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International Archives Day is June 9

Commentary. “There are lies, damned lies and statistics” is an old saying. April seems to have been the month of statistics, as readers will see in the items in this issue. Partly this is the result of northern hemisphere organizations publishing a winter’s worth of work; partly, too, it reflects the United Nations spring meetings and the flood of reports from both UN groups and NGOs that accompany them.

Some statistics are the planned result of an activity: actively collected like a national census or automatically captured like monitors measuring earth vibrations. These data sets, created in the course of business, are part of the records of the creating entity. In this issue is an item based on the use of collected statistics by researchers in Mexico to look at rates of violence in certain parts of the country and a report about data being collected automatically by insurance companies on policy holders. Some datasets are reported to and used by other organizations: the World Bank’s economic research arm collects datasets on economies all over the world, for example. These secondary users often preserve the datasets and may combine them with other data, but the original collector remains responsible for their archival preservation.

Other statistics are derived from records whose primary purpose was not data collection. In this issue are items about a media group using records of complaint investigations about child care facilities in California, a research group in the Netherlands using death certificates to examine end-of-life care, and researchers in Canada using immigration decisions and finding statistical “institutional bias” against Roma refugees seeking residence in Canada.

“Lies and damned lies” surfaced in April, too. *Reuters* pointed out the serious problem of missing data on women over 49 in surveys in many countries, and the Overseas Development Institute reported that the poorest people are undercounted worldwide. Amnesty International Canada faulted the police statistics on missing and murdered indigenous women and girls, and the World Health Organization said the statistics on the use of caesarean sections are inadequate due to lack of a standard way of gathering information.

After a series of police killings of black men, the United States has an ongoing debate about the accuracy of police records and the statistics derived from them. The *New York Times* published two reports on the problem of “scant data” about police killings: “Under current federal laws, there is nothing requiring any of the 18,000 police departments and other law enforcement agencies across the country to report to the public or to the Justice Department anything about shootings involving officers.” That information is kept locally, and compiling that data “is one of the first things the Justice Department does when it investigates a police department for civil right abuses.” Civil society has begun to independently track police homicides nationwide, using mostly media reports that volunteers then compile into online databases. Two of these, reported the *Times*, recorded about 1,100 police-related homicides in 2014, about double that reported to the FBI in 2013 but apparently roughly the same number from one year to the next. The *Times* says the data “suggests that any perception that higher numbers of unarmed African-Americans are being killed by the police is recent months is driven by citizens’ posting of unsettling cellphone videos and images.” The National Law Enforcement Officers Memorial Fund, also a private group, keeps data on how often people shoot police officers, the other part of the picture. Clearly the U.S. needs to reform both its police practices and the records and statistics kept about them. <http://www.nytimes.com/2015/04/09/us/us-has-limited-data-on-shootings-involving-police.html>; http://www.nytimes.com/2015/05/01/us/no-sharp-rise-seen-in-police-killings-though-increased-focus-may-suggest-otherwise.html?_r=0

T.S. Eliot called April “the cruelest month.” Do you suppose statistics would bear him out?

International news.

European Court of Human Rights. Ten non-governmental organizations from half a dozen countries filed a joint application with the Court saying that the U.K intelligence agency's interception of communications and intelligence sharing with the United States is "in breach of fundamental human rights to privacy, freedom of expression and non-discrimination guaranteed under the European Convention of Human Rights." The challenge is based on documents disclosed in 2013 by Edward Snowden that revealed mass surveillance practices by intelligence agencies. For the filing, see <https://www.amnesty.org/en/documents/ior60/1415/2015/en/>

European Union. A corruption scandal erupted last autumn involving allegations that members of the European Union legal staff in Kosovo (EULEX) may have accepted bribes from criminal suspects. In 2012 a EULEX staff member made an internal complaint about apparent bribery that included "intercepts of phone conversations" reported *BIRN*, but when EULEX began to investigate the matter in 2014, the records of the initial complaint could not be found and EULEX determined the relevant documents "were not registered and were lost" and the allegations were "not mentioned in EULEX's monthly reports to Brussels." In mid-April a senior EU legal adviser issued a report saying the allegation "was not handled adequately but there was no attempt at a cover-up." The investigation into the substance of the allegations "appears to be ongoing." For background see *HRWG News* 2014-11. http://www.balkaninsight.com/en/article/eu-report-on-kosovo-mission-corruption-allegations?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=d9a0d9601f-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-d9a0d9601f-311109073; <http://www.balkaninsight.com/en/article/shunned-prosecutor-criticizes-eu-report>

