
Compiled by Trudy Huskamp Peterson, Chair, HRWG

The following is the last 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 10. *Archivists participate in the decision-making process on access.*

Archivists help their institutions establish access policies and procedures and review archives for possible release under existing access guidelines. Archivists work with lawyers and other partners in deciding on the basic framework and interpretation of restrictions, which the archivists then implement. Archivists know the archives, the access restrictions, the needs and requirements of the stakeholders and what information is already in the public domain on the subject to which the records relate; archivists apply that knowledge when making access decisions. Archivists help the institution achieve informed decisions and consistent, reasonable outcomes.

Archivists monitor restrictions, reviewing materials and removing restrictions that are no longer applicable.

Between 1946 and 1948 the U.S. Public Health Service, several Guatemala government ministries, and the Pan American Sanitary Bureau (which became the Pan American Health Organization) cooperated in a study of sexually transmitted diseases. The experiment, carried out in Guatemala principally by a U.S. Health Service doctor with the assistance of a Guatemala official, tried to infect soldiers and prisoners with syphilis and gonorrhea, both directly and by permitting infected prostitutes to have sex with them. In addition, inmates in Guatemala's only mental asylum were involved in infectious tests. When the lead researcher left the government, he took the records of the experiment (both paper records and still photographs) with him as his personal property instead of leaving them with the Service which would eventually have turned them over to the U.S. National Archives. In 1990 the researcher donated the records to a quasi-private university in the U.S. State of Pennsylvania, but he controlled access to them until he died. After that the dean of the university's graduate school of public health controlled access. When a history professor asked to use the records, the dean authorized complete access, apparently without reviewing the records. Consequently, the researcher saw all the reports, names and photographs of the persons who were the subjects of the experiment, some of whom are still alive—a significant invasion of their privacy. At every stage of this records story, archivists were excluded from participation in access decisions, which were first made by the

lead researcher, then by a university official and finally left to the discretion of the history professor.

The point of Principle 10 is the archival role in the process of access: participation in writing guidelines, cooperation in initial decisions, and continual review and release. Like archival preservation, access is a program to be managed, not a problem to be solved.

International news.

Council of Europe/Hungary. The Parliamentary Assembly of the Council of Europe decided not to open a monitoring procedure on Hungary; for background see *HRWG News* 2013-04.
http://assembly.coe.int/ASP/NewsManager/EMB_NewsManagerView.asp?ID=8881&L=2

The Legal Affairs and Human Rights Committee of the Parliamentary Assembly unanimously adopted a resolution “inviting the Committee of Ministers to: 1. examine ways and means to promote the entry into force and speedy implementation of the Council of Europe Convention on Access to Official Documents; 2. review the Council of Europe’s own policies regarding access to information and classification and declassification of documents; and 3. encourage member states of the Council of Europe to take into account the “Global Principles on National Security and the Right to Information,” in particular, in modernizing their legislation and practice.

http://www.assembly.coe.int/Communication/pressajdoc25_2013.pdf (See **World news** below for more on the Global Principles.)

European Court of Human Rights. Survivors and relatives of those killed in the Srebrenica massacre in Bosnia in 1995 have for a number of years sought to try the United Nations and the Dutch UN peacekeepers over the failure of the peacekeeping troops to protect the enclave. Last year the Dutch Supreme Court rejected the suit, citing UN immunity from prosecution. The group appealed to the European Court of Human Rights, which upheld the Dutch decision, saying the appeal was inadmissible because “the granting of immunity to the UN served a legitimate purpose” and giving national courts jurisdiction over UN operations would allow states “to interfere with the key mission of the UN to secure international peace and security.” Since accountability of the UN will not come from the judicial system, access to the records of the UN and its peacekeeping operations are essential for transparency and accountability. http://www.expatica.com/fr/news/french-news/european-court-confirms-un-immunity-over-srebrenica_268475.html

European Union Court of Justice. Niilo Jaaskinen, the Advocate General, issued an opinion in a case involving Google and the extent of protections under the European Data Protection Directive. He held that “search engine providers are not responsible, on the basis of the Data Protection Directive, for personal data appearing on web pages they process.” Of special interest to archivists and academics, he went on to say, “The Directive does not establish a general ‘right to be forgotten’.” The Association of French Archivists has a petition to the European Parliament opposing a proposed rule on digital privacy that would grant Internet users the “right to be forgotten” by deleting references to themselves in search engines and social networks. For the press release on the opinion, see <http://curia.europa.eu/jcms/upload/docs/application/pdf/2013-06/cp130077en.pdf>; for commentary on it, see <http://europeanlawblog.eu/?p=1818>. For a story on the French archivists’

initiative, see http://www.nytimes.com/2013/06/17/technology/archivists-in-france-push-against-privacy-movement.html?smid=tw-share&_r=0

