “have deteriorated in more than 30 countries” according to their calculations, “using data from 47 independent, external data sources” over the latest 10-year period. https://www.theguardian.com/global-development/2023/jan/26/africa-less-safe-secure-and-democratic-in-past-decade-ibrahim-index?utm_source=substack&utm_medium=email; https://mo.ibrahim.foundation/iia

Algeria/France. Jacques Inrep, writing in *histoirecoloniale.net*, called again for access to “the circulars of [French generals] Massu and Salan giving explicit instructions to the units of the French army to practice torture and assassinate prisoners” during the Franco-Algerian war. For background see *SAHR News* 2022-03. <https://histoirecoloniale.net/Archives-de-la-guerre-d-Algerie-et-traces-psychologiques-actuelles-du-temps-des.html>

Two historians reported in *Mediapart* on their mission to Algeria in November 2022 to locate centers of torture mentioned by the families of victims of forced disappearance during the war. They located a farm where Algerians were secretly held and interviewed local people who remembered the war, writing that these interviews “give us precious information that the colonial archives, by definition, ignore. They must be collected before they are forgotten and disappear.” <https://histoirecoloniale.net/Reportage-sur-un-centre-de-torture-de-l-armee-francaise-durant-la-guerre-d.html>

Australia/Timor-Leste. Timorese president Jose Ramos-Horta “called on the Australian government to finally release secret documents relating to the Indonesian invasion and occupation” of Timor-Leste, the *Sydney Morning Herald* reported. He said, “It is long overdue . . . Australia should release fully all information, [all] documents related to the period 1974 to 1999.” <https://www.smh.com.au/world/asia/long-overdue-ramos-horta-calls-on-australia-to-release-balibo-files-20230116-p5cctk.html>

Balkan wars. “Bosnia’s state court found former Bosnian Serb Army company commander Boban Indjic guilty of participating in the abductions and subsequent murders of 20 civilians who were seized from a train at Strpci station in Bosnia on February 27, 1993,” *BIRN* reported. Witnesses told the court that Indjic was one of the people who “checked the passengers’ identity documents” and took the 20 off the train. <https://balkaninsight.com/2023/01/19/bosnian-serb-army-ex-officer-convicted-in-train-massacre-case/>

Belgium/former colonies. “At the end of December, the chairman of the parliamentary commission charged with shedding light on Belgium’s colonial past . . . announced that an official apology to the victims of colonialism had not been approved,” *justiceinfo.net* reported. Other recommendations dismissed included “establishment of a remembrance day, the erection of a monument to the victims of ‘human zoos,’ the creation of a knowledge centre, the granting of scholarships, the declassification of archives, a new name for the Order of Leopold II, and the development of a national action plan against racism.” https://www.justiceinfo.net/en/111372-belgian-colonial-past-commission-fails-apology-to-victims.html?mc_cid=a2e3f21c48&mc_eid=cac5f32aeb

France/former colonies. “An appeals court in the French Caribbean island of Martinique . . . dismissed a request from groups seeking slavery reparations in a blow to efforts that began more than 15 years ago,” *AP* reported. Among the court’s reasoning was “that it is not for the judiciary to decide” if measures already undertaken by the French state in “recognition of slavery and the slave trade” are “sufficient.” https://apnews.com/article/europe-france-caribbean-martinique-fort-de-france-1f4588d353ea5a99ec6c2f12679f8c47?utm_source=substack&utm_medium=email

Indonesia/Netherlands. In 2022 the Netherlands NGO KUKB (Dutch Honorary Debt Committee) filed a complaint before the Amsterdam Court of Appeal arguing that the Rijksmuseum “insulted Indonesians as a group” by using the term “bersiap” in its 2022 exhibition on the Indonesian War of Independence. On 5 January the Court ruled against KUKB, saying “the term bersiap does not automatically contain negative conclusions about Indonesians,” a KUKB supporter wrote for *justiceinfo.net*. <https://www.justiceinfo.net/en/111007-colonial-racism-catches-up-with-amsterdam-rijksmuseum.html>

Mexico/United States. “U.S. authorities handed over [to Mexico] a key suspect in the 2014 disappearance of 43 college students . . . after the man was caught trying to cross the border Dec. 20 without proper documents,” *AP* reported. https://www.nbcnews.com/news/latino/us-hands-mexico-key-suspect-2014-disappearance-43-college-students-rcna66701?emci=54871b86-2f9b-ed11-994c-00224832eb73&emdi=1fc5b8aa-309b-ed11-994c-00224832eb73&ceid=4606001&utm_source=substack&utm_medium=email

Mideast war. The Investigation and Identification Team of the Organisation for the Prohibition of Chemical Weapons (OPCW) issued its third report on the perpetrators of the 7 April 2018 chemical attack in Douma, Syria, that caused the deaths of some 43 people and injuries to dozens more. The team concluded that there are “reasonable grounds to believe that the Syrian Arab Air Forces were the perpetrators.” The conclusion was based on “70 environmental and biomedical samples, 66 witness

statements, and other verified data, such as forensic analysis, satellite images, gas dispersion modelling, and trajectory simulations.” For background, see *SAHR News* 2020-10, 2021-04. <https://www.opcw.org/media-centre/news/2023/01/opcw-releases-third-report-investigation-and-identification-team>

