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

**Principle 7. Users have the right to appeal a denial of access.**

*Each archival institution has a clear policy and procedure for appeals of initial denials of access. When a request for access to archives is denied, the reasons for the denial are stated clearly in writing and conveyed to the applicant as soon as possible. Users denied access are informed of their right to appeal the denial of access and the procedures and time limits, if any, for doing so.*

*For public archives, several levels of appeal may exist, such as a first internal review and a second appeal to an independent and impartial authority established by law. For non-public archives, the appeal process may be internal, but it should follow the same general approach. Archivists who participate in the initial denial provide the reviewing authority with information relevant to the case but do not take part in the decision-making on the appeal.*

An appeal makes sure that an arbitrary decision can be challenged and potentially reversed. A senior official reviewing an initial denial may be more willing to see the public benefits of releasing information than is the initial reviewer who often believes that he has no flexibility in following the restriction guidelines. And an appeal is an opportunity to do more extensive research about the contents of the document: is the person whose privacy might be invaded already dead, has information on the event already been officially released.

In a case reported below (see National news/United States), a son discovered that the U.S. Central intelligence Agency and the Federal Bureau of investigation had spied on his father. The son was able to get the FBI documents, but access was denied by the CIA. He is now appealing the CIA withholding to an inter-agency body that includes the National Archives, hoping that he will finally get

the documents on his father. The appeal gives him a second chance, and one outside the total control of the creating agency.

In many countries the government's freedom of information law guarantees that the requester will get a chance to plead his case for access if he is turned down when he makes his first request for access. The United Kingdom has a freedom of information act that includes the right to appeal. The U.K. FOIA statistics for 2011 show that of the 37 appeals from denials by "monitored bodies" that were decided in 2011, the information commissioner upheld 24 denials in full, overturned 5 in full, and overturned 8 in part. In other words, in 35% of the cases, an appeal resulted in the release of more information.

<http://www.justice.gov.uk/downloads/statistics/mojstats/foi-statistics/foi-stats-bulletin-q4-2011.pdf> That is an appeal worth making.

## International news.

United Nations/United States/United Kingdom/Other States. Ben Emmerson, the United Nations special rapporteur on the promotion and protection of human rights while countering terrorism, issued a strong report on the right to truth and the need for accountability by states. Focusing on the "war on terror" and the "black sites" that have been used to hold suspects incommunicado for interrogation, he called on the United States to make public the U.S. Senate's investigation of the U.S. secret detention and interrogation program, the U.K. to open its 2012 interim report on its involvement in the program, and the five states (Lithuania, Morocco, Poland, Romania and Thailand) where the "black sites" were located to conduct inquiries. He wrote that the right to truth and the principle of accountability by states have been "frustrated" in various ways: "the grant of *de facto* or *de jure* immunities; the officially authorised destruction of relevant evidence; executive obstruction of (or interference in) independent investigations into past practices; the assertion by the executive of unjustified claims for secrecy on grounds of national security or the maintenance of good foreign relations; the suppression or delayed publication of reports of independent investigations whose findings might expose past official wrongdoing to public scrutiny; executive inertia motivated by a desire to 'draw a line' under the past more or less oblique invocation of the 'superior orders' defence, despite

its prohibition under customary law and relevant international treaties; and excessive judicial deference to the executive on matters related to national security or the maintenance of good foreign relations, with the effect of excluding the right of access to court, or unjustifiably restricting the exposure of the facts, often on the basis of highly dubious legal reasoning.”

[http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-52\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-52_en.pdf)

United Nations/Americas. In a briefing to the Inter-American Commission on Human Rights on solitary confinement in the Americas, the United Nations special rapporteur on torture, Juan Menendez, called on the Commission to investigate the practice of solitary confinement, adding that he was “concerned about the general lack of official information and statistics on the use of solitary confinement.”