United Nations Mechanism for International Criminal Tribunals. The Mechanism, the official successor body to the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the former Yugoslavia, officially started work on July 1. In early June Andrew Begg, the legal officer for the Mechanism, gave a presentation on it in Sarajevo. *BIRN* reported that he announced that the Mechanism will “make sure that the complete archive of the Hague Tribunal is digitized and published on a new website,” and quoted him as saying, “Since the Hague Tribunal started its work so long ago, there is a lot of possibility to improve on the archive. We will build a new one. On this new platform we will publish all public documents and recordings of all hearing from trials. That way, we believe, access would be much easier.” These public documents, while enormously important, are far from the “complete archive” that the press reported, because the Tribunal archives include the records of the judges, the prosecutors, the defense counsels, and the registrars. http://www.balkaninsight.com/en/article/hague-tribunal-to-wrap-up-in-three-years?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=d3dcd6f6b8-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-d3dcd6f6b8-311109073

UNESCO. The Memory of the World Program recently added a number of documentary heritage materials, among them the massive records of the displacements of World War II held by the International Tracing Service. Thanks to Montserrat Canela for this information.

United Nations High Commissioner for Human Rights. UNHCHR published *Human Rights Indicators: A Guide to Measurement and Implementation*, which points to the need for governments to keep and preserve accurate statistics. At the launch, the High Commissioner said, “Only robust and accurate statistics can establish the vital benchmarks and baselines that translate our human rights commitments into targeted policies, and only they can measure how effective those policies truly are.” Cooperation between national archives and national statistical bodies is essential. <http://www.ohchr.org/EN/NewsEvents/Pages/ThefactualbackdropHRprotectiondevelopmentagendas.aspx>

World news.

The Global Principles on National Security and the Right to Information (also referred to as “Tshwane Principles” or “Global Principles”) were issued 12 June 2013. They were drafted by seventeen NGOs and five academic centers (Africa Freedom of Information Centre; African Policing Civilian Oversight Forum; Alianza Regional por la Libre Expresión e Información; Amnesty International; Article 19, the Global Campaign for Free Expression; Asian Forum for Human Rights and Development (Forum Asia); Center for National Security Studies; Central European University; Centre for Applied Legal Studies, Wits University; Centre for European Constitutionalisation and Security (CECS), University of Copenhagen, Centre for Human Rights, University of Pretoria (Tshwane); Centre for Law & Democracy; Centre for Peace and Development Initiatives; Centre for Studies on Freedom of Expression and Access to Information, Palermo University School of Law; Commonwealth Human Rights Initiative; Egyptian Initiative for Personal Rights; Institute for

Defence, Security and Peace Studies; Institute for Security Studies; International Commission of Jurists; National Security Archive; Open Democracy Advice Centre; and Open Society Justice Initiative); facilitated by the Justice Initiative in consultation with the three special rapporteurs on freedom of expression of the UN, the Organization of American States and African Commission on Human and Peoples Rights, the OSCE Representative on Freedom of the Media, and the UN Special Rapporteur on Counter-Terrorism and Human Rights. They are available at: [www.right2info.org/national-security/Tshwane Principles](http://www.right2info.org/national-security/Tshwane_Principles). Antoon de Baets of [concernedhistorians.org](http://www.concernedhistorians.org) writes, “Together with the Siracusa Principles (<http://www.concernedhistorians.org/to/144.pdf>) and the Johannesburg Principles (<http://www.concernedhistorians.org/to/145.pdf>), these so-called Tshwane Principles form a solid infrastructure to interpret the relationship between national security and access/obstruction of records.”

The media reports of U.S. electronic surveillance of friends and foes was enormous world news in June. For the two stories in *The Guardian* that began this outcry, see <http://www.guardian.co.uk/world/interactive/2013/jun/06/verizon-telephone-data-court-order> and <http://www.guardian.co.uk/world/2013/jun/06/nsa-phone-records-verizon-court-order> For a look at how the metadata being collected can be used, see the *Washington Post* http://articles.washingtonpost.com/2013-06-15/world/39993848_1_e-mail-addresses-paula-broadwell-sabbath Records of the National Security Agency are records of the U.S. government; a records schedule exists for the NSA which should cover (or specifically exclude) these surveillance records.