Germany’s Bundestag passed a motion recognizing as genocide “the 2014 massacre by the armed group ISIL (ISIS) against the Yazidi minority group in Iraq and Syria,” *Al Jazeera* reported. “After seizing large parts of Iraq and Syria in 2014, ISIL killed more than 1,200 Yazidis, enslaved 7,000 Yazidi women and girls, and displaced most of the 550,000-strong community from their homes in northern Iraq.” For background, see *HRWG News* 2015-08. <https://www.aljazeera.com/news/2023/1/19/germany-recognises-yazidi-massacre-as-genocide>

Ukraine war. The *New York Times* published an article on the plundering of Ukrainian art by Russian forces operating in the invaded areas. Tragically, in Kherson “virtually all of the thousands of oil paintings that had been stowed in the art museum’s basement—and the computer records documenting them—are gone.” Lawyers and art experts are making “meticulous lists of missing objects,” while also working with international organizations like the Art Loss Register to track looted pieces. <https://www.pressreader.com/usa/the-morning-call/20230117/281852942683191>

Bellingcat, the investigative journalism group, described its process for determining that “Russian forces from a location near the Inhulets River in the north of Russian-occupied Kherson Region” launched the rocket artillery strike that hit the city of Mykolaiv, killing 12 and injuring 41. *Bellingcat* used videos of rocket launches that appeared on social media “with the uploaders claiming that they were firing towards Mykolaiv,” security footage from the local pediatric hospital, and “historical satellite imagery from the ArcGIS archive” to identify the location. <https://www.bellingcat.com/news/2023/01/27/anatomy-of-a-shelling-how-russian-rocket-artillery-struck-mykolaiv/>

Radio France and *France info* published articles explaining “War crimes in Ukraine: how to collect evidence.” Thanks to Christine Martinez for the links. <https://www.radiofrance.fr/franceculture/crimes-de-guerre-en-ukraine-comment-collecter-les-preuves-6869500>; https://www.francetvinfo.fr/replay-radio/le-choix-franceinfo/crimes-de-guerre-en-ukraine-la-difficile-recherche-de-preuves_4986672.html

National news.

Afghanistan. NGOs Freedom House and the Afghan-Canadian Civil Society Forum sponsored a survey of the needs of human rights defenders. The survey “was answered by 663 people, two-thirds of whom are still in Afghanistan” and 90% of those in country “said they experienced violence or some other form of mistreatment.” Those outside Afghanistan “are also frightened—for themselves as they cope with precarious living arrangements and for their families back home—and are often unable to resume their advocacy.” Persons who live in “transit countries” that border Afghanistan should be “registered as refugees and resettled in more welcoming and safer nations.” <https://freedomhouse.org/article/afghan-human-rights-defenders-run-and-still-risk>

Bolivia. The Inter-American Court of Human Rights “found the State of Bolivia responsible for the 1980 disappearance of activist Juan Carlos Flores Bedregal” and ordered the government “to open historical military archives concerning [the] case of assassination and forced disappearance” and to “adopt the legislative, administrative and any other measures [...] necessary to strengthen [...] access to information in cases of alleged violations of human rights,” the NGO National Security Archive reported. “The ruling has broad implications for the transparency of military records in the Americas, where many states have long opposed opening the archives of their security forces. In the case of historical human rights investigations, governments have routinely denied access to military and police records to families of the disappeared, official truth commissions, even state prosecutors.” <https://nsarchive.gwu.edu/news/foia-human-rights/2023-01-24/inter-american-court-orders-opening-military-archives?eType=EmailBlastContent&eId=d45551ae-dfbc-487c-8ed4-c22f85637240>

The Inter-American Commission on Human Rights (IACHR) and its Special Rapporteurship for Freedom of Expression have been monitoring a series of protests that started in the Bolivian region of Santa Cruz de la Sierra on December 28, following the arrest of Santa Cruz de la Sierra Governor Luis Fernando Camacho. The Ombudsperson's Office said that, according to its records, over 13 days of

protests there were “25 instances of alleged human rights violations, including an excessive use of force by the police, attacks on journalists, injuries, and burned buildings and vehicles (both private and publicly-owned).” https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2023/005.asp

Brazil. Following the riots of 8 January when the presidential palace, the congress building and the supreme court were attacked, more than 1,200 people were arrested and about half of them “released on humanitarian grounds,” the *Guardian* reported. “The justice ministry, federal police and state prosecutors all set up email accounts where members of the public can send tips” identifying rioters and in two days “had received more than 30,000 emails.” In addition, a “social media influencer” named Felipe Neto called on his followers “to post him screen shots that show the faces of those involved” and received messages from more than 46,000 people, with many responses providing “pictures and names and some even passing on details of friends and family.” Lupa, “one of Brazil’s top fact-checking organisations, encouraged people to fill in anonymous forms detailing ‘antidemocratic posts’ made on line or on messaging apps.” The *Guardian* warned, “The open source nature of the project has left ample room for mischief and worse. Anyone can put names to the pictures, opening the door to public recrimination and pile-ons—whether the identification is correct or not.” https://www.theguardian.com/world/2023/jan/10/brazil-far-right-insurrection-identified-influencers-bolsonaro-capitol?utm_source=substack&utm_medium=email

A post circulated on the Telegram channel ahead of the attack on the capital “pointed to cities where bus transportation to the capital could be found for what promoters promised would [be] a huge ‘party’ on Jan. 8,” *AP* reported. The post is “now a potentially vital lead in a fledgling criminal investigation about how the rampage was organized and how officials missed clues to a conspiracy.” It also demonstrates “how social media make it easier than ever for anti-democratic groups to recruit followers and transform online rhetoric into offline action.” <https://apnews.com/article/jair-bolsonaro-technology-brazil-government-b330b374f679f5e5f993d0f5e92f9434>