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13134&LangID=E>

UNICEF/Israel/Palestine. UNICEF released a report “Children in Israeli Military Detention: Observations and Recommendations.” The study estimated that 700 Palestinian children aged 12 to 17 are arrested, interrogated and detained each year in the occupied West Bank by military, police and security agents, and found that “ill-treatment” is “widespread, systematic and institutionalized.” The authors based their findings on an analysis of “cases documented through the monitoring and reporting mechanism on grave child rights violations,” as well “Israeli military orders, domestic legislation and relevant jurisprudence; statistics from governmental and non-governmental organizations; and reports from UN bodies and Israeli and Palestinian non-governmental groups” and “discussions conducted by UNICEF with Israeli and Palestinian lawyers and Israeli officials and interviews with Palestinian children.” UNICEF maintains its archives at its headquarters in New York.

[http://www.unicef.org/oPt/UNICEF\\_oPt\\_Children\\_in\\_Israeli\\_Military\\_Detention\\_Observations\\_and\\_Recommendations\\_-\\_6\\_March\\_2013.pdf](http://www.unicef.org/oPt/UNICEF_oPt_Children_in_Israeli_Military_Detention_Observations_and_Recommendations_-_6_March_2013.pdf)

## **General news.**



human rights working group  
international council on archives

groupe de travail sur les droits de l'homme  
conseil international des archives

## News of March 2013

The World Economic Forum published a report, “Unlocking the Value of Personal Data: From Collection to Usage” recommending that technological solutions be explored to give individuals control over their own information while “permitting important data assets to flow by tagging all collected data with a software code that includes an individual’s preferences on how the data can be used” and “allowing permissions to flow with the data.” The impact of managing such permissions in an archives would be significant. For the report, see [http://www3.weforum.org/docs/WEF\\_IT\\_UnlockingValuePersonalData\\_Collection\\_Usage\\_Report\\_2013.pdf](http://www3.weforum.org/docs/WEF_IT_UnlockingValuePersonalData_Collection_Usage_Report_2013.pdf); for a review, see [http://www.realclearpolitics.com/2013/03/24/big\\_data\\_is\\_opening\\_doors\\_but\\_maybe\\_too\\_many\\_304499.html](http://www.realclearpolitics.com/2013/03/24/big_data_is_opening_doors_but_maybe_too_many_304499.html)

A survey by Harris Interactive, a market research firm, “of 3,700 doctors in eight countries revealed that only 31 percent believe that patients should have full access to their own medical records via electronic means,” *Ars Technica* reported. Nearly two-thirds of those surveyed supported “limited access,” while 4 percent believe patients should have no access. The author of the article gained access to his medical record and found it “littered with inaccuracies.” <http://arstechnica.com/tech-policy/2013/03/majority-of-doctors-opposed-to-full-access-to-your-own-electronic-records/> A similar study in the U.S. by Accenture, a management consulting firm, found that 68 percent of U.S. doctors do not want patients to have full access to their electronic health records, roughly the same percentage as the larger study, *Businessweek* reported. <http://www.businessweek.com/articles/2013-03-13/doctors-like-electronic-medical-records-as-long-as-patients-cant-touch-them>

Photographers using social networks like Facebook and Twitter to promote their work may be losing the legal rights to their photos because the sites are deleting the metadata for the images such as who owns the image's copyright, the photographer's name, captions and other descriptive information, *IDG News Service* reported. [http://www.techworld.com.au/article/456282/facebook\\_twitter\\_called\\_deleting\\_photo\\_metadata/](http://www.techworld.com.au/article/456282/facebook_twitter_called_deleting_photo_metadata/)

The International Association of Privacy Professionals announced that it is offering a certificate as a Certified Information Privacy Manager. The Association said the new certificate is “aimed at chief privacy officers, corporate privacy managers, compliance officers, risk managers, information security and auditing professionals and a host of

others with responsibility for implementing privacy policy.” The certificate “covers subject matter like creating a company vision, structuring a privacy team, measuring performance and developing and implementing a privacy program framework.” For further information, see

[https://www.privacyassociation.org/certification/cipm\\_certification\\_program](https://www.privacyassociation.org/certification/cipm_certification_program)

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

A-Queda/Germany/United States. *Die Zeit* reported that a document seized from Osama bin Laden’s compound by the U.S. was given to Germany to use in its trial of alleged terrorists. The 17-page document discusses attacking “pipelines, dams, bridges, and other important infrastructure in the U.S. and Europe.” The lawyer for one of the accused said he is “skeptical about the authenticity of the document,” reported the *Huffington Post*.