Just as the NSA surveillance story was breaking, new research reports suggest that information in DNA databases cannot be anonymous, given current research tools, even if the persons providing the DNA are promised anonymity. For a *New York Times* report see <http://www.nytimes.com/2013/06/18/science/poking-holes-in-the-privacy-of-dna.html?pagewanted=all&r=0> ; for an article published on the website of *Cell Press* for *Trends in Genetics*, see http://download.cell.com/images/edimages/Trends/Genetics/TIGS_1049.pdf

The Swiss government announced a new Internet portal to help locate art looted by the Nazis during World War II that found its way to Switzerland. The portal “offers advice on provenance research, links to relevant databases and archives, and details on museums’ own studies of their collections.” <http://www.bak.admin.ch/kulturerbe/04402/index.html?lang=en>

The International Holocaust Remembrance Alliance is conducting an online survey “on the difficulties people have encountered in accessing Holocaust-related archival materials” with the objective of identifying problems and finding ways to address them. <http://www.ehri-project.eu/drupal/ihra-survey>

Many international human rights treaties exist, and some countries have not them all. In the United States, a few cities have officially adopted human rights treaties, whether or not the United States has signed them. Recently the city of Chapel Hill, North Carolina, adopted the International Convention on the Protection of the Rights of All Migrant Workers and Their Families. While the action does not have any legal standing with the United Nations, the city’s Human Rights Center applauded the adoption, saying it can use the language of the Convention to “more assertively pursue

cases of wage theft and discrimination, with the support of the Town.” To see the list of conventions and which nations have ratified each convention, go to <http://treaties.un.org/Pages/ParticipationStatus.aspx>

Bilateral and multilateral news.

Argentina/Iran. In a continuation of the controversy over the terms of the joint commission on the 1994 bombing of the Jewish community center in Buenos Aires, the American Task Force Argentina paid for a full page advertisement in the *Washington Post* on June 25, headlined “What’s the TRUTH about Argentina’s Deal with Iran?” For background, see *HRWG News* 2013-01, 02 and 05. For the ad, see <http://www.atfa.org/atfa-ad-exposes-the-truth-about-argentinas-deal-with-iran/>

Canada/United States. A Canadian company operates 23 hospitals in the United States. One of these facilities “violated patient confidentiality by sharing a woman’s medical files with journalists and sending an email about her treatment to nearly 800 hospital employees,” reported the *Los Angeles Times*. The company has now settled a lawsuit over the incident for \$275,000. <http://www.latimes.com/business/money/la-fi-mo-prime-healthcare-patient-privacy-20130611,0,5106016.story>

Germany/Poland/Ukraine/United States. The *Associated Press* ran a long story, complete with reproductions of records from the Polish and U.S. archives, saying that “a top commander of a Nazi SS-led unit accused of burning villages filled with women and children [in Poland and Ukraine] lied to American immigration officials to get into the United States and has been living in Minnesota since shortly after World War II.” <http://bigstory.ap.org/article/ap-impact-commander-ss-led-unit-living-us>

Germany/United Kingdom/United States. *The Independent* published a story arguing that “Nazi war criminals escaped prosecution because crucial evidence in Britain’s National Archives and in government archives in the United States was ignored for decades.” This story preceded a documentary on the U.K. Channel 4 titled, “Spying on Hitler’s Army” which focused on the recordings secretly made by British and U.S. intelligence services in prisoner of war camps. <http://www.independent.co.uk/life-style/history/nazi-war-criminals-got-away-with-atrocities-because-of-evidence-hidden-in-uk-and-us-archives-8640776.html>

Hungary/Slovenia. Hungarian prosecutors indicted an ex-policeman for “abusing Jews [in Kosice, Slovenia] and assisting in their deportation to Nazi death camps during the Second World War,” reported *The Guardian*. For background, see *HRWG News* 2012-07. <http://www.guardian.co.uk/world/2013/jun/18/laszlo-csatary-hungarian-jews-nazi-camps>