NGO Global Witness found that although in the aftermath of the rioting Meta (Facebook’s parent company) said it had “removed content calling for people to take up arms or forcibly invade government buildings,” four days after the event Facebook was still allowing such posts, *Reuters* reported. The NGO, as it has done in other countries, “submitted 16 bogus ads to run on the platform, 14 of which were approved for publication” although the ads had called for a military revolution and “death to the children of Lula voters.” By contrast, a similar submission to YouTube resulted in that platform suspending the account. https://www.reuters.com/world/americas/facebook-approved-ads-promoting-violence-wake-brazil-riots-report-2023-01-19/?emci=441f9e2e-0998-ed11-994c-00224832eb73&emdi=6b1db941-0a98-ed11-994c-00224832eb73&ceid=4606001&utm_source=substack&utm_medium=email

Sumauma, an “independent local news website,” reported on the shocking malnourishment of children in the Yanomami region, saying that “during the last four years of Bolsonaro’s government, the death of children age 5 or less had jumped 29% in comparison to the previous government” and that “570 Yanomami children died between 2019 and 2022 from curable diseases.” In response, the government created a special team to investigate and “publish reports regarding the Indigenous group’s health and general well-being,” *AP* reported. Brazil’s Justice Minister said “there is strong evidence of ‘genocide,’” *Reuters* reported. https://apnews.com/article/technology-health-brazil-government-caribbean-amazoncom-inc-5cdc628ed9e48710a5fa2408bb9361d6?utm_source=substack&utm_medium=email; <https://www.reuters.com/world/americas/evidence-genocide-among-brazils-indigenous-yanomami-says-minister-2023-01-23/>

Burkina Faso. *AP* reported that between October and January a local NGO, Collective Against Impunity and Stigmatization of Communities, “documented nearly 250 cases of extrajudicial killings compared to 95 in the previous four months.” The government said it has launched an investigation into the recent killings of at least 28 Fulani people. The High Commissioner for Human Rights called on the government to make the investigation “prompt, thorough, impartial and transparent and to hold all those responsible to account regardless of position or rank,” saying the “Fulani people have been increasingly targeted by the military and local defense militias because they are suspected of supporting the . . . country’s Islamic extremist rebels that have been inflicting violence on the country for years.” <https://apnews.com/article/politics-burkina-faso-crime-military-and-defense-violence-02aa75e6bcb471115186210f8d1217d9>; <https://apnews.com/article/politics-burkina-faso-united-nations-human-rights-16edd9ddddd983f1d4db6e67525d3f71>

Canada. NWP Coal Canada and First Nation YQT (also known as the Tobacco Plains Indian Band) reached a “rare deal to give the community the power to veto a proposed mining project, which could set a precedent for how natural resources projects are developed in Canada,” *CBC News* reported. A coal company official said, “Industry often acts as if Indigenous peoples having a veto is terrifying, and what we think is if they are the ancestral title holders, if they are the people with the most rights in the area, we should be treating them like a government.” <https://www.cbc.ca/news/canada/calgary/bakx-first-nation-coal-veto-developer-1.6717396>

In 2012 325 First Nations sued for “reparations for the abuse indigenous Canadians faced at the government boarding schools.” According to *BBC News*, Canada has agreed to settle the lawsuit with a payment of C2.8 billion, which would be “placed in a not-for-profit trust to support ‘healing, wellness, education, heritage, language and commemoration activities’ for indigenous Canadians over the course of 20 years, according to the government.” However, “the settlement must still be finalized and approved by a court.” <https://www.bbc.com/news/world-us-canada-64362246>

Central African Republic. The mandate of the Special Criminal Court was renewed on 28 December for a five-year term. *Justiceinfo.net* noted that “since it was created in 2015, it has conducted only one trial.” The president of the Court said collaboration with the ordinary courts has improved and “today when we ask for a file we get it.” The deputy registrar said two priorities in court management are “setting up an internal computer system, which does not yet exist, and equipping the courtroom with sound and cameras in preparation for the trial.” https://www.justiceinfo.net/en/111183-central-african-republic-special-court-starting-block-1.html?mc_cid=a2e3f21c48&mc_eid=cac5f32aeb; https://www.justiceinfo.net/en/111260-central-african-republic-special-court-starting-block-2.html?mc_cid=a2e3f21c48&mc_eid=cac5f32aeb

Chad. Human Rights Watch interviewed more than 70 people between November and January on the “serious human rights violations that were committed around the October 20, 2022 protests.” Chadian authorities said 50 people were killed, including around 15 police officers, and 300 injured, but human rights groups believe the number of people killed is higher and that some people may still be missing. “By early December 401 people who had been allegedly caught in the act . . . had been put on trial for a range of crimes” while “between 150 and 200 others still face trials.” HRW urged authorities to “publish a list of all detainees from in and around the October 20 protests and release them on bail” or transfer them from the high security prison at Koro Toro to the capitol “where they may access family members or counsel and participate in transparent public legal proceedings.” HRW also called on the African Union and the United Nations to work with the government to ensure a “credible independent investigation” of the human rights violations and publish the results. https://www.hrw.org/news/2023/01/23/chad-justice-needed-october-crackdown?utm_source=substack&utm_medium=email