United Nations. UN Secretary-General Ban Ki-moon released a report on conflict-related sexual violence in 19 countries during 2014. The report argues that conflict-related sexual violence is a core element of the ideology and operation of extremist groups such as Boko Haram and ISIS and recommends a stronger focus on this threat. Saying that the year "was marked by harrowing accounts of rape, sexual slavery and forced marriage being used by extremist groups, including as a tactic of terror," the report "is based on cases documented by United Nations peacekeeping and political missions as well as country teams" and also uses documentation provided by UN agencies such as the High Commissioner for Refugees, states and non-governmental organizations. Among the recommendations, the UN urges Member States, donors and regional organizations to "support the use" of tools such as "guidance on ethical data collection" and "to ensure that all efforts to document and investigate sexual violence are guided by the principles of security, confidentiality, anonymity and informed consent." http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_203.pdf

Sadly, that report arrived just as a senior United Nations staff member, Anders Kompass, was "suspended for disclosing to prosecutors an internal report on the sexual abuse of children by French peacekeeping troops in the Central African Republic," *The Guardian* reported. "Sources" told *The Guardian* that Kompass gave the document to the French authorities "because of the UN's failure to take action to stop the abuse." Kompass's "emails have been seized as part of the investigation" into his action. The French government confirmed that it is investigating the allegations of sexual abuse. <http://www.theguardian.com/world/2015/apr/29/un-aid-worker-suspended-leaking-report-child-abuse-french-troops-car>

Every five years the United Nations holds a Congress on Crime Prevention and Criminal Justice (the 1990 Congress adopted the "Basic Principles on the Role of Lawyers" which HRWG took as a model for the draft "Basic Principles on the Role of Archivists in Support of Human Rights"). This year the Congress, meeting in Doha, Qatar, adopted the "Doha Declaration." A number of points in the Declaration refer to documentation, statistics, and evidence in combatting crime, but two are particularly interesting. Point 8(f) on combatting the illicit movement and manufacture of firearms and explosives encourages states to consider "the use of available tools, including marking and record-keeping technologies, to facilitate the tracing of firearms and, where possible, their parts and components and ammunition." Point 10 says Member States will "endeavor" "(f) To explore the potential for the use of traditional and new information and communication technologies" and "(g) To promote the improvement of e-government systems." http://www.unodc.org/documents/congress//Documentation/ACONF222_L6_e_V1502120.pdf

The United Nations Security Council viewed a video taken at a hospital in the Syrian town of Sarmeen that seemed to show patients suffering from a chemical bomb attack, reported the *New York Times*. Human Rights Watch said through videos, photos and witness accounts it had “evidence suggesting that the Syrian government used chlorine or other toxic chemicals in barrel bomb attacks on opposition-held areas” where the hospital is located. http://www.nytimes.com/2015/04/17/world/middleeast/un-security-council-sees-video-evidence-of-a-chemical-attack-in-syria.html?_r=0; <http://www.hrw.org/news/2015/04/13/syria-chemicals-used-idlib-attacks>

World Bank. The International Consortium of Investigative Journalists released a report on World Bank projects. “Reporters around the world – from Ghana to Guatemala, Kenya to Kosovo and South Sudan to Serbia, read through thousands of pages of World Bank records, interviewed scores of people including former Bank employees and carefully documented over 10 years of lapses in the financial institution’s practices, which have rendered poor farmers, urban slum-dwellers, indigenous communities and destitute fisherfolk landless, homeless or jobless,” reported *Inter Press Service*. In a parallel report, Oxfam, the nongovernmental organization based in the United Kingdom, issued a briefing on “the human cost of the International Finance Corporation’s lending through financial intermediaries” (the IFC is the arm of the World Bank Group that lends to the private sector). <http://www.ipsnews.net/2015/04/investigation-tears-veil-off-world-banks-promise-to-eradicate-poverty>; <https://www.oxfam.org/en/pressroom/pressreleases/2015-04-02/billions-out-control-ifc-investments-third-parties-causing-human-rights-abuses>