Israel/Italy. A panel of experts who examined “nearly 700 documents” concluded that an Italian man credited with helping save Jews during the Holocaust while he was the police chief in Fiume, Italy, and honored at Yad Vashem as one of the Righteous among the Nations was in fact a Nazi collaborator, reported the *New York Times*. The Vatican contested the finding. <http://www.reuters.com/article/2013/06/22/us-italy-holocaust-palatucci-idUSBRE95L0EX20130622>

Kenya/United Kingdom. The United Kingdom agreed to pay damages to 5,228 Kenyans for torture and abuse during the Mau Mau uprisings in the 1950s. The U.K. will also “support the construction of a memorial” to the victim, the *Guardian* reported. Access to colonial records from Kenya was the key to the resolution of the case. For background, see HRWG News 2013-04 and 05. <http://www.guardian.co.uk/world/2013/jun/06/uk-compensate-kenya-mau-mau-torture>

United Kingdom/Northern Ireland/United States. The U.S. Court of Appeals for the First Circuit decided that Boston College must turn over to the U.S. government for transfer to the U.K. authorities the oral history recordings and transcripts of all interviews “containing information about the abduction or death of Mrs. Jean McConville” during the period in Northern Ireland known as “The Troubles.” For background, see *HRWG News* 2013-01 and 03. For the decision, see <http://www.scribd.com/doc/145909777/1st-Ct-Decision-Re-Bc-Appeal>

National news.

Argentina. The death in May of military dictator Jorge Rafael Videla brought forth calls to open the archives containing information on those who disappeared during his rule. Although some commentators argued that Videla took his secrets to his tomb, others argued that archives contain essential information to resolve many open questions. Thank you to Patricia Tappata de Valdez for sending these links: <http://www.pagina12.com.ar/diario/elpais/1-220294-2013-05-18.html>; <http://www.pagina12.com.ar/diario/ultimas/20-220311-2013-05-18.html>

Australia. The New South Wales police admitted shredding all records of a Sex Crimes Unit inspector’s involvement with a Catholic church body that deals with sexual abuse involving the clergy and others. <http://www.dailytelegraph.com.au/news/nsw/nsw-police-admit-senior-officer-shredded-documents-relating-to-child-sex-abuse/story-fni0cx12-1226667321160>

Bangladesh. Bangladesh’s Home Ministry gave the Election Commission a list of 47 persons who were convicted under the 1972 Bangladesh Collaborators (Special Tribunals) Order so the Commission could consider striking their names from the rolls of those eligible to vote, *bdnews24.com* reported. The list did not include those convicted by the current International Crime Tribunals; further, it is only a tiny fraction of the 700 convicted by the earlier tribunal or the nearly 37,000 accused of collaboration. For background, see *HRWG News* 2012-01, 05 and 12. <http://bdnews24.com/bangladesh/2013/06/21/collaborators-to-be-axed-from-voter-list>

Bosnia. “Thousands of citizens surrounded the Bosnian capital’s parliament building and refused to allow those trapped inside to leave” for hours, reported the Balkans Project at the International Crisis Group. The parliament has failed to amend laws needed to keep issuing identification numbers, which means that newborns have been deprived of numbers, passports and other services. One child needed surgery “available only abroad” but she lacked a passport to enable her to leave Bosnia, which was a catalyst for the protest. <http://www.crisisgroupblogs.org/balkanregatta/2013/06/07/id-politics-sarajevo-protest-shows-a-weakened-state/>

BIRN reported that defense lawyers for a soldier on trial for war crimes filed a criminal complaint against the Bosnian defense minister for denying access to the ministry’s archives although the

lawyers had an “access permit” from the court. The ministry claims that the country’s data protection legislation says “only members of the Bosnian presidency, presidents and vice presidents of the country’s two political entities, judges, prosecutors and general attorneys can gain access to data at all levels of confidentiality without a security check.”

http://www.balkaninsight.com/en/article/war-crimes-defence-files-complaint-against-bosnian-minister?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=3aafd09703-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-3aafd09703-311109073

BIRN organized a conference to launch a “Stop Censorship about War Crimes” campaign, calling for the names of war crimes defendants not to be kept anonymous and for full audio and video recordings of all hearings to be made public in judicial institutions in Bosnia. A representative of the International Commission on Missing Persons noted that victims want to know the fate of their loved ones but “that information is hidden in verdicts and this is why we want to see all institutions publish all data.” http://www.balkaninsight.com/en/article/anonymization-leaving-war-crime-trials-absurd?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=955fa26196-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-955fa26196-311109073

