

**ARCHIVES AND HUMAN RIGHTS**  
**News from the Section on Archives and Human Rights**  
**Issue no. 123, February 2020**  
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**Commentary.**

From its first meeting in January 1946 until 13 February 2020 the UN Security Council never had a debate focusing solely on transitional justice. Thanks to the Belgium government, which presided over the Council in February, this long drought is ended. And, said the International Center for Transitional Justice, “The high turnout of member states was positively surprising, as more than 60 speakers signed up to present their official statements. A few minutes before the debate started at 10 am, the Security Council chamber was filled for a session that lasted into the evening.” <https://www.ictj.org/news/landmark-uns-c-discussion-transitional-justice>

Michelle Bachelet, the UN High Commissioner for Human Rights, opened the session with a statement she delivered by video from Geneva. She began by saying, simply, “We know that lasting peace is interlinked with justice, development and respect for human rights.” She noted the recent developments in Sudan (see below) and referred to her own experience in Chile. Then she turned to the situation in Guatemala, saying:

Guatemala stands out for its landmark final report of the truth commission “Memoria del Silencio” (1999). The report provided an authoritative record of human rights violations during the conflict, giving a voice to the victims and analyzing the dynamics underlying 36 years of conflict. It was instrumental in advancing victims’ rights, including in several high-profile judicial cases on conflict-related sexual violence and other crimes, which have resulted in orders for victim-centered and transformative reparations. Sadly, much of this progress is now at risk.” <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25552&LangID=E>

As readers of this *News* know, the situation of archives in Guatemala is precarious. Court cases still entangle the former national archivist and the former director of the police archives. The records of the truth commission and the records of the International Commission against Impunity in Guatemala (Comisión Internacional contra la Impunidad en Guatemala, CICIG) are both in the United Nations archives in New York with no public research access to them. In Guatemala the Archivo General de Centroamerica (the national archives) continues to be cruelly under-resourced in staff, funds, and facilities. The police archives (Archivo Histórico de la Policía Nacional, AHPN) is moribund.

In July 2019 Guatemala’s Human Rights ombudsman filed an amparo (a request for the protection of legal rights) with the Supreme Court of Justice to ensure preservation of and access to the police records. When no decision was forthcoming, on 3 February 2020 the Ombudsman together with representatives of the prosecutor for human rights and the Association of University Students, in a public hearing renewed the request.

To the surprise of many people, on 3 March the Supreme Court announced its judgment in favor of the Ombudsman’s position. Basing its reasoning on Article Two of the American Convention on Human Rights, it said that the Ministry of the Interior must not “threaten the integrity” of the police archives. The Ministry of Culture, which is the home of the Archivo General, must develop a plan within four months to restore the archives staff to numbers sufficient to carry on the work, the Congress must work on a revised archives law, and the government should obtain advice from national and international archivists. As human rights activist Kate Doyle commented, it is a very good resolution, but “we have to remember that (1) The government still has the option to appeal and (2) There is a big difference in resolution and action (within the AHPN).”

[http://www.prensacomunitaria.org/archivo-historico-de-la-policia-nacional-hay-una-disputa-silenciosa-para-que-no-se-conozca-el-pasado/?fbclid=IwAR061EbU6sZwYGbhYZ3fjc9A8hay6VvI7OeGptA\\_1S8wnkwUa9vL0eAa4So;](http://www.prensacomunitaria.org/archivo-historico-de-la-policia-nacional-hay-una-disputa-silenciosa-para-que-no-se-conozca-el-pasado/?fbclid=IwAR061EbU6sZwYGbhYZ3fjc9A8hay6VvI7OeGptA_1S8wnkwUa9vL0eAa4So;)

<https://www.prensacomunitaria.org/csj-ordena-al-ejecutivo-resguardar-y-garantizar-el-funcionamiento-del-archivo-historico-de-la-policia-nacional/?fbclid=IwAR3WxqpZ3T6CAxbyEyawWWtIvvO38wxaDjOhXZi-ZehX4KDBym8A58vuGnY>

If you wonder, as I often do, whether all the writing and policy statements on archives and human rights make a difference, the decision will reassure you. On page 42, footnote 68, the Court cites the 16 June 2019 statement published by the International Council on Archives on the Guatemalan police archives; on page 49, footnote 78, the judges cite the *Rule-of-Law Tools for Post-Conflict States: Archives* published by the United Nations High Commissioner for Human Rights in 2015; and on page 51, footnote 79, the judges refer to “The Administration of Justice and the Human Rights of Detainees: Question of the impunity of perpetrators of human rights violations (civil and political)” known commonly as the Joinet-Orentlicher principles. So to all of us concerned with archives and human rights: Keep writing. And thanks to all the colleagues who sent information on the Court and the decision.

**SAHR news.** For the past four years Valentina Rojas Rojo has been part of the team translating each issue of the *News* into Spanish. She is now moving on to other professional responsibilities and will no longer be one of our wonderful word workers. Our great thanks for the dedication and countless hours she has given, and we know that she will continue to make great contributions to archives in the world.

### **International news.**

**European Commission.** The Commission issued its European data strategy and “the policy options to ensure the human-centric development of Artificial Intelligence.” Comments on the AI White Paper can be submitted until 31 May 2020; European archivists need to react. [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_20\\_273](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_273)

**European Court of Human Rights.** When a Romanian woman reported to police that her ex-husband had, without her permission, accessed her email and Facebook accounts and “made copies of her private conversations, documents and photos,” the police refused to investigate. She took the case to the Court, which “ordered Romania to pay a victim of domestic abuse,” *BIRN* reported, saying this breach of internet privacy is one of “the various forms that domestic violence may take.” [https://balkaninsight.com/2020/02/12/eu-court-rules-against-romania-in-cyber-domestic-abuse-case/?utm\\_source=Balkan+Insight+Newsletters&utm\\_campaign=e8ae56c812-BI\\_DAILY&utm\\_medium=email&utm\\_term=0\\_4027db42dc-e8ae56c812-319725265](https://balkaninsight.com/2020/02/12/eu-court-rules-against-romania-in-cyber-domestic-abuse-case/?utm_source=Balkan+Insight+Newsletters&utm_campaign=e8ae56c812-BI_DAILY&utm_medium=email&utm_term=0_4027db42dc-e8ae56c812-319725265)

**International Criminal Court (ICC).** A member of Sudan’s ruling Sovereign Council “told journalists at peace negotiations with rebel groups to end Sudan’s civil wars that the parties had agreed the ICC would be among the four mechanisms for transitional justice in Darfur, which will also include a special criminal court and truth and reconciliation in Sudan,” Human Rights Watch (HRW) reported. He said, “We agreed that everyone who had arrest warrants issued against them will appear before the ICC. I’m saying it very clearly.” The ICC indicted former Sudanese president Omar al-Bashir with 5 counts of crimes against humanity, 2 counts of war crimes, and three counts of genocide.. <https://www.hrw.org/news/2020/02/12/sudan-opens-door-icc-prosecutions>

Venezuela asked the Court to open an investigation into the U.S. financial sanctions against it, the Foreign Minister telling a news conference, “We believe that these unilateral coercive measures are crimes against humanity,” *AP* reported. <https://apnews.com/bcd891c15b41fd4a5ef930299e109a92>

**United Nations.** *Thomson Reuters Foundation* published an opinion piece by the leader of the UN Centre for Humanitarian Data, who wrote, “Nearly 2.5 quintillion . . . bytes of data are being generated worldwide very day yet we still don’t have enough data required to understand some of the top humanitarian crises such as Afghanistan, Sudan or Syria.” <http://news.trust.org/item/20200205170710-56ry0/>

In 2016 the UN Human Rights Council voted to create a database of companies doing business (“directly enabled, supported or profited from”) with Israeli settlements in occupied territories. On February 12 the United Nations High Commissioner for Human Rights released the long-expected database, identifying 112 companies. Israel condemned the release, calling it a “blacklist.” For background, see *HRWG News* 2019-03 and 08. [www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session43/Documents/A\\_HRC\\_43\\_71.docx](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session43/Documents/A_HRC_43_71.docx) ; <https://jcpa.org/un-agency-releases-blacklist-of-companies-involved-in-israeli-settlements/>

UNICEF. UNICEF issued a report on the countries where female genital mutilation occurs, using data “based on Demographic and Health Surveys, Multiple Indicator Cluster Surveys, and other national representative surveys, 2004-2018.” While “nationally representative data” shows the practice is prevalent in 31 countries, it also “exists in communities in over 20 countries across Eastern Europe, Latin America, the Middle East and South-eastern Asia, as well as among immigrant communities in Australia, North America and Western Europe.” UN Sustainable Development Goal target 5.3 “aims to eliminate the practice by 2030.” <https://data.unicef.org/resources/female-genital-mutilation-a-new-generation-calls-for-ending-an-old-practice/>