<http://www.zeit.de/politik/ausland/2013-03/terror-al-kaida-anschlagsplaene>

[http://www.huffingtonpost.com/2013/03/23/al-qaeda-document-plans-terrorist-attacks\\_n\\_2935126.html?utm\\_hp\\_ref=world](http://www.huffingtonpost.com/2013/03/23/al-qaeda-document-plans-terrorist-attacks_n_2935126.html?utm_hp_ref=world)

Australia/Israel. *Der Spiegel* published a lengthy report on the case an Australian man named Ben Zygier, who was held secretly in an Israeli prison where he died (see *HRWG News* 2013-02 for background). When Zygier was arrested, the agents found that he had “a CD with additional classified information that was apparently from the Tsomet department, say Israeli officials with access to the investigation.” Tsomet, the largest department of Mossad, the Israeli national intelligence agency, manages sources and analyses information.

<http://www.spiegel.de/international/world/how-the-mossad-career-of-ben-zygier-ended-in-treason-a-890854.html>

Croatia/Serbia. Serbia and Croatia agreed to form a joint commission “to deal with such unresolved issues as missing persons, property questions, mutual lawsuits and war crimes prosecutions,” *BIRN* reported. Records will be crucial to this inquiry.

[http://www.balkaninsight.com/en/article/serbia-croatia-form-joint-commission-for-open-issues?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=07999d1b2a-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email](http://www.balkaninsight.com/en/article/serbia-croatia-form-joint-commission-for-open-issues?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=07999d1b2a-RSS_EMAIL_CAMPAIGN&utm_medium=email)

Israel/Palestine. One of the main goals of Masira, a Palestinian women's NGO, is "documenting the experiences" of the Palestinian women who have been held in Israeli prisons since 1967. The head of gender equality in the Ministry of Prisoners' Affairs says that 15,000 women have been released during those years. *Al-Monitor Palestine Pulse* reported that Masira will publish a book containing the stories of 25 released prisoners. *Al-Monitor Palestine Pulse* also ran a story on the work of B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories, which "documents and exposes violations carried out by its country's army against Palestinians." The records of both of the NGOs need to be securely preserved. [http://www.al-monitor.com/pulse/originals/2013/03/palestinian-female-prisoners.html?utm\\_source=&utm\\_medium=email&utm\\_campaign=6617](http://www.al-monitor.com/pulse/originals/2013/03/palestinian-female-prisoners.html?utm_source=&utm_medium=email&utm_campaign=6617); [http://www.al-monitor.com/pulse/originals/2013/03/btselem-human-rights-palestine.html?utm\\_source=&utm\\_medium=email&utm\\_campaign=6506](http://www.al-monitor.com/pulse/originals/2013/03/btselem-human-rights-palestine.html?utm_source=&utm_medium=email&utm_campaign=6506)

## **National news.**

Argentina. The trial began for 25 men accused of human rights violations during the 1976-1983 dictatorship, including a former Uruguayan army colonel who is alleged to have carried out torture in Argentina. According to *Impunity Watch*, "The trial is expected to last two years and call 500 witnesses to testify. Judges are expected to rule on 106 victims' cases directly from Operation Condor and on 56 cases stemming from a related operation. Most of these victims are Uruguayans who disappeared in Argentina, but citizens from neighboring countries were also affected." (Operation Condor is the notorious cooperation in the 1970s by military regimes in the Southern Cone of South America to suppress dissent, resulting in the killing of tens of thousands.) The trial record should be immense. <http://impunitywatch.com/argentina-begins-the-trial-of-participants-of-operation-condor/> *El Pais* published a list of all the accused and all the victims [http://internacional.elpais.com/internacional/2013/03/05/actualidad/1362438659\\_395674.html](http://internacional.elpais.com/internacional/2013/03/05/actualidad/1362438659_395674.html) For a discussion of the documentary evidence available, see the interview with John Dinges, the author of *The Condor Years*, at [http://www.democracynow.org/2013/3/7/operation\\_condor\\_trial\\_tackles\\_coordinated\\_campaign](http://www.democracynow.org/2013/3/7/operation_condor_trial_tackles_coordinated_campaign);