Canada. In the wake of the revelations about NSA surveillance (see above), activists are asking about Canadian government surveillance programs. OpenMedia.ca told *Straight.com* that “it is almost totally unknown what sort of information the Canadian government is allowed to collect on its citizens, how data is gathered and stored, who it is shared with, and how decisions related to those activities are made.” Records retention and disposal information at the National Archives should answer some of those questions. <http://www.straight.com/news/390886/canada-chastised-secret-metadata-surveillance>

Egypt. In December 2011, the Cairo offices of NGOS, including German and U.S. civil society groups, were raided and documents seized when the groups were accused of “illicitly supporting the political opposition and promoting protests.” In June the Cairo Criminal Court handed down prison sentences to 43 people and fines to the NGOs, *Al-Monitor* reported (for background, see HRWG News 2011-12). http://www.al-monitor.com/pulse/originals/2013/06/ngo-workers-sentenced-egyptian-court.html?utm_source=&utm_medium=email&utm_campaign=7488
<http://english.ahram.org.eg/NewsContentP/18/74745/Books/Historian-Fahmy-argues-for-easing-access-to-Egypti.aspx>

The continuing unrest in Egypt may make these interesting stories purely historical: an article about the recently appointed head of the Egyptian National Library and Archives and his views on access, and a report of a Cairo conference on “Archives Belong to the People,” both from *Ahram Online*. <http://english.ahram.org.eg/News/73687.aspx>;
<http://english.ahram.org.eg/NewsContentP/18/74745/Books/Historian-Fahmy-argues-for-easing-access-to-Egypti.aspx>

Georgia. The government promised to destroy secret tapes made by the Interior Ministry under a previous government, but *Radio Free Europe/Radio Liberty* reported that “while nearly all sides appear in favor of destroying the archives, the task of eliminating a vast collection of digital files—

easy to copy, easy to disseminate, and easy to hide—is far from simple.” The Deputy Interior Minister told the Radios that the government “plans to propose an amnesty to encourage former officials who may be holding secret copies to turn their records in” and that a commission will be set up of representatives from the ministry, the prosecutor’s office and civil society to study and then destroy the archives. The national archives of Georgia, under the Ministry of Justice, apparently is not included in the study team. <http://www.rferl.org/content/georgia-secret-tapes-destroy/25019275.html>; <http://dfwatch.net/destruction-of-dirty-archive-delayed-88447>

Meanwhile, the Interior Ministry said it found a cache of weapons, explosives, drugs and documents buried in barrels. The documents included “photos and written material regarding people” a political party planned to arrest if it won elections, reported *Radio Free Europe/Radio Liberty*, and *civil.ge* added that the cache included videotapes “showing torture and sexual abuse of detainees” by former law enforcement officers. Five men were arrested, based on the videotapes. <http://www.rferl.org/content/georgia-arms-caches/25021702.html>; <http://civil.ge/eng/article.php?id=26191>

Germany. The federal administrative court ruled that Germany’s foreign intelligence agency can keep secret some of its records on high Nazi official Adolf Eichmann. The service argued that portions of the files relating to Eichmann’s post World War II activities needed to be withheld to protect “state security interests” and for data protection purposes. <http://www.guardian.co.uk/world/2013/jun/28/germany-eichmann-holocaust-records-secret>

India. A fire in the Social Welfare Department in Madurai destroyed social welfare records dating back to 1982. A department employee said the records were disposable records: “We were awaiting orders from our higher-ups to destroy them,” he told *The Hindu*. <http://www.thehindu.com/news/cities/Madurai/fire-destroys-records-at-government-office/article4803415.ece>

Ireland. After a break-in at a health facility, “archived physiotherapy records being removed from long-term storage” were found “dumped on the ground outside,” reported the *Donegal Democrat*. <http://www.donegaldemocrat.ie/news/local/hse-break-in-resulted-in-dumped-files-1-5209116>

Kenya. As soon as the Truth, Justice and Reconciliation Commission published its report in May, allegations were made that the report was altered under pressure. *Al Jazeera* and other media reported that three international commissioners said the Office of the President forced the Commission to submit to it an advance copy of the final report and then exerted pressure to make changes in the report’s chapter on historical land injustices. The controversy shows importance of retaining the records of the truth commission process as well as the versions of the final report. <http://www.aljazeera.com/indepth/opinion/2013/06/201369114316134587.html> <http://www.the-star.co.ke/news/article-122777/how-tjrc-land-chapter-was-censored>

Liberia. The President announced the opening of a “safe that had been stuck away in the Old Executive Mansion since the passing of President Tubman” (who died in 1971) which was found to contain “documents of historical importance to our nation, such as the original Constitution and the Declaration of Independence, as well as very important memorabilia.” A four person panel, including the national archivist, will inventory the contents and make the inventory public.