China. The Sichuan provincial government announced that as of 15 February both “married couples and any individuals who want offspring will be allowed to register with the government . . . with no ceiling on the number of children they can register for,” *CNN* reported. Prior to that date Sichuan allowed only married couples to register the births of up to two children. Birth registration is critical, “often required for parents to access benefits such as maternity insurance . . . to obtain a household registration document, or hukou, that grants children access to social welfare, such as healthcare and education.” https://www.cnn.com/2023/01/31/china/china-sichuan-birth-registration-unmarried-intl-hnk/index.html?utm_term=.16752343635359a5b197fd922&utm_source=cnn_Meanwhile+in+China+-+02.01.2023&utm_medium=email&bt_ee=CYdbjSCHgJD%2BDJG9NjzL68A2t6su%2BaFwKhs7mhmStXqa0HlvtE2Vw4xGXL8hdjl&bt_ts=1675234363538

Colombia. The human rights ombudsman said that 215 human rights activists and social leaders were killed in 2022, “the highest death toll ever recorded, up from 145 in 2021 and 182 in 2020,” *Al Jazeera* reported. https://www.aljazeera.com/news/2023/1/23/colombian-activist-killings-hit-record-high-in-2022-ombudsman?utm_source=substack&utm_medium=email

Egypt. The National Council for Childhood and Motherhood condemned the December announcement of the engagement for marriage of a 10-year-old girl and a 12-year-old boy “and vowed to end the engagement of the two children.” A draft law banning child marriage is “pending before parliament;” *AFP* reported in December that it “attributed the hold-up to Al-Azhar Al-Sharif, the Islamic scientific body, which has yet to determine the extent of the proposal’s agreement with Sharia.” According to the

most recent statistics from the government’s official statistical agency “96,533 underage marriage contracts were recorded in Egyptian villages in 2021, compared to 20,687 in cities.” https://www.al-monitor.com/originals/2022/12/child-marriage-raises-controversy-once-again-egypt?utm_medium=email&utm_campaign=takeaway%201823%20January%2018%202023%20755&utm_content=takeaway%201823%20January%2018%202023%20755+CID_6294d24a6a9da0aba6521046b450371d&utm_source=campmgr&utm_term=the%20engagement%20of%20two%20children

El Salvador. As of January 2023, El Salvador not only has the highest per capita prison rate worldwide, with 605 prisoners per 100,000 of the national population, but it is also the country with the highest murder rate, over 50 per 100,000 inhabitants in 2022, *statista* reported. According to *CrisisWatch*, quoting *La Prensa Grafica*, “more than 97,000 people, or 2% of the country’s adult population, is now behind bars.” <https://www.statista.com/statistics/262962/countries-with-the-most-prisoners-per-100-000-inhabitants/>; <https://www.crisisgroup.org/crisiswatch>

Human Rights Watch obtained a database that “appears to belong to the Ministry of Public Safety and lists names of people prosecuted between March and late-August 2022 during the country’s state of emergency. It indicates that thousands of people, including hundreds of children, have been arrested and charged with broadly defined crimes that violate detainees’ basic due process guarantees and undermine prospects of justice for victims of gang violence.” To assess the authenticity of the database, HRW “cross-referenced the names in the database with other sources, including cases documented by local organizations or reported in the media, and identified over 300 matches.”

<https://www.hrw.org/news/2023/01/27/el-salvador-leaked-database-points-large-scale-abuses>
<https://ips-dc.org/ips-calls-on-salvadoran-government-to-release-from-prison-leading-water-defenders-arrested-on-january-11/>

The U.S. NGO Institute for Policy Studies reported that five prominent water rights defenders were arrested, three of whom were leaders of the successful campaign “that convinced the Salvadoran legislature to unanimously pass a ban on metals mining in 2017 to save that nation’s rivers.” The *Guardian* said rights groups fear the arrests are “a ruse to restart mining,” but the official charge is “killing an alleged army informant more than 33 years ago during the brutal civil war” and of “illicit association.” Use of 33-year-old military records would be an interesting part of the case.

<https://lab.org.uk/el-salvador-water-defenders-arrested/?emci=d6ba6339-d9a3-ed11-994d-00224832eb73&emdi=4410a250-eca3-ed11-994d-00224832eb73&ceid=4027936>

El Faro obtained a seven-minute audio recording from 10 or 11 November 2021 in which the imprisoned leaders of the 18th Street Surenos gang were allowed to record a message to their followers “demanding a stop to the chain of violence and retribution between their organizations and the Mara Salvatrucha-13” gang. Hours before the recording was sent, the director of prisons went to the prison ““for a meeting,” according to prison intelligence reports. Any dialogue with the gangs is prohibited by Salvadoran law.” The police reports were obtained through Guacamaya Leak, “confirming with new documents . . . that the reduction of homicides was sustained through an agreement between the current government and the gangs.” https://elfaro.net/en/202301/el_salvador/26663/Gang-Divisions-Provoked-2021-Massacre-and-Almost-Topped-Negotiations-with-Bukele.htm?utm_source=El+Faro_EN+DB&utm_campaign=4feb1e7434-EMAIL_CAMPAIGN_2020_04_22_01_08_COPY_01&utm_medium=email&utm_term=0_3ec9190c89-4feb1e7434-363082696

La Prensa Grafica published a long article on the records of El Salvador’s truth commission, arguing that the records, in storage with the United Nations, should be made available to provide information that may have clues about missing persons and could empower the search for justice for crimes against humanity committed during the civil war. https://www.laprensagrafica.com/Acceso-inedito-a-427-denuncias-a-la-Comision-de-la-Verdad-revelan-nueva-informacion-sobre-crimenes-de-la-guerra-1202301150001.html?fbclid=IwAR0YF6Mw_hiBbHFqiD1LZ545_0nJx3atmSYyqEwUcS-njIS4_mLDphseN68