### World/general news.

Business records. The Alliance for Corporate Transparency analyzed the information “disclosed by 1,000 European companies on their environmental and social impacts under the EU Non-Financial Reporting Directive” covering “a substantial part of the year 2018” and said the quality of reporting is “troubling[ly] poor.” “Only 1 in 5 described their human rights due diligence process” and only 13.9% reported on “alignment of their climate targets with the Paris agreement goals.” [https://allianceforcorporatetransparency.org/assets/2019\\_Research\\_Report%20\\_Alliance\\_for\\_Corporate\\_Transparency-7d9802a0c18c9f13017d686481bd2d6c6886fea6d9e9c7a5c3cfafea8a48b1c7.pdf](https://allianceforcorporatetransparency.org/assets/2019_Research_Report%20_Alliance_for_Corporate_Transparency-7d9802a0c18c9f13017d686481bd2d6c6886fea6d9e9c7a5c3cfafea8a48b1c7.pdf)

“*Public Eye* and *Unearthed* obtained data from the market analysis company Phillips McDougall which detail 23.3 billion dollars of agricultural pesticide sales in 2018, or approximately 40% of the world market. We analysed the data using the list of highly hazardous pesticides established by the Pesticide Action Network. The results show that the German companies Bayer and BASF, the American Corteva and FMC and the Swiss Syngenta together made 35% of their sales income from pesticides that pose the highest level of risk to health or the environment.” <https://www.publiceye.ch/en/media-corner/press-releases/detail/pesticide-giants-make-billions-from-bee-harming-and-carcinogenic-chemicals>

In 2018 the Intergovernmental Panel on Climate Change said that the world must cut greenhouse gas emissions to “net zero” by doing away with fossil fuels and other sources of emissions wherever possible and, for the rest, every ton of carbon dioxide emitted into the air must be matched by a ton removed from the atmosphere. BP announced that it aims “to become a net zero company by 2050 or sooner.” The *New York Times* noted, “Between its operations and the burning of the fossil fuel it extracts, BP is responsible for the equivalent of more than 400 million tons of carbon dioxide emissions each year, nearly as much as the entire state of California. An additional 77 million tons is created by petroleum that BP purchases from other companies and resells, but those emissions were not included in the company’s net zero pledge.” Open reporting will be necessary for the public to monitor BP’s progress towards net zero. <https://www.bp.com/en/global/corporate/news-and-insights/press-releases/bernard-looney-announces-new-ambition-for-bp.html>; [www.nytimes.com/2020/02/12/climate/bp-greenhouse-gas-emissions.html](http://www.nytimes.com/2020/02/12/climate/bp-greenhouse-gas-emissions.html)

Global Witness (GW), in collaboration with *Der Spiegel* and *Mediapart*, issued a report on an oil project in the Republic of Congo that is “imperilling climate-critical peatland forests.” In addition to “UK court files and documents filed at Companies House” GW used oil exploration reports and correspondence from both Total and Shell. It found that the Environmental Impact Assessment for the proposed oil wells “does not make any analysis of the potential impact of drilling on the peatlands” because it was done before the potential of those lands was discovered. With a number of European firms and banks and donors involved, GW recommended that the European Union “adopt legislation to require all companies and financiers to undertake, be accountable to, and report on due diligence to identify, mitigate and prevent human rights and environmental risks associated with their operations and investments.” <https://www.globalwitness.org/en/campaigns/forests/what-lies-beneath/>

“The oil industry in South Sudan has left a landscape pocked with hundreds of open waste pits, the water and soil contaminated with toxic chemicals and heavy metals including mercury, manganese, and arsenic,” according to four environmental reports and their supporting documents that were obtained by *The Associated Press*. The two main oil consortiums are the Chinese-led Dar petroleum Operating Co. and the Greater Pioneer Operation Co. “The reports, which date as far back as 2013, were presented to the oil companies and South Sudan’s ministry of petroleum but subsequently buried.” They “show that oil companies have been aware for years that contamination from drilling could be causing severe health

problems in the local population.”  
[https://apnews.com/f2f06cfa70126ad179445720d7c60b8a?utm\\_source=STAT+Newsletters&utm\\_campaign=13530d08ee-MR\\_COPY\\_01&utm\\_medium=email&utm\\_term=0\\_8cab1d7961-13530d08ee-149736437](https://apnews.com/f2f06cfa70126ad179445720d7c60b8a?utm_source=STAT+Newsletters&utm_campaign=13530d08ee-MR_COPY_01&utm_medium=email&utm_term=0_8cab1d7961-13530d08ee-149736437)

Mind the Gap is a 4-year research project coordinated by the Centre for Research on Multinational Corporations in the Netherlands in which consortium partners from 9 countries “research how companies avoid responsibility for human rights abuses.” The project issued “Violations Set in Stone—HeidelbergCement in the ‘Occupied Palestinian Territory’.” It reported that the stone quarry operated by the company, a German multinational, through its subsidiary Hanson Israel “provides a clear example of corporate complicity in grave breaches of international humanitarian law that may amount to internationally recognized crimes against Palestinians.” In addition to site visits and interviews, the project team examined the company’s “records and publications, company statements, available news articles, and correspondence between the company and civil society organizations and journalists.” For information on the Israeli subsidiary, the project used information from “the Israeli Registrar of Companies, detailing its subsidiaries’ different owners and affiliations.” Neither HeidelbergCement nor Hanson Israeli appears on the UN High Commissioners’ list of businesses (see United Nations above).  
[http://www.alhaq.org/cached\\_uploads/download/2020/02/04/final-report-violationsetinstone-en-1580802889.pdf](http://www.alhaq.org/cached_uploads/download/2020/02/04/final-report-violationsetinstone-en-1580802889.pdf)

Seven Tanzanians filed suit at the British High Court against subsidiaries of Canada-based Barrick Gold, one of the world’s largest gold mining companies, alleging serious abuses by security forces, including local police, employed at Barrick’s North Mara gold mine,” RAID, a nongovernmental organization, reported. Both RAID and Mining Watch Canada have “documented human rights abuses at the North Mara mine through repeated research visits beginning in 2013.” In 2016 a Tanzanian parliamentary inquiry “received reports of 65 killed and 270 injured by police jointly responsible for mine security.” In 2016 the two organizations were told by the Inquiry that “police who are present at the scene and log the incident, regularly omit crucial information about the circumstances and even the location” and “medical staff at clinics and hospitals around the mine allegedly falsify records concerning the nature of the wounds and injuries.” <https://www.raid-uk.org/blog/tanzanian-victims-commence-legal-action-uk-against-barrick>

Medical records. A team of U.K. researchers investigated “whether daily fluctuations in mental health-relevant Twitter posts are associated with daily fluctuations in mental health crisis episodes,” *Nature* reported. They compared clinical data from the SLAM Research Centre Case Register, “a repository of anonymized clinical data from the electronic health records of individuals receiving care from SLAM mental health services,” to a “random sample 10% of all tweets published from January 2010 to December 2014, archives from a Twitter feed collected by the University of Sheffield.” They then compared that with a research database from the “mental health Trust” C&I that “contains de-identified information on more than 108,000 patients.” They found that “tweet volumes and same-day crisis episodes showed positive associations in SLAM for all four measures of mental health-related tweet content and near-identical” results with C&I data. [https://www.nature.com/articles/s41598-020-57835-9?utm\\_source=STAT+Newsletters&utm\\_campaign=e3d513f6da-MR\\_COPY\\_12&utm\\_medium=email&utm\\_term=0\\_8cab1d7961-e3d513f6da-149736437#Sec3](https://www.nature.com/articles/s41598-020-57835-9?utm_source=STAT+Newsletters&utm_campaign=e3d513f6da-MR_COPY_12&utm_medium=email&utm_term=0_8cab1d7961-e3d513f6da-149736437#Sec3)

A group of activists “searched Sci-Hub for papers from 1968 to 2020 whose titles or abstracts referenced coronaviruses” and uploaded 5,200 of them to The-Eye, *VICE News* reported. Some of the papers were published behind paywalls; the leader of the group said he knew it was “illegal, but it’s also a moral imperative.” Scientific publishing companies such as Elsevier “have repeatedly sued Sci-Hub for copyright infringement.” [https://www.vice.com/en\\_us/article/z3b3v5/archivists-are-bypassing-paywalls-to-share-studies-about-coronaviruses](https://www.vice.com/en_us/article/z3b3v5/archivists-are-bypassing-paywalls-to-share-studies-about-coronaviruses)