According to *allafrica.com*, the president “believes whatever documents there are, they will contribute to Liberians’ efforts to understand the root causes of their differences and the polarizing culture of their society.” <http://allafrica.com/stories/201306261230.html?viewall=1>

Mexico. The national human rights commission announced that it is looking into 2,443 cases of missing persons “in which the police or military, corrupted by criminal gangs, appeared to be the abductors.” And Cadhac, a local human right organization, says it has a checklist to use to ask the police whether the investigation into the case of a missing person was properly conducted. In one case reported by the *New York Times*, Cadhac “met with prosecutors and tracked down the case file, filling in details left out before and cross-matching it with current investigations” to build a case against an organized-crime boss who “confessed to or was implicated in several killings and disappearances.” <http://www.nytimes.com/2013/06/23/world/americas/mexico-pursuing-vanished-victims-of-its-drug-wars.html?pagewanted=all&r=0>

Philippines. The International Crisis Group issued a major report “The Philippines: Dismantling Rebel Groups,” based on extensive interviews with participants and observers and the review of relevant documents. This report demonstrates once again the importance of preserving the records of NGOs, particularly the records of interviews on which reports are based. [http://www.crisisgroup.org/~media/Files/asia/south-east-asia/philippines/248-philippines-dismantling-rebel-groups.pdf](http://www.crisisgroup.org/~/media/Files/asia/south-east-asia/philippines/248-philippines-dismantling-rebel-groups.pdf)

Serbia. A Serbian Orthodox Church priest was jailed for beating to death a drug addict in his care; as early as 2009 a video had “surfaced” showing him beating addicts at another facility. This follows the resignation in late April of the Orthodox bishop in Tuzla and Zvornik in Bosnia-Herzegovina after a “graphic video” was published showing him with young men. <http://www.reuters.com/article/2013/06/21/us-serbia-church-idUSBRE95K0VM20130621>; <http://www.rferl.org/content/serbia-orthodox-church-bishop-orgies-rape-scandal/24965214.html>

Sudan. Human Rights Watch said that “satellite images confirm the wholesale destruction of villages in Central Darfur in an attack in April 2013 by a militia leader sought by the International Criminal Court.” <http://www.hrw.org/news/2013/06/18/sudan-satellite-images-confirm-villages-destroyed>

Syria. Another Human Rights Watch report focused on bodies found in the river in Aleppo between January and March 2013. The researchers “visited the site where the bodies were discovered; interviewed local residents and activists who found the bodies, a forensic expert who examined the bodies, and 18 families of the victims; and reviewed more than 350 photographs and videos of the victims.” Based on these sources, they concluded that “at least” 147 of the dead were “probably executed in government-controlled areas.” <https://www.hrw.org/news/2013/06/04/syria-stream-bodies-aleppo-s-river>

United Kingdom. The Information Commissioner’s Office said it made “advisory visits” to 32 charities during 2012-2013 and found that more than half of them “did not have formal retention schedules in place to ensure that the different categories of personal data held had been identified, and were only being kept for an appropriate length of time.” The Office went on to say, “Such retention/disposal schedules help safeguard against the indefinite retention of personal data which

would be a breach” of the Data Protection Act. <http://www.out-law.com/en/articles/2013/june/most-charities-assessed-by-watchdog-lacked-policy-for-disposing-of-personal-data/>

The commission that studied the 1989 Hillsborough disaster in which 96 people were crushed to death in a football stadium thought it had obtained copies of all relevant documents (see *HRWG News* 2012-09). Now, however, the West Midlands Police has discovered “two items which related to Hillsborough” during a “routine search of a secure storage area of force HQ,” reported the *Birmingham Mail*. The information was both on paper and computer disk and has been given to the Independent Police Complaints Commission. A “rigorous, systematic search” of the Police archives has been ordered, and in March 2014 the Commission will start fresh inquests into the deaths. <http://www.thestar.co.uk/news/crime/disaster-files-related-to-hillsborough-found-in-archive-1-5798999>; <http://www.birminghammail.co.uk/news/local-news/police-hillsborough-tragedy-files-search-4708645>