Australia. The Fitzgerald Inquiry was a "landmark 1980s investigation into state police corruption" in the province of Queensland. When the Inquiry concluded in

1989, the records were transferred to the Queensland State Archives; part of the records were to be restricted for 65 years and the other part for 100 years, reported *Image and Data Manager* and other media. In February 2012 the director of the Queensland Crime and Misconduct Commission decided to change the 65 year restriction to 20, with the result that some 741 documents from the Inquiry were made publicly available, including operational records of interviews, descriptions of surveillance, names of informants, and even an inquiry commissioner's personal notebook with comments about witnesses. A Queensland Parliamentary inquiry into the release is underway; it also includes the apparently inadvertent destruction in 2007 of some 4000 records of the Fitzgerald Inquiry. Among the dozens of articles, see <http://www.news.com.au/national-news/queensland/avalanche-of-sensitive-files-sparked-alarm-for-former-policeman/story-fndo4ckr-1226596785285>; <http://idm.net.au/article/009461-qld-records-stuff-threatens-fitzgerald-witnesses>; <http://www.couriermail.com.au/news/queensland/sensitive-files-seen-by-quite-a-few-people/story-e6freoof-1226593550132>; <http://www.businessspectator.com.au/bs.nsf/Article/Qld-govt-scrambles-to-protect-confidential-documen-pd20130307-5KKUX?opendocument&src=rss>; <http://www.heraldsun.com.au/news/national/sensitive-information-from-fitzgerald-inquiry-available-to-anyone-with-basic-web-skills-hearing-told/story-fndo45r1-1226603717205>; <http://idm.net.au/article/009486-cmc-inquiry-hears-how-huge-mistakes-were-made>

Bosnia. The chief prosecutor of Bosnia-Herzegovina met with the Director General of the International Commission on Missing Persons (ICMP) and discussed efforts to accelerate accounting for missing persons. The Prosecutor "stressed that locating and identifying missing persons is a crucial matter for processing of war crime cases, as the documentation from this process is used as case evidence, while locating the mortal remains is also important for victim families," said the ICMP press release. The Prosecutor hopes to establish a "purpose specific database" to aid in the search. ICMP "has the isolated unique genetic profiles for a large number of persons which cannot be matched to blood reference samples provided to ICMP by families of the missing, an estimated 9000 individuals." The two institutions also agreed to use satellite imagery to help identify burial sites. <http://www.ic-mp.org/press-releases/salihovic-bomberger/>

Brazil. As the Brazilian truth commission begins work, the significance of archives is apparent. In a speech at the Carnegie Institution in Washington,

D.C., a consultant to the Commission said the Commission hopes to use data mining techniques on the 60 million documents they believe are relevant to the inquiry. The state archives of Sao Paulo digitized some one million documents from the period of the military dictatorship that are available at [www.arquivoestado.sp.gov.br](http://www.arquivoestado.sp.gov.br). The National Archives of Brazil is beginning a major digitization project on behalf of the Commission. Thank you to James Simon and Vitor Fonseca for the information.

Canada. The Association des archivistes du Québec, the Association of Canadian Archivists, and the Canadian Council of Archives issued a joint public statement protesting the new “Code of Conduct: Ethics and Value” announced by the Library and Archives Canada for its employees. The organizations believe that “strict enforcement of this code would veer dangerously close to diminishing their rights as citizens of this democratic country.” For the statement in English and French, see

[http://www.cdncouncilarchives.ca/JointStatement\\_CodeConductLAC\\_EN.pdf](http://www.cdncouncilarchives.ca/JointStatement_CodeConductLAC_EN.pdf);  
[http://www.cdncouncilarchives.ca/JointStatement\\_CodeConductLAC\\_FR.pdf](http://www.cdncouncilarchives.ca/JointStatement_CodeConductLAC_FR.pdf)

*Straight.com* charged that Library and Archives Canada’s agreement with Ancestry, by which Ancestry digitized 80 million voter registrations from Elections Canada dating from 1935 to 1980, means that “anyone who was old enough to vote in 1980 and who still lives at the same address might find their personal privacy in peril.” The article also questioned the release by the British Columbia Archives and the Royal British Columbia Museum of 700,000 birth, death and marriage records.