In 2007 an analysis of the use of the drug rosiglitazone (Avandia) for treating type 2 diabetes suggested it increased the risk of myocardial infarction (heart attack). The drug stayed on the market but is no longer widely used. Now another research group, using individual patient data, showed that Avandia indeed does raise the risk of “cardiovascular risk,” *MedPage Today* reported. The new researchers concluded that “even though summary level reports are viewed as sufficient for systematic reviews of products, sharing IPD [individual patient data] might be necessary when performing meta-analysis focused on safety.” <https://www.medpagetoday.com/cardiology/diabetes/84726>



“NRC Health, which “says it sells software to 9,000 healthcare organizations . . . [and] collects data from more than 25 million health care consumers per year across the U.S. and Canada,” experienced a cyberattack, *CNBC* reported. “The company could not confirm whether any patient information or confidential information was accessed by the hackers.” Commenting on the breach, the chief information officer for the University of Texas medical school said, “The value proposition for hackers is huge. You’ll often find medical records up for sale for several hundred dollars per record.” <https://www.cnn.com/2020/02/20/nrc-health-cyberattack-sparks-privacy-concerns-about-patient-records-in-us.html>

In 2007, the U.S. Congress passed a rule requiring researchers working on certain trials of drugs and medical devices to report the results for publication on the government’s ClinicalTrials.gov, including information on devices that weren’t initially approved by later were. The Food and Drug Administration did not issue implementing regulations until 2017, and information on many trials was not published in the interim. A Federal judge ruled in February that data from all trials dating from 2007 must now be published. For background see *SAHR News* 2019-11supp. [https://www.statnews.com/2020/02/25/clinical-trial-sponsors-publish-missing-data/?utm\\_source=STAT+Newsletters&utm\\_campaign=0f9eea4d04-MR\\_COPY\\_01&utm\\_medium=email&utm\\_term=0\\_8cab1d7961-0f9eea4d04-149736437](https://www.statnews.com/2020/02/25/clinical-trial-sponsors-publish-missing-data/?utm_source=STAT+Newsletters&utm_campaign=0f9eea4d04-MR_COPY_01&utm_medium=email&utm_term=0_8cab1d7961-0f9eea4d04-149736437)

**Migration.** Medecins Sans Frontieres issued “No Way Out,” a report “based on 480 interviews and testimonies of Central American migrants and asylum seekers, experiences of MSF staff, and medical data from more than 26,000 people helped along the migration route through Mexico during the first nine months of 2019.” Replete with shocking statistics, the report shows that “migration policies imposed by the United States and Mexico are trapping many Central Americans in dangerous conditions, with severe consequences for their physical and mental health.” <https://www.msf.org/escaping-violence-danger-no-way-out-central-american-migrants-mexico>

Human Rights Watch reported that “at least” 138 Salvadorans have been killed since 2013 after being deported from the United States: “We found these cases by combing through press accounts and court files, and by interviewing surviving family members, community members, and officials. There is no official tally, however, and our research suggests that the number of those killed is likely greater.” HRW also found “over” 70 cases of deportees who disappeared after returning or suffered sexual violence, torture or other abuse. Among HRW’s recommendations is that Congress should require “the Government Accountability Office and the Office of Inspector General to produce reports on the United States’ fulfilment of its asylum and protection responsibilities, including by collecting and releasing accurate data on the procedural experiences of asylum seekers (access to counsel, wait times, staff capacity to assess claims, humanitarian and protection resources available) and on harms experienced by people deported from the United States to their countries of origin.” <https://www.hrw.org/report/2020/02/05/deported-danger/united-states-deportation-policies-expose-salvadorans-death-and?fbclid=IwAR3HVR2nDtSNSXcuCDy4ZKIUmP5zsD-CdHcwCWxajlsPaLp10EK9YXpi04M>

In 1997 a U.S. court ordered that immigrant children must meet with counselors within 72 hours of entering Federal custody and then at least once a week until their release. The *Washington Post* reported that in April 2018 the U.S. Office of Refugee Resettlement entered into a formal Memorandum of Agreement with Immigration and Customs Enforcement (ICE) “to share details about children in its care” including information from the therapy sessions. “If a minor mentioned anything having to do with gangs or drug dealing, therapists would file a report within four hours to be passed to ICE within one day.” The notes are “being used in immigration proceedings around the country.” The American Psychological Association, National Social Workers Association, and American Counselling Association said sharing the notes is “not ethically defensible.” Some therapists “take steps to protect children’s privacy by keeping two sets of clinical notes, or by leaving things out entirely.” <https://www.washingtonpost.com/graphics/2020/national/immigration-therapy-reports-ice/>

**Slavery.** Professors from Monash University and the University of Nottingham launched the Antislavery Legislation Database, mapping “all UN Member States’ domestic legislation against international anti-slavery commitments, covering slavery, the slave trade, servitude, forced labour, institutions and practices similar to slavery, and human trafficking.” The researchers found that 94 states “appear not to have criminal legislation prohibiting slavery.” <http://webtv.un.org/watch/watch/antislavery-legislation-database-launch/6131931821001/?term=>

Technology. Many media reported on the disclosure that Crypto AG, a Swiss-based company, was secretly owned by the U.S. and West German intelligence agencies and made “rigged encryption devices sold to scores of countries that enabled spying by the agencies,” in the words of the *Washington Post*. “The decades-long arrangement, among the most closely guarded secrets of the Cold War, is laid bare in a classified, comprehensive CIA [U.S. Central Intelligence Agency] history of the operation obtained by the *Washington Post* and ZDF, a German public broadcaster, in a joint reporting project.”

Swiss media then reported that “it is clear from the documents available to Swiss public television, SRF, among others, that the Federal Intelligence Service . . . knew about the operation.” And SWI reported that “as part of a search launched within the federal administration following revelations about the Crypto case, the Swiss secret services found—in an army bunker—documents relating to the company’s activities.” The Swiss Federal Archives said it holds a dossier relating to Crypto.

Finally, the U.S. nongovernmental National Security Archive posted an analysis of the use of the Crypto machine by the South American countries that, under the name Operation Condor, had a formal agreement “to coordinate repressive operations, including assassination, against militant and civilian opponents of their regimes. . . . After the second Condor meeting in June 1976, the CIA reported, ‘Brazil agreed to provide gear for ‘Condortel’—the group’s communications network.’ That ‘gear,’ the documents reveal, came from Crypto AG.”

<https://www.msn.com/en-us/news/us/the-intelligence-coup-of-the-century-for-decades-the-cia-read-the-encrypted-communications-of-allies-and-adversaries/ar-BBZS3da>; [https://www.yakimaherald.com/compromised-encryption-machines-gave-cia-window-into-major-human-rights/article\\_d79e82b7-8d63-5954-9ae0-d5ddfa72c897.html](https://www.yakimaherald.com/compromised-encryption-machines-gave-cia-window-into-major-human-rights/article_d79e82b7-8d63-5954-9ae0-d5ddfa72c897.html); [https://www.eurasiareview.com/17022020-has-crypto-leaks-exposed-swiss-neutrality-as-a-sham/?utm\\_source=feedburner&utm\\_medium=email&utm\\_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29](https://www.eurasiareview.com/17022020-has-crypto-leaks-exposed-swiss-neutrality-as-a-sham/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29); [https://www.swissinfo.ch/eng/politics/archives\\_the-curious-case-of-the-documents-in-the-army-bunker/45572756](https://www.swissinfo.ch/eng/politics/archives_the-curious-case-of-the-documents-in-the-army-bunker/45572756); [https://nsarchive.gwu.edu/briefing-book/chile-cyber-vault-intelligence-southern-cone/2020-02-11/cias-minerva-secret?fbclid=IwAR3y21\\_k0KGvWVI6sAmrOt3uCMVowkp46xP\\_hAT7TKCU5B3JiOmQs6LxSjs](https://nsarchive.gwu.edu/briefing-book/chile-cyber-vault-intelligence-southern-cone/2020-02-11/cias-minerva-secret?fbclid=IwAR3y21_k0KGvWVI6sAmrOt3uCMVowkp46xP_hAT7TKCU5B3JiOmQs6LxSjs)

*Engadget* reported that Jigsaw, a technology company, has developed a tool called Assembler that “spots the signatures of image manipulation using seven different ‘detectors,’ helping reporters to vet the authenticity of the images they publish.” Such a tool should also be useful to validate images of human rights violations. <https://www.engadget.com/2020/02/04/jigsaw-detects-doctored-images/>