Ethiopia. The government promotes the rollout of a digital ID system as a means of improving access to government services. However, the NGO Omna Tigray said “Ethiopia’s goal of a national digital information registry raises strong concerns, as its application threatens to embolden ethnic profiling through disproportionate arrests and surveillance,” adding, “Such tactics were heavily implemented against Tigrayans in recent years, resulting in widespread harassment and unlawful detainment.”

https://www.context.news/surveillance/ethiopia-digital-id-prompts-fears-of-ethnic-profiling?utm_source=twitter&utm_medium=social&utm_campaign=context-newsroom

France/French Guyana. A book published last autumn titled *Allons enfants de la Guyane* by Helene Ferrarini exposes the system of “Indian homes” in the French department of Guyana. The system began when the Catholic Church brought together Amerindian children to evangelize those it considered to be pagans; it evolved into mandatory separation of children from their parents to attend the schools. The state then financed what was started by the Church, the author explained to *Radio-Canada*. Thanks to Normand Charbonneau for the link. <https://ici.radio-canada.ca/espaces-autochtones/1947001/histoire-meconnue-pensionnats-autochtones-francais-guyane>

Germany. On 1 January a new Supply Chain Act came into force, requiring the largest German companies to “carry out a risk analysis, introduce risk management and a complaints mechanism, and report on these measures publicly.” The Act “lists 11 internationally recognized human rights that companies may no longer violate,” including bans on child labor, slavery and forced labor. <https://www.politico.eu/article/germany-supply-chain-new-year-new-rules-comes-into-force/>

Haiti. The Inter-American Commission on Human Rights (IACHR) published a situation report on human rights in Haiti based on information received by its monitoring mechanisms, information from an on-site visit in late 2019, public hearings and information issued by civil society organizations, international organizations, and the Haitian State, among other sources. With regard to the critical issue of citizen security, IACHR said among the “main challenges observed” is a “lack of systematic data collection processes.” https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2023/001.asp

India. Indian Railways claims land that is now home to around 50,000 people near Uttarakhand’s Haldwani railway station, where schools and a hospital built during the British era are also located. The Railways says it has “old maps, a 1959 notification, revenue records from 1971 and the results of a 2017 survey” that prove its claim; it wants the people evicted. The Supreme Court, however, put the evictions on hold, saying a “rehabilitation scheme should be put in place before evictions,” *BBC News* reported. <https://www.bbc.com/news/world-asia-india-64171401>

Indonesia. At a news conference, President Joko Widodo referred to 12 “regrettable events” of “gross human rights violations” in Indonesia between 1965 and 2003, saying, “I strongly regret that those violations occurred.” Last year Widodo set up a team to investigate the 12 cases, but “its remit is explicitly non-judicial; it aims to shed light on what happened, but not to bring the perpetrators to justice in a court of law,” *BBC News* reported. The team has sent a report to the president, but it has not been made public. <https://www.bbc.com/news/world-asia-64245668>

Iran. Iran’s “national identity database, built in 2015, includes biometric data like face scans and is used for national ID cards and to identify people considered dissidents by authorities,” *WIRED* wrote. Now human rights activists believe that face recognition is used to enforce the law that requires women to wear a hijab (head covering scarf), “perhaps the first known instance of a government using face recognition to impose dress law on women based on religious belief.” <https://www.wired.com/story/iran-says-face-recognition-will-id-women-breaking-hijab-laws/>

Kenya. The Mathare Social Justice Centre (MSJC) documents the persons killed by police, explained MSJC staff member Wangui Kimari in *Debunk*, and over the last six years the data MSJC collected “puts Ahmed Rashid, a policeman attached to Pangani Police Station, on the defense regarding the deaths of, at least, 43 young people in Mathare.” Rashid killing two teenagers was caught on camera, and in a *BBC Eye* documentary he admitted to extrajudicial killings. The Independent Policing Oversight Authority instigated murder charges against him for the killings of the teenagers, and in January the High Court in Nairobi ordered Rashid to undergo a psychiatric assessment. <https://debunk.media/ahmed-rashid-mathares-merchant-of-death/>; <https://thekenyatimes.com/counties/former-dreaded-policeman-ahmed-rashid-ordered-to-undertake-mental-assessment/>

Liberia. The *Associated Press* obtained a copy of a 2020 report by independent investigators on illegal logging operations in the Liberian rainforest. The Ministry of Justice had commissioned the study, which found that a “major failure” was the Forestry Development Authority’s “persistent tendency” to make “unlawful decisions in assessing the severity of offenses.” The report recommended that the president order a special inquiry, but the report has not been made public and the inquiry has not been established. “Since 2000, some 22% of the nation’s tree cover has been lost to deforestation, largely due

to pressure from logging and small farms.” <https://apnews.com/article/climate-environment-liberia-rainforest-df27397b38db547922241f95c2056de5>

Libya. The UN Independent Fact-Finding Mission on Libya “urged the authorities to share more information on mass graves and other serious crimes linked to the country’s civil war.” During the Mission’s January visit to Libya it “heard testimony from victims’ relatives of extrajudicial killings, torture, arbitrary detention, enforced disappearances, human trafficking, internal displacement, the existence of mass burial sites and morgues containing corpses that families cannot access.”