World Health Organization. The World Health Organization (WHO) released a statement of caution on the increased use of caesarean sections, based on two studies carried out by a group of United Nations agencies and the World Bank. WHO lamented that the “lack of a standardized internationally-accepted classification system to monitor and compare caesarean section rates in a consistent and action-oriented manner is one of the factors that has hindered a better understanding” of the use of caesarean sections. “Information gathered in a standardized, uniform and reproducible way is critical for health care facilities” to assess and improve care, said a WHO official. <http://www.who.int/mediacentre/news/releases/2015/caesarean-sections/en/>

World/general news.

Islamic State. *Spiegel* gained access to the papers of an Iraqi officer, now dead, who had helped plan the Islamic State’s takeover in Syria. The responsibilities of the intelligence service and “areas like finance, schools, daycare, the media and transportation” are “meticulously addressed in organizational charts and lists of responsibilities and reporting requirements.” *Spiegel* noted that the plan is for “a caliphate run by an organization that resembled East Germany’s notorious Stasi domestic intelligence agency.” Thanks to Monika Borgmann for the reference. <http://www.spiegel.de/international/world/islamic-state-files-show-structure-of-islamist-terror-group-a-1029274.html> The *Spiegel* article complements one published in *Foreign Affairs* called “Caliphate of Law” which discusses the Islamic State’s legal system, which in turn makes it possible to hypothesize what records must be created by the IS judicial institutions. http://www.foreignaffairs.com/articles/143679/andrew-f-march-and-mara-revkin/caliphate-of-law?cid=nlc-foreign_affairs_today-041415%20

The Islamic State continued to release videos of executions. *CNN* reported that *al-Furqan Media*, an IS media arm, released a “highly produced” video that showed “two groups of men, one in orange jumpsuits and the other in black, being killed at different locations in Libya, according to the video’s narrator.” The two groups are believed to be Ethiopian Christians. *CNN* reported, “At the beginning of the video, a man who appears to be a judge in a court enforcing Islam’s Sharia law holds up documents and says a Syrian Christian had owed a Syrian Muslim 550,000 Syrian pounds” which was not repaid until IS came to power. <http://www.cnn.com/2015/04/19/africa/libya-isis-executions-ethiopian-christians/> Another IS video showed the killing of fifteen soldiers in Yemen. http://www.dailystar.com.lb/News/Middle-East/2015/Apr-30/296416-is-jihadists-claim-killing-of-15-yemen-soldiers-site.ashx?utm_content=bufferc0d30&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer

Data inadequacies. The Overseas Development Institute, a nongovernmental organization in the United Kingdom, published a report, *The data revolution: finding the missing millions*, which argued that the current ways of gathering statistics undercount the poorest people: “As many as 350 million people worldwide are not covered by household surveys.” The Institute urges governments to increase investment

“in the capacity of national statistical offices (NSOs) thereby potentially improving the scope and frequency of household surveys”; use alternative sources of data to fill gaps; and make better use of existing data. The Institute must also be concerned about the archival preservation of the data if longitudinal studies are to be done. <http://www.odi.org/publications/9476-data-revolution-finding-missing-millions>

The *Thomson Reuters Foundation* also reported on missing data, this time of women over 49. Since 1984 the United States has funded demographic and health surveys in “some 90 mainly developing countries,” but the surveys “that measure a broad array of factors affecting the social, economic and environmental status of people, include women only between the ages of 15 and 49.” The UN is discussing, as part of the new Sustainable Development Goals, statistical measurements of sexual and other violence against women and girls—but only those between the ages of 15 and 49. An NGO official told *Reuters*, “HIV prevalence data also currently stops at 49. It’s crazy.” Because these survey results are routinely used by governments to develop social programs, the absence of women over 49 skews the programs, to the disadvantage of older women. <http://www.trust.org/item/20150413161814-h2eup/?source=dpMostPopular>