United States. The *Washington Post* published a long article on the uses police are making of photo databases that originally were assembled to prevent driver’s license fraud but are “increasingly used to identify suspects, accomplices and even innocent bystanders in a wide range of criminal investigations.” http://articles.washingtonpost.com/2013-06-16/business/40012903_1_databases-facial-recognition-systems-searches

The Capuchin religious order commissioned an audit of allegations of sexual abuse by members of the order. According to the *New York Times*, the auditors were allowed “unfettered access to original files and documents” dating back to the 19th century, but they also received documents from at least one private individual that were not in the files. The panel noted that “poor record-keeping” was an underlying problem and that “the files often contained ‘coded language’ and euphemisms to refer to sexual abusers.” A member of the order said “file management was historically a significant problem” for the Capuchins. The panel concluded that of the 46 friars who allegedly abused minors, 23 could be confirmed with “substantiated reports of abuse.” http://www.nytimes.com/2013/06/19/us/audit-finds-sex-abuse-was-topic-decades-ago.html?_r=0

A man who ordered a tie and pocket square from the Banana Republic clothing store instead got in the mail “confidential files of about 20 former employees, including Social Security numbers and W4 tax forms,” reported the *Associated Press*. http://www.masslive.com/news/index.ssf/2013/06/cambridge_man_who_ordered_tie.html

United States/District of Columbia. The D.C. city council commissioned a report based on the Human Rights Watch study that accused the D.C. police of failing to investigate scores of sexual assault complaints (for background, see *HRWG News* 2013-01 and 02). Of the 170 cases that HRW said were missing from police files, all but 5 have now been accounted for and the police said they have reopened three of those cases, reported the *Washington Post*.

United States/Missouri. In May 2011 a massive tornado tore through Joplin, Missouri, and hit the local hospital. According to a story in *The Missourian*, “old X-rays and paper files floated to the ground as far away as” 70 miles, but “it didn’t matter” because the electronic records “were safely

housed in a data center more than 200 miles away.”

http://www.emissourian.com/news/washington_news/article_161b7015-b2cf-580e-870c-2516f0e49fc6.html

United States/New York. The Legal Action Center, a nonprofit organization in New York City, released an analysis of the management of arrest records in New York State. It estimated that 30 percent of the “rap sheets” contained at least one mistake and some “had more than 10.” The state’s Division of Criminal Justice Services acknowledges that of the 2.1 million arrest records it manages “415,000 cases from 1990 through 2007 are missing their dispositions – meaning, it is not known whether an arrest result in a conviction, acquittal or dismissal,” reported the *New York Times*.

<http://www.nytimes.com/2013/06/14/nyregion/arrest-records-old-and-faulty-may-haunt-many.html>

Publications, conferences.

In order to make room arrangements, anyone planning to attend the open meeting of the Human Rights Working Group at the ICA annual meeting, to be held in Brussels on Friday, November 22, please contact Trudy Peterson.

The Humanitarian Law Center in Belgrade, with the support of the British Embassy, produced a film “Education for Reconciliation,” which follows several students at the ten day Regional School for Transitional Justice in January 2013. <http://www.hlc-rdc.org/?p=23289&lang=de>

The Sentinel Project for Genocide Prevention is offering a new online course, Introduction to Technology for Human Rights, in September. <https://sentinelproject.herokuapp.com/course>

The Alliance for Historical Dialogue and Accountability at Columbia University, New York, will hold a conference, “Historical Justice and Memory: Questions of Rights and accountability in Contemporary Society,” December 5-7, 2013. For further information, contact ahda@columbia.edu.

A conference on “The Cold War Camera” will be held in Guatemala City, February 21-23, 2014. The call for papers say, “Photography plays a key role in the cultural politics of the Cold War and its aftermath, from its use in state surveillance operations; through its deployment in acts of resistance to state-sponsored terrorism; to its role in commemorative and on-going judicial processes.” It suggests papers on, among others, the “challenges of archival research” and “the impact of archives in constructing public histories and cultural memories.” Abstracts of proposals (500 words) are due August 1; selected participants will be notified and accommodation and subsistence will be paid. Submit proposals, cvs, and inquiries to info@inthedarkroom.org under the subject heading “Cold War Camera conference;” direct questions to Thy Phu (tphu@uwo.ca) and Andrea Noble (andrea.noble@durham.ac.uk).

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