Twitter said it will “start applying a label to tweets containing synthetic or deceptively edited forms of media” and will “remove any deliberately misleading manipulated media likely to cause harm, including content that could result in threat to physical safety, widespread civil unrest, voter suppression or privacy risks,” *Reuters* reported. This follows similar pledges by YouTube, TikTok and Facebook. Asked what resources it will put behind the pledge, Twitter executives said “Twitter would consider user reports and build relationships with ‘third party experts’ to identify content.” <http://news.trust.org/item/20200204205145-wnvd3/>

The U.S. National Center for Missing and Exploited Children reported that in 2019 it received reports of nearly 70 million images and videos related to online child sexual abuse, wrote the *New York Times*. This is 50% more than in 2018 and “an indication that many of the world’s biggest technology platforms remain infested with the illegal content.” [www.nytimes.com/2020/02/07/us/online-child-sexual-abuse.html](http://www.nytimes.com/2020/02/07/us/online-child-sexual-abuse.html)

*Wired* ran a long article on Facebook founder Mark Zuckerberg’s notebooks in which he “sketched out product ideas, diagrammed coding approaches, and slipped in bits of his philosophy.” Ironically, perhaps, “The notebooks have now mostly disappeared, destroyed by Zuckerberg himself. He says he did it for privacy reasons.” [https://www.wired.com/story/facebook-mark-zuckerberg-lost-notebook/?bxiid=5c48efcf2ddf9c4807adf975&cndid=53684912&esrc=sign-up-page&source=EDT\\_WIR\\_NEWSLETTER\\_0\\_DAILY\\_ZZ&utm\\_brand=wired&utm\\_campaign=aud-dev&utm\\_mailing=WIR\\_Daily\\_021220&utm\\_medium=email&utm\\_source=nl&utm\\_term=list1\\_p4](https://www.wired.com/story/facebook-mark-zuckerberg-lost-notebook/?bxiid=5c48efcf2ddf9c4807adf975&cndid=53684912&esrc=sign-up-page&source=EDT_WIR_NEWSLETTER_0_DAILY_ZZ&utm_brand=wired&utm_campaign=aud-dev&utm_mailing=WIR_Daily_021220&utm_medium=email&utm_source=nl&utm_term=list1_p4)

World War II. *Ouest-France* published an interview with Jean-Marc Berliere, a history professor specializing on the French police, who is “concerned” about the “instruction” that the Historical Defense Service of the Ministry of the Armed Forces received from “authorities” to close all security classified records from 1940 to the present until they are reviewed for declassification. <http://amp.ouest-france.fr/europe/france/les-historiens-n-ont-plus-acces-aux-archives-de-39-45-leurs-travaux-sont-menaces-6716385>

In St. Petersburg, Russia, lawyers “called Team 29, who specialize in representing families of victims of repression, won access to the files of Ilya Zakon, who died in a Leningrad prison during the blockade” of the city during the war. However, President Putin told a December meeting of his human rights council that there were “big risks” in opening up NKVD (secret police) records. *Bloomberg News* quoted him as saying, “We know how the NKVD worked in the Thirties. It may not always be pleasant for relatives to open the cases of their ancestors.” <https://nationalpost.com/news/world/putin-keeps-stalins-wwii-crimes-hidden-as-calls-increase-to-release-secret-archives>

Joachim Peter, a researcher who studies the history of Heilbronn, Germany, discovered court records there that indicate that the painting of the rape of Tamar, purchased in 1984 by New York’s Metropolitan Museum of Art, “is very likely the same one a Jewish art dealer, Siegfried Aram, left behind when he fled Germany as Hitler took power in 1933.” The records “recount the dealer’s unsuccessful effort to reclaim his painting for more than a decade after the war.” [www.nytimes.com/2020/02/08/arts/met-art-nazi-loot.html](http://www.nytimes.com/2020/02/08/arts/met-art-nazi-loot.html)

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

Balkan wars. The Serbian Journalists’ Association launched an investigation into the 15 journalists and media workers abducted or killed in Kosovo from 1998 to 2005, *BIRN* reported. The head of the investigation said that “in some of the cases EULEX [the European Union’s rule-of-law mission in Kosovo] claimed that it did not have records” and in some cases “they did not have or did not know where the documents on the murdered and abducted journalists were.” [https://balkaninsight.com/2020/02/11/journalists-abductions-killings-in-kosovo-not-properly-investigated/?utm\\_source=Balkan+Insight+Newsletters&utm\\_campaign=b15e692e18-BI\\_DAILY&utm\\_medium=email&utm\\_term=0\\_4027db42dc-b15e692e18-319725265](https://balkaninsight.com/2020/02/11/journalists-abductions-killings-in-kosovo-not-properly-investigated/?utm_source=Balkan+Insight+Newsletters&utm_campaign=b15e692e18-BI_DAILY&utm_medium=email&utm_term=0_4027db42dc-b15e692e18-319725265)

The *Harvard Gazette* published a feature story on Andras Riedlmayer, a bibliographer at Harvard’s Fine Art Library who documented the destruction of the Balkan region’s cultural heritage during the 1990s wars. Riedlmayer testified in nine different international trials “and helped set a precedent of prosecuting this kind of destruction as a war crime.” The destruction of “sites and records that act as a community’s collective memory” is a crime that “comes from a desire to not only kill individuals who are part of an ethnic or religious group . . . but to erase their existence;” that is, as Riedlmayer put it, “remove any evidence that they were ever there to begin with and give them no reason to come back.” <https://news.harvard.edu/gazette/story/2020/02/harvard-librarian-puts-this-war-crime-on-the-map/>

Canada/Eritrea. Canada’s Supreme Court ruled that Nevsun, a Canadian mining company, “can be sued in Canada for alleged human rights abuses overseas including allegations of modern slavery,” *AFP* reported. Three Eritreans brought the case, saying in court documents that they “and more than 1,000 others had been conscripted through Eritrea’s military service into forced labour to construct Nevsun’s Bisha gold, copper and zinc mine” where they were “forced to work 12 hours a day, 6 days a week . . . beaten with sticks and being bound and left to bake under the hot sun.” <https://www.theguardian.com/world/2020/feb/28/canada-nevsun-eritrea-lawsuit-human-rights-slavery>

Egypt/Europe/Israel/United States. A delegation of 180 Jews from Europe, Israel and the United States went to Egypt to “attend religious ceremonies” at a restored historic synagogue, the *New York Times* reported. “Jewish leaders want access to a vast register of community records, dating back to 1830 and counting tens of thousands of pages, that catalog births, marriages, deaths, and bar mitzvahs. But Egyptian officials have sequestered the register inside the national archives and, despite a promise from [Egyptian President] al-Sisi, refused to provide any access, ostensibly for national security reasons.” <https://historynewsnetwork.org/article/174404>

France/Spain. The Madrid newspaper *ABC* published an article claiming the Archives Départementales de Haute-Garonne, France, was destroying files of Spanish citizens exiled in France after the Spanish civil war and accused the Spanish government of doing nothing “to stop this action against the Spanish memory of exile.” In rebuttal, archivists and historians from France and Spain explained that this destruction took place in 1997 after the approval of the retention schedule by France’s Archives Nationales. Moreover, only the residence requests files (all foreign requests, made over decades) were authorized for destruction, not the judicial or police files regarding exiles. Thanks to Antonio Gonzalez

Quintana for the information. [https://www.abc.es/cultura/abci-francia-destruye-parte-memoria-historica-exilio-ante-inaccion-gobierno-espanol-202002020035\\_noticia.html](https://www.abc.es/cultura/abci-francia-destruye-parte-memoria-historica-exilio-ante-inaccion-gobierno-espanol-202002020035_noticia.html); [https://elpais.com/cultura/2020/02/03/actualidad/1580754983\\_319994.html](https://elpais.com/cultura/2020/02/03/actualidad/1580754983_319994.html); <http://archivistessansfrontieres.fr/Contreverse-autour-des-archives-de-l-exil>; <https://ctxt.es/es/20200203/Politica/30920/archivos-del-exilio-toulouse-juan-manuel-de-prada-abc-ritama-munoz-rojas.htm>

Georgia/Germany/Russia. Bellingcat, the U.K.-based investigative journalists, with *Der Spiegel* and *The Insider* reported that, based on cellphone metadata and cellphone tower connection records, it can confirm that the killing of a Georgian refugee in Berlin last August was “planned and organized by Russia’s FSB security agency.” For background, see *SAHR News* 2019-12. <https://www.bellingcat.com/news/uk-and-europe/2020/02/17/v-like-vympel-fsbs-secretive-department-v-behind-assassination-of-zelimkhan-khangoshvili/>