https://news.un.org/en/story/2023/01/1132967?utm_source=UN+News+-+Newsletter&utm_campaign=0cabe4c722-EMAIL_CAMPAIGN_2023_01_31_01_00&utm_medium=email&utm_term=0_fdbf1af606-0cabe4c722-%5BLIST_EMAIL_ID%5D

Mali. Fourteen UN special rapporteurs, independent experts and members of Working Groups released a statement calling “for an immediate independent investigation into gross human rights abuses and possible war crimes and crimes against humanity committed in Mali by Government forces and the private military contractor known as the ‘Wagner Group’ since 2021.” The experts said they have received “persistent and alarming accounts of horrific executions, mass graves, acts of torture, rape and sexual violence, pillaging, arbitrary detentions and enforced disappearances perpetrated by Malian armed forces and their allies in the Mopti area and other places, in the context of ongoing hostilities.” Most of the victims are said to be members of the Peuhl (also known as Fulani) minority.

<https://www.ohchr.org/en/press-releases/2023/01/mali-un-experts-call-independent-investigation-possible-international-crimes>

Mexico. The Secretary General of National Public Security issued state level homicide statistics for 2022, showing homicides were down about 7% in 2022 compared to 2021, but these numbers “still rank among the worst levels of violence in Mexico’s modern history,” *Latin America Risk Report* said.

“Conflict among cartels holds a lot of the blame for the high violence.” https://boz.substack.com/p/mapping-mexico-homicides-in-2022?utm_source=substack&utm_medium=email

The Supreme Court upheld a controversial article of the “National Law on Registration of Detentions, which allows armed forces to make civilian arrests without informing police or public,” *CrisisWatch* reported. <https://www.crisisgroup.org/crisiswatch>

Montenegro. *BIRN* reported that the Special State Prosecutor said its office “was not able to set up a database of paramilitary fighters that might have helped in war crimes prosecutions because other ex-Yugoslav states did not provide the help that was requested,” *BIRN* reported. In 2015 the office had pledged to “create a database of Montenegrin citizens involved in paramilitary units and reopen archived investigations.” <https://balkaninsight.com/2023/01/27/montenegros-attempt-to-create-database-of-wartime-paramilitaries-fails/>

Nigeria. Since oil was discovered in commercial quantities in Ogoniland in the Niger Delta in 1958, “thousands of oil spill incidents have happened,” *Al Jazeera* reported. “In 2020 and 2021, Nigeria’s National Oil Spill Detection and Response Agency . . . recorded 822 combined oil spills, totalling 28,003 barrels of oil spewed into the environment.” Residents report “myriad health issues. Life expectancy in the Niger Delta is 41 years, 10 years lower than the national average.”

https://www.aljazeera.com/features/2022/12/21/timeline-oil-spills-in-nigerias-ogoniland?utm_source=substack&utm_medium=email

Pakistan. Eleven UN special rapporteurs and working group experts “expressed alarm at the reported rise in abductions, forced marriages and conversions of underage girls and young women from religious minorities in Pakistan and called for immediate efforts to curtail the practices and ensure justice for victims.” The experts said reports “indicate that the court system enables these offenses by accepting, without critical examination, fraudulent evidence from perpetrators regarding victims’ adulthood, voluntary marriage, and conversion,” while police refuse to register complaints about forced marriages and “abductors force their victims to sign documents which falsely attest to their being of legal age for marriage as well as marrying and converting of free will. These documents are cited by the police as evidence that no crime has occurred.” <https://www.ohchr.org/en/press-releases/2023/01/pakistan-un-experts-urge-action-coerced-religious-conversions-forced-and>

The Minister for Parliamentary Affairs told the Senate that 42 journalists were killed in Pakistan during the past four years, *Dawn* reported. <https://www.dawn.com/news/1732687/42-journalists-killed-in-pakistan-in-past-4-years-senate-told>

Peru. The ombudsman's office said as of 30 January at least 46 demonstrators and one police officer have died since the wave of protests began in December after former President Pedro Castillo was ousted and detained. The attorney general said prosecutors are investigating the new President, Dina Boluarte, the prime minister and the defence and interior ministers on charges of "genocide, qualified homicide and serious injuries" to protesters, *Al Jazeera* reported. Amnesty International announced that it was sending in a "crisis response team [that] will collect testimonies and access documents to corroborate allegations of human rights violations and possible crimes under international law, in order to accompany the victims and demand that the Peruvian authorities guarantee their rights to justice, truth, reparation and non-repetition. In addition, Amnesty International's Digital Verification Corps is continuing to analyse photographic and video evidence of possible human rights violations."

<https://www.amnesty.org/en/latest/news/2023/01/peru-amnesty-deploys-crisis-response-team/>;
<https://www.aljazeera.com/news/2023/1/10/peru-imposes-nightly-curfew-in-restive-region-after-protests>

Russia. According to *Reuters*, Russia's state-owned *TASS* news agency reported that the government supports an amendment to its anti-extremism legislation stipulating "that 'cartographic and other documents and images that dispute the territorial integrity of Russia' will be classified as extremist materials" and creation, use and dissemination of them would be punishable.

https://www.reuters.com/article/ukraine-crisis-idCAKBN2TN0FM?utm_source=reddit.com

On 25 January a judge at the Moscow City Court ruled in favor of a Justice Ministry motion to dissolve the Moscow Helsinki Group. A spokesperson for the UN High Commissioner for Human Rights said "the court order closing down Russia's oldest human rights organization, the Moscow Helsinki Group (MHG) is 'yet another blow to human rights and civic space in the country'." The closure was based on allegations that "the organization was only registered to defend human rights in Moscow, and not in other parts of the country" and therefore it "lacked the correct registration." MHG said it would appeal.