<http://www.straight.com/news/359091/library-and-archives-canada-deal-ancestryca-leaves-personal-information-vulnerable>

In Toronto, a class action lawsuit was filed against Montfort Hospital for loss of an “unencrypted USB key containing the personal health information of approximately 25,000 patients.”

<http://www.fcbarristers.com/documents/FCPressReleaseMar1413.pdf>

Egypt. The *Associated Press* obtained “parts” of the report submitted to President Mohammed Morsi and the national prosecutor “late last year” by the fact-finding commission created by the President to review the deaths that occurred during the Arab Spring uprising in January and February 2011. The commission concluded that “police were behind nearly all the killings.” The commission conducted “about 400

interviews,” and the report “went into extensive detail, citing police logs of the issuing of assault rifles and ammunition, and listing the officers who received them.”

<http://www.boston.com/2013/03/13/egypt/saRlpCuCCQJgj96woXmwfJ/story.html>

France. The entire military file from the Ministry of Defense on the trial of Captain Alfred Dreyfus has been scanned, transcribed, and posted on the Internet. (Dreyfus was convicted of treason in 1894 and exonerated in 1906.) The file contains more than 470 documents, including investigative notes, witness statements, and information about “homosexual liaisons between certain actors in the affair.” For an article about the release, see <http://www.ynetnews.com/articles/0,7340,L-4354457,00.html> ; for the file, see <http://www.affairendreyfus.com/p/dossier-secret.html#!/p/dossier-secret.html>

Guatemala. The trial of former Guatemalan military dictator Efraim Rios Montt and his intelligence chief, José Mauricio Rodríguez Sánchez, began in Guatemala City. A new briefing book by the National Security Archives, “U.S. and Guatemalan Documents Trace Dictator’s Rise to Power,” is posted at <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB419/>. For riveting daily trial summaries, see a new website launched by the Open Society Justice Initiative in partnership with the National Security Archive, the International Center for Transitional Justice, CEJIL and the Guatemalan on-line news site Plaza Pública: <http://www.riosmontt-trial.org/>

Iraq. The International Center for Transitional Justice (ICTJ) published a report on “the structure and impact of de-Baathification from 2003 to 2011.” Guaranteeing the non-recurrence of conflict is one of the four major aims of transitional justice, and a key to that is vetting or lustration of the personnel of the former regime. ICTJ’s report “is based on significant field research” including “unprecedented access to staff and materials at the Higher National De-Ba’athification Commission.” Those records (“materials”) need secure preservation at the National Archives of Iraq. <http://ictj.org/sites/default/files/ICTJ-Report-Iraq-De-Baathification-2013-ENG.pdf>

Israel. *Al-Monitor Palestine Pulse* reported on a Palestinian Bedouin community in the West Bank that is battling eviction. “Israel says the Bedouin camps lack building permits, and are thus illegal,” the reporter writes, but the Bedouins who live in the area are “registered refugees with the United Nations Relief and Works Agency.” The absence of documents in one case confronts the documentation in another.



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## News of March 2013

[http://www.al-monitor.com/pulse/originals/2013/03/palestinian-bedouins-threatened-  
eviction.html?utm\\_source=&utm\\_medium=email&utm\\_campaign=6677](http://www.al-monitor.com/pulse/originals/2013/03/palestinian-bedouins-threatened-<br/>eviction.html?utm_source=&utm_medium=email&utm_campaign=6677)

Macedonia. Court records obtained by *Balkan Insight* show that Macedonia's controversial new defence minister was on probation when he was appointed. Macedonia's Court of Appeals found him guilty in 2011 of "obstructing a police officer after a rally" of his political party, but instead of jail he was sentenced to a six-month suspended jail term and then put on two years of probation which expired in March 2013. [http://www.balkaninsight.com/en/article/macedonian-defence-minister-has-criminal-record?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=ca133381bf-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email](http://www.balkaninsight.com/en/article/macedonian-defence-minister-has-criminal-record?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=ca133381bf-RSS_EMAIL_CAMPAIGN&utm_medium=email)