Guatemala/United States. A law passed in 1977 gave lawyers the power to authorize adoptions, and as Guatemala’s civil war began winding down, the rate of adoptions to families outside Guatemala increased, *Nomada* reported, with an estimate that between 1990 and 2007, when a revision of the law terminated the lawyers’ authority, “more than 35,000 children were illegally adopted. Of them more than 90% went to the United States.” A group of Guatemalans adopted between 1990 and 2007 created an organization called Next Generation to search for “the truth about their cases.” The founder of the group said that papers were falsified for foreign adoptions: “We don’t all have reliable adoption documents. So in some cases we might have to look for and trust the lawyers, traffickers, doctors and nurses who were complicit in the adoptions, our adoptions, because they are the source to find our biological families.” <https://nomada.gt/identidades/de-donde-venimos/guatemaltecos-adoptados-entre-1990-y-2007-crean-grupo-para-buscar-la-verdad-sobre-sus-casos/>

Iran/Ukraine. The Ukrainian TV channel *I+I* obtained an audio recording of an exchange between an airline pilot and air traffic controllers in Tehran, reporting a streak of light in the sky and a mid-air explosion on 8 January when Ukrainian International Airlines Flight 752 was shot down, killing all 176 people on board, *AP* reported. The head of Iran’s investigation into the event confirmed that the tape was authentic. <https://apnews.com/940f1abd51a7389eb2cf36f4ac3feb25>

Israel/Palestine. Israeli forces shot dead one Palestinian in the Gaza Strip “then extracted his body with a bulldozer in an incident caught on camera that has sparked outrage,” *Middle East Eye* reported. Islamic Jihad, a militant group in Gaza, issued statement saying the dead man was one of its members and “vowing retaliation.” <https://www.middleeasteye.net/news/video-israeli-bulldozer-dragging-body-palestinian-after-gaza-border-incident-sparks-outrage>

Israel/Palestine/United States. After U.S. President Donald Trump announced an Israel-Palestine peace plan that would permit Israel to annex part of the West Bank that is now within Palestine, the official Palestinian news agency *Wafa* issued a statement that any such maps would violate United Nations resolutions and “maps that violate United Nations resolutions cannot be transformed into a fait accompli.” [https://www.telesurenglish.net/news/Palestine-Blasts-US-Over-West-Bank-Map-Plans-20200224-0001.html?utm\\_source=planisys&utm\\_medium=NewsletterIngles&utm\\_campaign=NewsletterIngles&utm\\_content=15](https://www.telesurenglish.net/news/Palestine-Blasts-US-Over-West-Bank-Map-Plans-20200224-0001.html?utm_source=planisys&utm_medium=NewsletterIngles&utm_campaign=NewsletterIngles&utm_content=15)

Mideast wars. A report by Human Rights Watch, “‘Kidnapped by ISIS’: Failure to Uncover the Fate of Syria’s Missing,” highlights 27 cases of individuals or groups apprehended by ISIS and last heard of in its custody before the group’s military defeat. “The absence of a system or responsible body or focal point to register cases of missing persons and follow up should information become available meant that family members were left to resort to personal contacts in positions of authority, local hospitals, and first responders responsible for excavating mass graves, or to unofficial interlocutors.” The first among many important recommendations is: “Appoint a centralized civilian body or focal point with a team across each authority’s area of control to register cases of those who went missing under ISIS rule and to coordinate the collection of information on the missing with other authorities in Syria.” <https://www.hrw.org/report/2020/02/11/kidnapped-isis/failure-uncover-fate-syrias-missing>

The nongovernmental Syria Justice and Accountability Centre (SJAC), in collaboration with the Argentine Forensic Anthropology Team, announced a new missing persons program which will provide technical training in mass grave exhumation to the First Responders’ Team working to open mass graves in Northeast Syria. The training will include methods of collecting documentation and will give access to the SJAC missing persons database to “allow documentation to be securely preserved and



easily searched.” The program will maintain a close collaboration with families of the missing to lay “the groundwork for identification of remains as well as collecting evidence of ISIS’s crimes.” [https://syriaaccountability.org/updates/2020/02/13/sjac-launches-missing-persons-program-in-northeast-syria/?utm\\_source=SJAC+Weekly+Update&utm\\_campaign=d8d8b2140a-EMAIL\\_CAMPAIGN\\_2019\\_01\\_10\\_02\\_56\\_COPY\\_01&utm\\_medium=email&utm\\_term=0\\_0a7405c641-d8d8b2140a-90540617](https://syriaaccountability.org/updates/2020/02/13/sjac-launches-missing-persons-program-in-northeast-syria/?utm_source=SJAC+Weekly+Update&utm_campaign=d8d8b2140a-EMAIL_CAMPAIGN_2019_01_10_02_56_COPY_01&utm_medium=email&utm_term=0_0a7405c641-d8d8b2140a-90540617)

The U.K.’s *Daily Telegraph* obtained 11 February audio recordings of “conversations between soldiers from the infamous elite Tiger Forces” (Syrian) in a village west of Aleppo as they fired on “women entering a house,” *Arab News* reported. “Local media reports from the time and date of the audio recording support the assertion that the women were killed in the attack.” The deliberate killing of non-combatants is a war crime under international law. [www.arabnews.com/node/1631636](http://www.arabnews.com/node/1631636)

In its monthly report, the Syrian Network for Human Rights (SNHR) said “that at least 276 civilians, including six medical personnel and two media workers, were documented killed in Syria in February 2020 at the hands of the main perpetrator parties to the conflict, in addition to 18 persons who died due to torture.” <http://sn4hr.org/blog/2020/03/01/54712/> In a separate report on 18 February SNHR said that since 26 April 2019 the Syrian-Russian alliance forces attacked 67 medical facilities in Northwest Syria. “This report,” wrote SNHR, “contains four first-hand accounts that we’ve collected through speaking directly with eyewitness or with individuals concerned with the work of these facilities.” In addition, SNHR drew on daily monitoring of news, reports from its network “of various credible sources,” accounts from survivors, photographs, medical personnel, videos and photographs posted online. <http://sn4hr.org/blog/2020/02/18/54681/>

### **National news.**

**Belgium.** In an interview with *L’Express*, the director of security for State Security said, “There are no more state secrets in the archives of State Security through the end of the Second World War. Everything was cleaned up in 1949 and the records were either destroyed or transferred to the archives.” He said that “no secret is eternal,” but “declassification is not a routine operation.” [https://www.levif.be/actualite/belgique/des-archives-de-la-surete-ont-helas-ete-detruites/article-normal-1248649.html?cookie\\_check=1581723170](https://www.levif.be/actualite/belgique/des-archives-de-la-surete-ont-helas-ete-detruites/article-normal-1248649.html?cookie_check=1581723170)

**Bolivia.** The Ombudsman’s Office said that “over 71% of human trafficking victims had not received attention or protection from the government over the last two years,” *InSight Crime* reported. In 2019 Bolivia officially registered 299 trafficking cases, down from 465 in 2018, surely an undercount. <https://www.insightcrime.org/news/brief/bolivia-struggles-human-trafficking-victims/>

**Brazil.** Across the Andes in Brazil, the Institute of Public Security said that of the 885 persons killed by police in Rio de Janeiro in the first half of 2019, 80.3% (711) were “Black or Brown,” *teleSUR* reported. The figures point to “structural racism.” [https://www.telesurenglish.net/news/Brazil-80-of-Killed-by-Police-in-Rio-de-Janeiro-2019-Were-Black-20200208-0012.html?utm\\_source=planisys&utm\\_medium=NewsletterIngles&utm\\_campaign=NewsletterIngles&utm\\_content=12](https://www.telesurenglish.net/news/Brazil-80-of-Killed-by-Police-in-Rio-de-Janeiro-2019-Were-Black-20200208-0012.html?utm_source=planisys&utm_medium=NewsletterIngles&utm_campaign=NewsletterIngles&utm_content=12)

**Cambodia.** *Thomson Reuters Foundation* “investigated child labour at Cambodia’s brick kilns after the government said all furnaces were free of underage workers,” but kiln visits, a survey by the workers union, and interviews with police sources “revealed widespread child labour in the brick industry.” The Builders and Woodworkers Trade Union Associations surveyed 464 kilns and “found almost 4,000 children living in brick yards—16% of whom said they were also working on the site.” For background see *HRWG News* 2018-10. <https://news.trust.org/item/20200213002549-zj1wl/>; <https://news.trust.org/item/20200226093233-lumkb/>