<https://www.themoscowtimes.com/2023/01/25/court-orders-closure-of-russias-oldest-human-rights-group-a80043> ;
https://news.un.org/en/story/2023/01/1132867?utm_source=UN+News+-+Newsletter&utm_campaign=966f2ca590-EMAIL_CAMPAIGN_2023_01_27_01_00&utm_medium=email&utm_term=0_fdbf1af606-966f2ca590-%5BLIST_EMAIL_ID%5D

Sierra Leone. The government adopted the Gender Equality and Women's Empowerment Act which reserves 30% of public and private jobs for women and guarantees at least 14 weeks of maternity leave, equal access to bank credit and training opportunities, *BBC News* reported. Now to document the implementation. <https://www.bbc.com/news/world-africa-64348892>

Sri Lanka. The Supreme Court ordered former President Maithripala Sirisena and three other senior officials to compensate the families of the more than 270 victims of the Easter Sunday 2019 terrorist attacks because they "failed to prevent the tragedy." The Office of the UN High Commissioner for Human Rights called the judgment a positive step and reiterated its previous recommendations "to release the complete findings of previous inquiries into the Easter Sunday bombings," undertake a "follow-up independent investigation" and "hold all those responsible to account."

https://news.un.org/en/story/2023/01/1132567?utm_source=UN+News+-+Newsletter&utm_campaign=8ca4ed56b4-EMAIL_CAMPAIGN_2023_01_19_01_00&utm_medium=email&utm_term=0_fdbf1af606-8ca4ed56b4-%5BLIST_EMAIL_ID%5D

Syria. The Syrian Network for Human Rights published its 12th annual report on the most notable human rights violations in Syria during a year. In 2022 it documented 1,057 civilians killed, including 133 "victims who died due to torture," 2,221 cases of "arbitrary detention" and "the displacement of approximately 75,000 people." <https://snhr.org/blog/2023/01/24/snhrs-12th-annual-report-most-notable-human-rights-violations-in-syria-in-2022>

Uganda. "About 40% of Uganda's public and private land is untitled, according to the Ministry of Lands, Housing and Urban Development. Conservationists say the lack of formal ownership documents lets people and companies get titles to protected land—either through ignorance of land boundaries or local government corruption—allowing them to cut down the nation's forests," *Thomson Reuters Foundation* reported. "About 15% of Uganda's Central Forest Reserves—which cover almost a sixth of the country—are used for housing or farming, according to the NFA [National Forestry Authority]." As

of November 2022 the NFA said “it was involved in at least 480 active lawsuits against forest encroachers. Many of these individuals illegally acquired official titles to plant in protected areas.”

https://www.context.news/nature/uganda-takes-to-the-courts-to-stop-land-grabs-and-protect-forests?utm_source=newsletter&utm_medium=email&utm_campaign=context-climate

United Kingdom. Hacked emails show that “the UK treasury issued special licences in 2021” that allowed Russian oligarch Yevgeny Prigozhin, the leader of the notorious Wagner Group, to “override sanctions and launch an aggressive legal campaign in London courts” against Eliot Higgins, the founder of *Bellingcat*, *open Democracy* reported. “The vast cache of hacked emails and documents from one of Russia’s biggest law firms was made available to *open Democracy* and *The Intercept*” by the NGO Distributed Denial of Secrets. <https://www.opendemocracy.net/en/prigozhin-government-russia-ukraine-hack-libel-slapp/>

“Britain’s National Police Chiefs’ Council (NPCC) and College of Policing have apologized to survivors and the families of the victims of the 1989 Hillsborough soccer stadium disaster in which 97 Liverpool supporters lost their lives in a crush,” *Reuters* reported. In January “Newcastle United fans complained of ‘overcrowding and crushing’ and a lack of stewarding at the Hillsborough Stadium” during a match, and the government announced a “review into complaints.” For background, see *SAHR News* 2019-11. <https://www.reuters.com/lifestyle/sports/police-chiefs-apologise-hillsborough-failures-after-34-years-2023-01-31/>

United Kingdom/Scotland. The U.K. government “decided to block the Scottish Parliament’s Gender Recognition Reform Bill, signed to make it easier for people to change their legally recognized gender,” *JURIST* reported. The Bill would have enabled people aged 16 and older to make a simple legally binding declaration of gender and receive a Gender Recognition Certificate. “This is the first time the UK government has used the Scotland Act 1998 to veto Scottish legislation.” <https://www.jurist.org/news/2023/01/uk-government-blocks-scotland-gender-reform-bill/>

United States. The NGO Mapping Police Violence tracked 1,176 deaths during encounters with police in 2022, the highest number it has recorded since it began data collection in 2013. The information is “sourced from official police use of force data collection programs in states like California, Texas and Virginia, combined with nationwide data from the Fatal Encounters database” and searches of “social media, obituaries, criminal records databases, police reports and other sources to identify the race of 90% of all victims in the database.” Black people were 24% of those killed, although they make up just over 13% of the population. <https://mappingpoliceviolence.us/>