Mali. The Council of Ministers and the President created a Commission on Dialogue and Reconciliation which will be "responsible for recording violations of human rights committed throughout the country" since the "beginning of hostilities." The announcement said the Council knew that human rights associations have "denounced" serious violations of human rights "committed on all the national territory." <http://www.rfi.fr/afrique/20130307-mali-creation-officielle-commission-dialogue-reconciliation> For examples of those "denunciations," see Human Rights Watch reports from January, February and March at <https://www.hrw.org/news/2013/03/26/mali-soldiers-torture-detainees-lere>

Myanmar. The official commission on the violence at the Letpadaung copper mine published its report (for background and the view of a non-governmental investigation, see *HRWG News* 2013-02). It was met with protests that the commissioners did not understand what happened and did not hold anyone accountable for the violence. For a summary, see <http://www.minesandcommunities.org/article.php?a=12188>

Poland. The City Archives of Warsaw returned the papers of Jakob Serf in "15 cream-colored file folders" to his daughters. The "letters, newspaper articles and poems" of the writer were seized from his home by communist authorities after he was sent to prison in 1963 "on fabricated charges," the *Associated Press* reported. <http://www.haaretz.com/jewish-world/jewish-world-news/poland-returns-yiddish-writer-s-works-confiscated-by-communists-to-daughters-1.507553>

Russia. Russian authorities raided the offices of hundreds of nongovernmental organizations across the country, seizing computers and documents, reported many media sources. The raid encompassed both Russian organizations and international organizations such as the Konrad Adenauer Foundation in Moscow whose computers were seized and later returned. Memorial, one of the oldest Russian human rights organizations, said police did a “total search” of its premises; Memorial’s chairman commented that Russian government offices “are drowning in a huge amount of paperwork from dozens of organizations.” Russian President Vladimir Putin said the NGOS “are being inspected to make sure they comply with a law meant to stop foreign countries from meddling in domestic affairs,” *Voice of America* reported.  
<http://www.rferl.org/content/russia-ngo-searches/24934961.html>  
<http://www.voanews.com/content/russia-raids-hundreds-of-ngo/1631225.html>;  
<http://www.dw.de/germany-outraged-over-ngo-raids-in-russia/a-16709337>

Serbia. The Humanitarian Law Center published *Dossier: 549<sup>th</sup> Motorized Brigade of the Yugoslav Army* to “allow the public in Serbia to have access to information about mass crimes committed against Kosovo Albanian civilians in the area under the responsibility” of the Brigade. The report is “based on statements given by surviving victims, eyewitnesses, members of the 549<sup>th</sup> MtBr, victims’ family members, forensic reports, judgments and transcripts from ICTY trials, authentic military documents presented as evidence in ICTY trials, the media archive, and other documents.”  
<http://www.hlc-rdc.org/wp-content/uploads/2013/03/Dossier-549th-Motorized-Brigade-of-Yugoslav-Army.pdf>

Syria. In a report on documenting human rights violations in real time, U.S. *National Public Radio* interviewed three researchers who analyze evidence coming from Syria, particularly interviews by human rights workers and personal videos.  
<http://www.npr.org/2013/02/05/171081879/in-syrian-conflict-real-time-evidence-of-violations>

The United Nations High Commissioner for Human Rights published a comparative statistical analysis of seven databases, six built by Syrian human rights monitors and one database collected by the Syrian government, to determine the “conflict-related violent deaths” in Syria between March 2011 and November 2012. “The purpose of the report is to explore the state of documentation, the quantitative relationship of the sources to each other, and to highlight how understanding of the conflict may be

affected due to variations in documentation practices.”

<http://www.ohchr.org/Documents/Countries/SY/PreliminaryStatAnalysisKillingsInSyria.pdf>

Turkey. Abdullah Ocalan, the jailed leader of the Kurdistan Worker’s Party, issued a letter from prison in which he called for “a phased withdrawal of our armed elements” from Turkey. The letter was read to a crowd and broadcast live by private news channels but not by the state broadcaster’s main news channel, demonstrating that it is essential to preserve the archives of private broadcasters as well as the state media. The letter was read by members of parliament from the Peace and Democracy party, which presumably has the original letter, and that demonstrates the importance of preserving the archives of political parties. For some of the media coverage and an English summary of the “main points of Kurd rebel leader Ocalan’s truce letter” published by *Kurdnet*, see