**Cameroon.** On 12 February Human Rights Watch reported “armed separatists in Cameroon’s Anglophone regions kidnapped over 100 people, burned property, and threatened voters in the period before the February 9, 2020 elections. State security forces did not adequately protect civilians from the threats posed by the separatists but rather committed further abuses against them during the same period.” For the report HRW conducted interviews and “analyzed satellite imagery and video footage to independently corroborate witness testimony.” On 25 February, HRW issued another report, saying “government forces and armed ethnic Fulani killed at least 21 civilians in . . . Ngarbuh village,” burned houses and looted. In addition to conducting more interviews and reviewing more satellite imagery,

HRW “obtained lists of the victims’ names from 5 sources.” A United Nations team “started interviewing those displaced by the attack. Witnesses said that the soldiers photographed those who were being interviewed and prevented the UN team from doing its work.” The UN and a number of countries urged the government to open an investigation and hold accountable those responsible. <https://www.hrw.org/news/2020/02/12/cameroon-election-violence-anglophone-regions>; <https://www.hrw.org/news/2020/02/25/cameroon-civilians-massacred-separatist-area>

Canada. Three residential school survivors who attended St. Anne’s school “are seeking unredacted persons of interest reports (POIs)—files itemizing allegations of abuse against individuals at the schools. The survivors need the documents to decide whether they should go to court and have their compensation cases reopened,” their lawyer told *CBC News*. All three had their cases heard before Canada opened records of abuse at the school. Meanwhile, the Assembly of First Nations filed a class action suit against the Government of Canada, seeking \$10 billion “in damages for harms resulting from the ‘willful and reckless’ discriminatory underfunding of the [child welfare] system as well as the Crown’s ‘egregious’ failure to comply with Jordan’s Principle,” *APTN News* reported. (Jordan’s Principle is: make sure all First Nations children living in Canada can access the products, services and supports they need, when they need them.) <https://www.cbc.ca/news/indigenous/iap-st-annes-residential-school-documents-1.5453649>; <https://aptnnews.ca/2020/02/07/afn-sues-crown-for-10-billion-in-newest-first-nation-child-welfare-case/>

The Sixties Scoop is the common term for a series of policies enacted by provincial child welfare authorities starting in the mid-1950s, under which thousands of First Nations children were taken from their families, placed in foster homes, and eventually adopted by non-Indigenous families in Canada and the United States. The Saskatchewan Ministry of Social Services told *StarPhoenix* that “over the past two years it has received 2,000 personal requests from individuals affected by the 60s Scoop seeking access to records that pertain to them.” It found records for 84% of the requests and “couldn’t locate a file” for the remaining 16%. A person whose records were not found asked the Information and Privacy Commissioner to review the search; the Commissioner “recommended the Ministry conduct a new search.” However, the Ministry said that records prior to the 1980s “were not kept in accordance with ‘extended retention schedules’.” The co-chair of the Sixties Scoop Indigenous Society of Saskatchewan said, “And the fact the government destroyed those records, for the convenience of space . . . that they weren’t considered important, it’s really disrespectful, it’s insulting.” <https://thestarphoenix.com/news/saskatchewan/ministry-of-social-services-told-60s-scoop-survivor-their-historic-documents-were-destroyed-privacy-commissioner>

Central African Republic. Five anti-balaka (the “anti-machete” alliance of militia groups) chiefs were sentenced by the Court of Appeal to life imprisonment for war crimes and crimes against humanity committed in 2016 and 2017, *Justiceinfo.net* reported. The evidence included photos of the five in uniform and in arms, a “logbook of the self-proclaimed ‘general’ Bere Bere,” minutes of a hearing and other items, “but it was certainly the viewing behind closed doors of films contained in the defendants’ cameras that won the jury’s conviction.” <https://www.justiceinfo.net/fr/tribunaux/tribunaux-nationaux/43745-centrafrique-justice-ordinaire-montre-dents-crimes-bangassou.html>

Chile. Three retired military officers are being prosecuted for “deleting or destroying” files and microfilmed files from the National Information Center dating from the period 1980-1982, reported *El Desconcierto*. A lawyer for London 38, the group which brought the complaint, said, “This is a historical resolution because three high intelligence officers of the Army have been prosecuted for a fact that the human rights groups have always denounced: the concealment of files by the Army and that they have actively contributed to the concealment of truth and the perpetuation and consolidation of impunity for the serious crimes committed in dictatorship.” Thanks to Valentina Rojas Rojo for the information. <https://www.eldesconcierto.cl/2020/02/07/historico-procesan-a-tres-militares-en-retiro-que-participaron-en-la-quema-de-microfilms-de-la-dictadura/>

China. A newly leaked 137-page spreadsheet outlines the information that the authorities in Karakax County in southwestern Xinjiang gathered on 311 persons interned for re-education, including the location, data and reasons for their detention, circles of relatives, community circle, and “religious inheritance circle.” In all, the 311 main persons become 2,802 adults plus “hundreds of related minors” that are known to authorities as having a relationship with an interned person. The *Journal of Political Risk* published a detailed analysis of the List; the author concluded, “More than any other piece of

publicly available evidence, the Karakax List presents us with an intimate picture of the inner workings of Beijing's surreptitious battle for control over innermost human terrains of identity and allegiance." <https://www.jpolrisk.com/karakax/>; [https://www.vice.com/en\\_us/article/epgadw/leak-secret-documents-show-how-china-targets-muslims-for-education-camps-and-spies-on-their-families](https://www.vice.com/en_us/article/epgadw/leak-secret-documents-show-how-china-targets-muslims-for-education-camps-and-spies-on-their-families)

Colombia. *InSight Crime* reported that on 11 December the Constitutional Court recognized that a woman forcibly recruited by the FARC (Revolutionary Armed Forces of Colombia), who endured sexual violence and was forced to have an abortion, is a victim of armed conflict. The Court ordered that she is to received "specialized medical assistance," and to be included on the National Victims Registry "guaranteeing her access to reparations provided for by the 2011 Victims Law." The case "sets an international benchmark for the recognition of such violence suffered by women and girls within armed groups." <https://www.insightcrime.org/news/brief/colombia-sexual-violence-farc/>

CERAC, a nongovernmental organization monitoring political violence, said deaths resulting from acts of political violence decreased 33% during 2019 compared to 2018; however, the 23 deaths in January 2020 "represent the second highest [on] record for a single month since 2017." <https://www.blog.cerac.org/monitor-de-violencia-politica-en-colombia-esta-bloqueado-monitor-de-violencia-politica-en-colombia>

Guatemala. A court indicted Francisco Cuxum Alvarado on charges of crimes against humanity and aggravated sexual assault, which reopens the Maya Achi sexual violence case, *International Justice Monitor* reported. The prosecutor played a recording of the 2018 pretrial hearing, in which a Maya Achi woman described the abuses while "sobbing intermittently." The prosecution said it will bring such evidence as "maps to clarify the sequence of events; reports about the role of the PACS [civil defense patrols] . . . between 1980 and 1985; documents regulating the actions of the PACS and their subordination to the Guatemalan army; official documents to confirm the identities of the victims and the accused; and several expert reports." For background, see *SAHR News* 2019-10. <https://www.ijmonitor.org/2020/02/former-paramilitary-indicted-in-guatemala-in-maya-achi-sexual-violence-case/>

*Reuters* reported that a new law "requires NGOs to register, report donations and allow their accounts to be inspected." If they don't, "several government bodies have powers to cancel the licenses of the groups if they determine their activities 'alter public order'." <https://www.reuters.com/article/us-guatemala-corruption/guatemala-approves-civil-society-restrictions-despite-us-pressure-idUSKCN20L2VX?emci=d624f676-335a-ea11-a94c-00155d039e74&emdi=9d63ffbc-335a-ea11-a94c-00155d039e74&ceid=4606001>

Honduras. The National Anti-Corruption Council (CAN) and the Social Forum on the external Debt and Development in Honduras (FOSDEH) issued "An Estimate of the Macro-Economic impact of Corruption on Honduras." It said that from 2014 to 2018 "over \$10 billion dollars was stolen from the public treasury through a variety of mechanisms" and this "figure exceeded the operating budget for the central government in 2018 and represents 12.5% of the country's GDP" [gross national product]. In a methodology section, the report says "preliminary figures estimated with the highest technical rigor come from: a) official figures in the case of capital flight and tax fraud and b) dozens of cases investigated by the National Anti-Corruption Council CAN, the Supreme Court of Accounts TSC, as well as other instances of civil society and International Cooperation." It also used statistics from *InSight Crime* and "other agencies such as Interpol" but notes that "there is no official, international or national statistic of the sources that feed corruption." Dozens of international organizations applauded the report and called on "the Honduran government to implement the recommendations . . . and ensure the safety of CAN and FOSDEH personnel in light of the disturbing revelations detailed in the report." [https://www.wola.org/wp-content/uploads/2020/02/Public-Statement-on-CNA-and-FOSDEH-footnote-2\\_final.pdf](https://www.wola.org/wp-content/uploads/2020/02/Public-Statement-on-CNA-and-FOSDEH-footnote-2_final.pdf) ; <http://www.fosdeh.com/2020/02/presentaciones-y-nota-metodologia-del-estudio-del-impacto-macroeconomico-de-la-corrupcion-en-honduras/>