Although Black Americans are about 13% of the U.S. population, “they account for less than 3% of blood donors,” *Undark* reported. This may be a legacy of the historical treatment of Black donors, whose blood was refused by the American Red Cross (ARC) at the start of World War II, but in January 1942 ARC said it would “accept Black donors’ blood for military use but process it separately,” a policy that continued until 1948. In 1950 ARC’s National Blood Donor Service “stopped marking racial designations on the medical records of donors.” The sad irony is that it was a distinguished Black doctor, Charles Drew, who had developed the “methods to separate plasma from blood’s other components, allowing blood to be stored for longer periods of time,” leading to the blood bank program. https://race.undark.org/articles/good-blood-bad-policy-the-red-cross-and-jim-crow?utm_source=Undark%3A+News+%26+Updates&utm_campaign=68be9b0aaa-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_5cee408d66-68be9b0aaa-176036617

ProPublica and *NBC News* investigated the Native American Graves Protection and Repatriation Act’s failure “to bring about the expeditious return of human remains” to Native Americans from “federally funded university and museums.” Ten institutions “hold about half of the Native American remains that have not been returned.” https://www.propublica.org/article/repatriation-nagpra-museums-human-remains?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=230111

Two brothers who are The Korean War Project told the *New York Times* that the names engraved on the Korean War Veterans Memorial in Washington, DC, contain 1,015 spelling errors and the memorial “incorrectly includes 245 names of service members who died in circumstances totally unrelated to the war” while some 500 names that should be included are not. The Defense Department provided the list of names for carving; a possible source of the mistakes is the “military personnel records entered on

IBM punch cards in the 1950s [which] had room for only a limited number of characters, and could not accommodate hyphenated or multi-word surnames like Bald Eagle Bear, so hundreds of names got scrambled.” <https://historynewsnetwork.org/article/184725>

The American Society of Human Genetics (ASHG) Board of Directors apologized for “its involvement in and silence on the misuse of human genetics research to justify and contribute to injustices in all forms.” It released a report “Facing our History—Building an Equitable Future” that “acknowledges participation of early ASHG leaders in the harmful scientific and societal practices of the American eugenics movement.” The report’s methodology describes use of items such as ASHG presidential addresses and statements, but curiously does not indicate use of the Society’s archives, although a footnote indicates use of the American Eugenics Society records. <https://www.ashg.org/wp-content/uploads/2023/01/ASHG-Facing-Our-History-Initiative-Statement-and-Press-Release-NOT-EMBARGOED.pdf>

United States/California. California has a reparations program for persons who were forcibly sterilized as a part of the “eugenics movement that peaked during the 1930s and a small group who were victimized while in state prisons” between 2005 and 2013. The state estimates that about 600 people alive today were sterilized, but after one year of the reparations program “state officials have denied 103 people, closed three incomplete applications and are processing 153 others—but they say it’s difficult to verify the applications as many records have been lost or destroyed,” *STAT* reported.

https://www.statnews.com/2023/01/04/california-sterilization/?utm_source=STAT+Newsletters&utm_campaign=8ac7fc80f8-MR_COPY_01&utm_medium=email&utm_term=0_8cab1d7961-8ac7fc80f8-149736437

Courses, publications.

The University of Trento, Italy, has two 12-month (renewable for further 12 months) Research Fellowships for at-risk scholars who have completed their MA Degree and who would like to consolidate their postgraduate education in order to prepare for PhD applications and/or for other professional job opportunities. The deadline for applications is 10 March 2023 at 12:00 pm (noon). Thanks to Giulia Barrera for this information.

SAR UniTrento CARITRO Application Link and Documents:

Italian: <https://www.unitn.it/ateneo/bando/77185/universita-di-trento-avviso-di-selezione-per-il-conferimento-di-n-1-assegno-di-ricerca-nell-ambito-d>

English: <https://www.unitn.it/en/ateneo/bando/77189/university-of-trento-call-for-the-selection-for-the-awarding-of-no-1-research-fellowship-assegno-di>

SAR UniTrento ROVERETO MUNICIPALITY Application Link and Documents:

Italian: <https://www.unitn.it/ateneo/bando/77221/universita-di-trento-avviso-di-selezione-per-il-conferimento-di-n-1-assegno-di-ricerca-nell-ambito-d>

English: <https://www.unitn.it/en/ateneo/bando/77225/university-of-trento-call-for-the-selection-for-the-awarding-of-no-1-research-fellowship-assegno-di>

The Inter-American Commission on Human Rights is offering a new MOOC (virtual) course on the Inter-American Human Rights System for English speakers in the Americas and the Caribbean:

<https://www.oas.org/en/iachr/spcct/courses/default.asp?Ci=27>

Human Rights Watch, *World Report 2023*: <https://www.hrw.org/world-report/2023>

Transparency International, *Corruption Perceptions Index 2022*: <https://www.transparency.org/en/cpi/2022>

Megan Donald, “Human Rights and the Environment,” Geneva Academy: <https://www.geneva-academy.ch/news/detail/592-new-publication-details-the-contours-and-next-steps-for-the-right-to-a-healthy-environment>

Caitjan Gainty, “From a ‘deranged’ provocateur to IBM’s failed AI superproject: the controversial story of how data has transformed healthcare,” *The Conversation*: https://theconversation.com/from-a-deranged-provocateur-to-ibms-failed-ai-superproject-the-controversial-story-of-how-data-has-transformed-healthcare-189362?utm_medium=email&utm_campaign=Daily%20Newsletter%20%20January%2017%202023%20-%202518425276&utm_content=Daily%20Newsletter%20%20January%2017%202023%20-%202518425276&utm_source=campaign_monitor_us&utm_term=From%20a%20deranged%20provocateur%20to%20IBMs%20failed%20AI%20superproject%20the%20controversial%20story%20of%20how%20data%20has%20transformed%20healthcare

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