<http://www.newyorker.com/online/blogs/newsdesk/2013/03/peace-comes-to-turkey.html>

[http://www.atimes.com/atimes/Middle\\_East/MID-01-220313.html](http://www.atimes.com/atimes/Middle_East/MID-01-220313.html)

<http://www.ekurd.net/mismas/articles/misc2013/3/turkey4601.htm>

Ten days before the Ocalan letter was released, a Turkish lawyer and human rights defender issued a call for a truth commission, noting that the records of cases before the European Court of Human Rights brought on behalf of Kurdish victims of state violence would be important sources. [http://www.al-monitor.com/pulse/originals/2013/03/turkey-kurdish-human-rights-pkk-violations-ocalan.html?utm\\_source=&utm\\_medium=email&utm\\_campaign=6506](http://www.al-monitor.com/pulse/originals/2013/03/turkey-kurdish-human-rights-pkk-violations-ocalan.html?utm_source=&utm_medium=email&utm_campaign=6506)

United States. A survey of over 2500 doctors at U.S. veterans’ hospitals found that “lab results sent directly to doctors’ computer screens sometimes get lost in a flood of other alerts,” *Reuters* reported. The doctors received an average of 63 electronic “alerts” every day, including those for results from blood tests and radiology exams. Ninety percent of those surveyed thought the number they got was “excessive”; 70 percent said they could not “effectively manage” their alerts; half said it was possible to miss results using the electronic records system; and about 30 percent “said they had missed lab results that led to their patients’ care being delayed.”

<http://news.yahoo.com/docs-miss-test-results-electronic-records-205840074.html>



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## News of March 2013

The Investigative Reporting Workshop reported the results of a study of unauthorized immigrants held in solitary confinement in detention facilities (both governmental and private) before deporting them. Using “federal data,” interviews with current and former detainees, and “a review of case records involving more than three dozen immigrants since 2010,” the reporters found that “on any given day, about 300 immigrants are held in solitary confinement at the 50 largest detention facilities,” but the “records do not indicate why immigrants were put in solitary.”

<http://investigativereportingworkshop.org/investigations/the-hole/story/the-hole/> See also the item in United Nations/Americas above.

*Lawyers.com* covers the lawsuits that arose from the explosion of the Deepwater Horizon oil rig in the Gulf of Mexico in 2010 which killed 11 persons, injured 17 others, and harmed the livelihoods of thousands of people living along the Gulf Coast. Halliburton, the company that provided the cement slurry used in the well, is alleged to have “destroyed the results of physical slurry testing,” “lost the computer modeling outputs” and did not record test results on cement samples.

<http://blogs.lawyers.com/2013/03/halliburton-destroyed-evidence-deepwater-horizon/>

ProPublica, an NGO for “journalism in the public interest,” published a report on data mining and the practices in the “consumer data industry” that has private information on an estimated 500 million people worldwide including “nearly every U.S. consumer.” <http://www.propublica.org/article/everything-we-know-about-what-data-brokers-know-about-you>

In the 1960s Paul Scott, a journalist, believed that the CIA was wiretapping him. His son has now learned that the Agency did indeed “eavesdrop on Dad,” and he appealed to the Interagency Security Classification Appeals Panel to force the CIA to declassify the records related to his father, reported the *Washington Post*.

[http://www.washingtonpost.com/local/long-ago-wiretap-inspires-a-battle-with-the-cia-for-more-information/2013/03/02/8ebaa924-77b0-11e2-aa12-e6cf1d31106b\\_story.html](http://www.washingtonpost.com/local/long-ago-wiretap-inspires-a-battle-with-the-cia-for-more-information/2013/03/02/8ebaa924-77b0-11e2-aa12-e6cf1d31106b_story.html)

*Massachusetts*. As part of an investigation into the leak of information to the student newspaper about a student cheating scandal, Harvard University administrators read the email of resident deans and at least one other staff member.