India. "Indian police have reunited thousands of missing and trafficked children with their families using a new facial recognition app," *Thomson Reuters Foundation* reported. Police in the southern state of Telangana developed a tool that "uses a centralized database of photographs and identifies up to 80 points on a human face to find a match." It is able to "match a million records per second and includes a name search tool that can zero in on the missing child's parents or village using phonetics to get around the common problem of proper names being misspelt in records." After scanning "more than 3,000 records" police in January "were able to reunite more than half the children with their families." A lawyer specializing in privacy cautioned, "It is essential to know how the data is going to be collected,

for how long it is going to [be] stored, how it will be used in the future and most importantly when it will be deleted.” <https://news.trust.org/item/20200214094459-0zrgu/>

Because the new citizenship law “creates an expedited path to Indian nationality for migrants of six religions, excluding Islam,” Muslims living in India are fearful that their citizenship status will be challenged and “are racing to collect property deeds, land records, graduation documents, voter records, and birth and death certificates in case the government asks for them,” the *Washington Post* reported. [https://www.washingtonpost.com/world/asia\\_pacific/india-citizenship-registry-muslims-documents/2020/02/20/b543f242-4e92-11ea-967b-e074d302c7d4\\_story.html](https://www.washingtonpost.com/world/asia_pacific/india-citizenship-registry-muslims-documents/2020/02/20/b543f242-4e92-11ea-967b-e074d302c7d4_story.html)

Indonesia. The International Coalition for Papua and the Westpapua Netzwerk published a 266 page report on the West Papua human rights and conflict situation, the result of “more than two years of extensive documentation and research work” with contributions from 27 stakeholders. Among the many recommendations is to collect statistics “disaggregated by ethnic origin (indigenous Papuans and non-indigenous Papuan residents)” which would “provide insight into existing inequalities” and could be the basis for specific provincial autonomy and social welfare strategies. <https://humanrightspapua.org/hrreport/2020>

Israel. *Haaretz* published an article by a researcher at the Akevot Institute for Israeli-Palestinian Conflict Research on a recently-released “secret codicil to a report” by a 1956 government committee, titled *Security Settlement and the Land Question*. “The text of the secret codicil shows unequivocally that a major task of the military government was to act as a means to control the state’s lands until their permanent status could be regularized and until, with state support, Jewish settlement could begin in formerly Arab areas.” <https://www.haaretz.com/israel-news/.premium-secret-israeli-document-reveals-plan-to-keep-arabs-off-their-lands-1.8473226>

Mexico. Mexico officially said it had 1,006 femicides in 2019, but, reported the *Los Angeles Times*, this number “is incomplete, because several states still do not use the designation.” Still, it “marks a 145% jump over the 411 cases in 2015. The increase significantly exceeds the rapid rise in the country’s overall homicide rate.” An op-ed for *New York Times Espanol* said, “Designing effective policies to stop violence against women in Mexico requires data.” The data available has “brutally failed to reveal the enormous diversity of contexts in which violence against women occurs.” Further, mortality records “do not always document” whether the victim’s body showed signs of sexual violence. “Information could help prevent more deaths.” <https://www.latimes.com/world-nation/story/2020-02-14/in-mexico-case-of-murdered-women-inflames-debate-about-femicide>; <https://www.nytimes.com/es/2020/02/24/espanol/opinion/mujeres-mexico.html>

Mozambique. An opinion piece published by *Thomson Reuters Foundation* said that providing land titles to farmers not only eases conflicts with neighbors but reduces “runaway fires.” In a “toxic environment” of disputes with neighbors over field boundaries, “when a farmer decides to burn his or her field to make way for the next season’s crops, they may not warn a neighbor of their plans or take care to ensure that the fire does not spread.” <https://news.trust.org/item/20200216180819-f0eao/>

Nepal. The government extended the terms of the Truth and Reconciliation Commission (TRC) and the Commission for Investigation of Enforced Disappeared Persons (CIEDP) by one year from mid-April. The government also decided to establish special survey offices at Chainpur “for the reestablishment of maps and registrars damaged during the conflict” 1996-2006. CIEDP then announced renewed investigations into 2,506 cases, including those in which the army’s Bhairavnath Battalion was implicated, *MyRepublica* reported. “As part of additional investigations, a DNA testing committee has also been formed.” <https://www.nepal24hours.com/nepal-government-extends-term-of-two-commissions-on-transitional-justice/>; <https://myrepublica.nagariknetwork.com/news/ciedp-making-final-round-probe-into-disappearance-cases/>

The government announced that the June 2021 census will allow people to identify themselves and their family members as either male, female or “other (sexual/gender community),” *Thomson Reuters Foundation* reported. <http://news.trust.org/item/20200203154809-2o0vs/>

Netherlands. A court ordered “the immediate halt of an automated surveillance system for detecting welfare fraud because it violates human rights,” the *Guardian* reported. The system was “deployed primarily in low-income neighborhoods” where it gathered “government data previously held in



separate silos, such as employment, personal debt and benefit records and education and housing histories” and analyzed them using an undisclosed algorithm. <https://www.theguardian.com/technology/2020/feb/05/welfare-surveillance-system-violates-human-rights-dutch-court-rules>

Peru. The UN Special Rapporteur on the situation of human rights defenders issued a statement at the end his mission, during which he met with 475 defenders. The Coordinadora Nacional de Derechos Humanos told him that “since 2002, at least 960 individuals have been criminalized in connection to the defence and promotion of human rights. Out of these, 538 were criminalized in the context of social protests.” He noted particular concern for environmental and indigenous peoples rights defenders, and said that during his meeting with the “business sector” he “was shocked by the use of two videos—to generalize and depict environmental human rights defenders as individuals manipulated by their lawyers and advisers, who were presented as criminals and terrorists.” Among his recommendations is to ensure “the legal recognition of the ancestral lands of indigenous peoples through the provision and registration of land ownership titles.” <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25507&LangID=E>

Senegal. Archivistes sans Frontieres France, responding to an appeal by Senegal’s national archivist, condemned the destruction of the archives of the Organization for the development of the Senegal river (OMVS), burned during a protest by fishermen seeking fishing contracts. AsF-France called it “aggression against a common heritage of interest to the populations of Senegal, Mali, Guinea and Mauritania.” <http://archivistessansfrontieres.fr/Saccage-des-archives-de-l-OMVS>

Seychelles. *JusticeInfo.net* reported that families are asking, “Why were two killings on June 5, 1977, the day of France-Albert René’s coup d’Etat, not investigated and prosecuted? And why did the families never receive compensation from the national Fund?” In testimony before the Truth, Reconciliation and National Unity Commission, the Attorney General said, “It should be noted that at the time of the incident, there was no system in place to record the cases.” He said his “search for the two case files has been unfruitful.” <https://www.justiceinfo.net/fr/commissions-verite/43839-commission-verite-seychelles-insaisissable-verite-morts-coup-etat.html>

Sri Lanka. The prime minister announced that the government will “withdraw from co-sponsorship of a 2015 UN Human Rights Council resolution calling for the investigation of allegations of war crimes committed during the island nation’s long civil war,” *AP* reported. He said “the resolution has enabled other countries to blame members of Sri Lanka’s armed forces for being human rights violators.” At least 100,000 people were killed during the 26-year civil war. <https://apnews.com/266f76dc01d4cc376bb3f3f356304a01>

Taiwan. The Transitional Justice Commission launched a “searchable online database of court files of nearly 10,000 victims of political persecution during the country’s martial law period” from 1949-1987, *CNA* reported. Names of the military officers involved in the court trials of the victims are included, but “due to time and budget constraints, documents such as arrest and interrogation records and prison times served by each individual were not included in the database. It also does not contain any information about people who were executed without a court trial.” The director of the National Human Rights Museum said the database “is an important refutation of the notion that Taiwan’s martial law period was an era of ‘10,000 victims but no perpetrators’.” <https://focustaiwan.tw/society/202002260022>