[http://www.forbes.com/sites/kashmirhill/2013/03/11/harvard-leak-investigation-reminds-world-that-work-email-isnt-very-private/;](http://www.forbes.com/sites/kashmirhill/2013/03/11/harvard-leak-investigation-reminds-world-that-work-email-isnt-very-private/)



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[http://www.boston.com/metrodesk/2013/04/02/secret-mail-searches-harvard-cheating-scandal-broader-than-initially-described/Mgz0mc8hSk3lgWGjxLwsJP/story.html?p1=Well\\_MostPop\\_Emailed6](http://www.boston.com/metrodesk/2013/04/02/secret-mail-searches-harvard-cheating-scandal-broader-than-initially-described/Mgz0mc8hSk3lgWGjxLwsJP/story.html?p1=Well_MostPop_Emailed6)

*Wisconsin.* In the United States, states must redraw their voting districts every ten years to account for population changes, based on each U.S. census. A group of Democrats and a Hispanic immigrant rights group sued the State of Wisconsin, arguing that the new voting maps violate the rights of Latinos. According to the Milwaukee, Wisconsin, *Journal Sentinel*, “Nine hard drives were recently given to groups suing the state because of questions about whether legislators and their attorneys had turned over all the documents they had been ordered to provide. One of the nine hard drives was unreadable and the outside of it was dented and scratched, which suggested its metal housing had been removed, according to affidavits in the case.” A computer forensic examiner for the plaintiffs “has determined that documents were deleted in June, July and November” of 2012; the plaintiffs say that the Wisconsin Legislature was obligated to retain all the documents about redistricting under court rules; the state says that “information deletion would have taken place in the normal course of usage of state computers.”

<http://www.jsonline.com/news/statepolitics/new-court-filing-documents-were-deleted-from-gop-redistricting-computers-0p9530v-197833071.html>

Zimbabwe. Police raided the Prime Minister’s communications offices, arrested four officials and a human rights lawyer, and “took away laptops and research documents relating to the PM’s office,” said the lawyer for those arrested, as reported by *NewsDay Zimbabwe*. <http://www.newsday.co.zw/2013/03/18/police-raid-tsvangirai-offices/>

## Courses, Publications

Swisspeace, the Swiss Federal Archives and the Human Security Division of the Swiss Federal Department of Foreign Affairs will have a conference on May 16, 2013 in Bern, Switzerland, on “Archives of Transitional Justice Mechanisms: The role of archives of truth commissions, courts and other dealing with the past mechanisms in societies in transition.” To register and for further information, contact Alexandra Pfefferle, [Alexandra.pfefferle@swisspeace.ch](mailto:Alexandra.pfefferle@swisspeace.ch)



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The "Archives and Dealing with the Past" program of swisspeace published *Securing Police Archives: A Guide for Practitioners*.

[http://archivesproject.swisspeace.ch/fileadmin/user\\_upload/archivesproject/Publications/Peterson\\_Securing\\_Police\\_Archives\\_A\\_Guide\\_for\\_Practitioners\\_2013.pdf](http://archivesproject.swisspeace.ch/fileadmin/user_upload/archivesproject/Publications/Peterson_Securing_Police_Archives_A_Guide_for_Practitioners_2013.pdf)

Rhodes University, South Africa, is holding a conference "Addressing, Archiving and Accounting for Legacies of the Apartheid Wars in Southern Africa" July 4-6, 2013. For further information, visit <http://www.lawsconference.co.za/>

The United States Holocaust Memorial Museum's Center for Advanced Holocaust Studies invites nominations for the seminar Introduction to Holocaust Studies through the International Tracing Service (ITS) Collection, to be held July 15-19, 2013, in Washington, D.C. This seminar is designed to encourage the use of the recently opened archival holdings of the ITS by undergraduate, M.A. and first year Ph.D. students. Applications are due April 23, 2013 to

<http://www.ushmm.org/research/center/itsprograms/announcement/?content=its&year=2013>

The American Folklife Center at the U.S. Library of Congress will hold a symposium entitled "Cultural Heritage Archives: Networks, Innovation & Collaboration" on Sept. 26-27, 2013. The symposium "aims to energize the discussion of ethnographic archival thought and practice by presenting fresh and dynamic strategies for contemporary archival realities." The six sessions are Users of Cultural Heritage Archival Materials, Preservation and Digital Stewardship, Archival Description, Education and Training, Sharing Resources, and Forging Archival Collaborations and Alliances. For further information, see:

<http://www.loc.gov/folklife/events/culturalheritagearchives/>

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