The Commission said that the “nation’s intelligence/security agencies were likely involved in the 1980 murders of democracy advocate Lin I-hsiung’s mother and six-year-old twin daughters, but the destruction of key evidence has made it hard to draw firm conclusions,” *Taipei Times* reported. The Commission called the original investigation into the murders “severely obstructed” and said key telephone surveillance recordings from the day of the murders had been “flushed.” <http://taipeitimes.com/News/front/archives/2020/02/18/2003731178>

United States. *The Intercept* reported that Federal Bureau of Investigation (FBI) documents obtained through a Freedom of Information Act request show that since the late 1960s until at least 1978 the Bureau had a program to surveil ethnic Chinese scientists and students living in the United States, “upending lives and paving the way for decades of discrimination.” [https://theintercept.com/2020/02/02/fbi-chinese-scientists-surveillance/?utm\\_source=The+Intercept+Newsletter&utm\\_campaign=a2c57e8920-EMAIL\\_CAMPAIGN\\_2020\\_02\\_08&utm\\_medium=email&utm\\_term=0\\_e00a5122d3-a2c57e8920-134379393](https://theintercept.com/2020/02/02/fbi-chinese-scientists-surveillance/?utm_source=The+Intercept+Newsletter&utm_campaign=a2c57e8920-EMAIL_CAMPAIGN_2020_02_08&utm_medium=email&utm_term=0_e00a5122d3-a2c57e8920-134379393)

The *Wall Street Journal* reported that Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) have purchased from a company called Venntel “access to a database that tracks millions of cell phones and is using the data as part of its ongoing crackdown on undocumented immigrants.” [https://www.vice.com/en\\_us/article/v7479m/ice-is-using-location-data-from-games-and-apps-to-track-and-arrest-immigrants-report-says](https://www.vice.com/en_us/article/v7479m/ice-is-using-location-data-from-games-and-apps-to-track-and-arrest-immigrants-report-says)

Customs and Border Protection has been designated as a “security agency,” according to an internal CBP memo obtained by *The Nation*. The memo said, “This policy change now protects all CBP employee names from subsequent response to Freedom of Information Act requests or other public disclosures for CBP employee data.” <https://www.thenation.com/article/politics/cbp-security-agency/>

In an effort to block the application of a records schedule permitting the destruction of detention-related records created and maintained by ICE, the American Civil Liberties Union and immigration justice groups submitted Freedom of Information requests for the records, thereby halting immediate destruction. <https://www.jurist.org/news/2020/02/aclu-and-immigration-justice-groups-submit-requests-for-ice-detainee-documentation-before-it-is-destroyed/>

*The Epoch Times* published an article on “lives lost, billions wasted due to government records management failures.” It begins by saying the man who killed 26 people at a church in Texas in 2017 “used guns he wouldn’t have been able to purchase” if the Air Force had sent its investigation, court-martial and prison records to the FBI. The majority of the article describes the problems of managing electronic records and declares that the official government certified records management software provides “little more than the illusion of records management.” [https://www.theepochtimes.com/the-illusion-of-transparency\\_3234958.html/](https://www.theepochtimes.com/the-illusion-of-transparency_3234958.html/)

The Department of Defense announced it has “officially adopted a series of ethical principles for the use of Artificial Intelligence.” The principles “will apply to both combat and non-combat functions” and “encompass 5 major areas”: responsible, equitable, traceable, reliable and governable. <https://www.defense.gov/Explore/News/Article/Article/2094085/dod-adopts-5-principles-of-artificial-intelligence-ethics/>

Knowing that “a substantial share” of death records in which the cause is a drug overdose do not include information on “specific drug involvement,” researchers used the National Center for Health Statistics’ Detailed Multiple Cause of Death records, 1999–2016, to look at “unclassified drug overdoses in US death records . . . to estimate the number of fatal opioid” deaths. They looked at other indicators in the medical records, including chronic pain conditions and previous opioid use, and found that “71.8% of unclassified drug overdoses in 1999–2016 involved opioids” which makes the total number of deaths from opioid use “approximately 28% more than reported” in previous counts. <https://doi.org/10.1111/add.14943>; <https://scitechdaily.com/opioid-crisis-may-be-far-worse-than-we-thought-thousands-more-lives-taken-each-year-than-reported/>

The Huntington Library announced its purchase of a collection of 75 manuscripts “documenting an 18<sup>th</sup> century investigation into a land deal . . . that defrauded the Lenni Lenape [tribe] . . . out of more than a million acres in Pennsylvania.” <http://www.pasadenanow.com/main/the-huntington-acquires-archive-on-colonial-plot-to-defraud-native-americans-of-a-million-acres/#.XkcXgCMXAdU>

*The Associated Press* reported that the Boy Scouts of America filed for bankruptcy protection against lawsuits “on behalf of several thousand men who say they were molested as scouts by scoutmasters or other leaders decades ago but are only now eligible to sue because of recent changes in their states’ statute-of-limitations laws.” Between 2012 and 2014 Scout organizations were forced to open records, leading to these lawsuits. [https://www.nola.com/news/business/article\\_faa4193a-5251-11ea-b84e-3f987fcd1371.html](https://www.nola.com/news/business/article_faa4193a-5251-11ea-b84e-3f987fcd1371.html)

Venezuela. “Hundreds” of documents submitted in court show that “at least two officers accused of involvement” in killing two men last March “served prison terms before they joined the Special Action Force of the National Police [FAES], a group formed two-and-a-half years ago,” *Reuters* reported. “The documents—which include autopsies, ballistic reports, officer testimony and personnel files—also show that at least three other members of the same FAES precinct who aren’t being prosecuted over the deadly operation have criminal records of their own. It is both illegal and against national police policy for criminals to belong to the FAES.” <https://www.reuters.com/investigates/special-report/venezuela-violence-police-faes/>

**Publications.** DigiCONFLICT (Digital Heritage in Cultural Conflicts), in cooperation with the Editorial Board of *Santander Art and Culture Law Review*, calls for papers on the impact of the digital turn on cultural heritage law and policy, to be published in autumn 2020. Deadline for submission of manuscripts is 30 April 2020 to: [saacreditors@gmail.com](mailto:saacreditors@gmail.com)

Brandeis University launched an online “language, culture and justice hub” to explore 1) the impacts of linguistic and cultural diversity on processes of international criminal justice, and 2) language rights, including access to competent interpretation, in the context of migration. <https://www.brandeis.edu/ethics/internationaljustice/language-culture-justice/index.html>

**Good reads.** The Sedona Conference: *The Sedona Conference Glossary, eDiscovery & Digital Information Management, Fifth Edition*. [https://thesedonaconference.org/publication/The\\_Sedona\\_Conference\\_Glossary](https://thesedonaconference.org/publication/The_Sedona_Conference_Glossary)

Open Society Information Program: *Civil Society Organizations and General Data Protection Regulation Compliance: Challenges, Opportunities and Best Practices*. <https://www.opensocietyfoundations.org/publications/civil-society-organizations-and-general-data-protection-regulation-compliance>

Latin American Studies Association: *LASA Forum dossier on truth, justice and memory*. [https://forum.lasaweb.org/?fbclid=IwAR0AP8sGkMNP74VCOL8bjUgPumMA7yxNWy0gqZ\\_p1PFOadGC0\\_zAiDJ-tg8](https://forum.lasaweb.org/?fbclid=IwAR0AP8sGkMNP74VCOL8bjUgPumMA7yxNWy0gqZ_p1PFOadGC0_zAiDJ-tg8)  
[https://ssir.org/articles/entry/how\\_philanthropy\\_can\\_help\\_lead\\_on\\_data\\_justice#](https://ssir.org/articles/entry/how_philanthropy_can_help_lead_on_data_justice#)

*JD Supra*: “Using Data from Wearable Devices in Litigation.” <https://www.jdsupra.com/legalnews/using-data-from-wearable-devices-in-88425/>

*The New Yorker*: “Qassem Suleimani and how nations decide to kill.” [https://www.newyorker.com/magazine/2020/02/10/qassem-suleimani-and-how-nations-decide-to-kill?utm\\_campaign=aud-dev&utm\\_source=nl&utm\\_brand=tny&utm\\_mailing=TNY\\_Magazine\\_Daily\\_020320&utm\\_medium=email&bxid=5c48efcf2ddf9c4807adf975&cndid=53684912&esrc=Auto\\_Subs&mbid=&utm\\_term=TNY\\_Daily](https://www.newyorker.com/magazine/2020/02/10/qassem-suleimani-and-how-nations-decide-to-kill?utm_campaign=aud-dev&utm_source=nl&utm_brand=tny&utm_mailing=TNY_Magazine_Daily_020320&utm_medium=email&bxid=5c48efcf2ddf9c4807adf975&cndid=53684912&esrc=Auto_Subs&mbid=&utm_term=TNY_Daily)

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