Twitter to the rescue. A team of Dutch researchers analyzed “thousands of tweets” and derived “a method for creating real-time flood maps based on Twitter messages, statistics and data on land elevation and water motion,” *Reuters* reported. The researchers calculated the flood in the Indonesian capital of Jakarta last February and compared their results with photographs of the floods to test the model. The researchers plan to disseminate information about the method via the Floodtags website (“Floodtags is a social enterprise that uses social media to monitor floods”). No mention of who might preserve the tweets or for how long. http://www.trust.org/item/20150414162756-5fnd/?utm_medium=email&utm_campaign=Weekly+Digest+15415&utm_content=Weekly+Digest+15415+CID_838ff626361b1c1c960c834d7b4185ba&utm_source=Campaign%20Monitor&utm_term=Tweets%20turned%20into%20flood%20maps%20that%20could%20help%20save%20lives

Insurance companies monitor private data. Insurance companies in South Africa and the United States are offering programs that will track policyholders’ medical data and activity levels and, based on that, will offer discounts for “healthful behavior,” the *New York Times* reported. People who sign up for the program will be given a “Fitbit” monitor to wear “which can be set to automatically upload activity levels to the insurer.” The data would be held by the insurance companies; clearly it would be part of the records to be scheduled by the company archives service. <http://www.nytimes.com/2015/04/08/your-money/giving-out-private-data-for-discount-in-insurance.html>

Privacy breach. The U.S. Federal Communications Commission (FCC) fined the communications company AT&T \$25 million “for failing to protect the personal information, including Social Security numbers, of its customers.” According to the *New York Times*, “Employees at AT&T call centers in Mexico, Colombia and the Philippines were found to have stolen the names and full or partial Social Security numbers of about 280,000 . . . customers in the United States” which they sold to third parties. This is the largest fine the FCC has ever issued for data security and privacy violations. http://bits.blogs.nytimes.com/2015/04/08/f-c-c-fines-att-25-million-for-privacy-breach/?_r=0

Bilateral and multilateral news.

Argentina/Vatican. Pope Francis ordered the Vatican to open its files on Argentina’s military dictatorship (1976-1983) during which an estimated 20,000 people were made to “disappear” by the regime. *The Guardian* reported, “The Vatican collected a large amount of information on these cases, principally through the papal nuncio’s office in Buenos Aires.” A Vatican official said the relevant records have been collected and are being scanned for release, probably in a year. Thanks to Giulia Barrera for the citation. <http://www.theguardian.com/world/2015/apr/29/pope-francis-argentina-orders-vatican-open-files-dictatorship>

Armenia/Turkey. During April, the 100th anniversary of the date used to mark the start of the Armenian genocide, many articles were published on access to Ottoman records of the period. Here are three from the Turkish newspaper, *The Daily Sabah*, and one on Ottoman land titles from *al-Monitor*. <http://www.dailysabah.com/multimedia/gallery/politics/turkey-opens-ottoman-archives-over-1915-incidents-on-100th-anniversary?tc=8&page=2;> <http://www.dailysabah.com/diplomacy/2015/04/17/armenians-deny-archival-access-continue-genocide-business;>

<http://www.dailysabah.com/politics/2015/04/23/turkey-ready-to-open-military-archives-to-resolve-armenian-dispute-president-erdogan>;
http://www.al-monitor.com/pulse/originals/2015/04/turkey-armenia-restitution-of-armenian-property-unsettled.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=fd3fe83e97-April_21_2015&utm_medium=email&utm_term=0_28264b27a0-fd3fe83e97-93088897

Australia/Timor-Leste. Australia's Administrative Appeal Tribunal upheld the National Archives' decision to deny a researcher access to parts of two Department of Foreign Affairs and Trade files about East Timor during the period of a brutal 1981 Indonesian military offensive there. Parts of two pages (one line on one page and one paragraph on another page) were released, but the remaining 138 pages were withheld in full on the grounds that, if public, they could cause damage to Australia's security, defense or international relations or that they were provided in confidence by another government. The government required that the Tribunal keep secret the reasoning behind its decision, leaving the researcher with little information on which to challenge the decision in court. For background, see *HRWG News* 2014-04 and 11.
<http://www.austlii.edu.au/au/cases/cth/aat/2014/180.html>

Congo/Rwanda. The UN High Commissioner for Refugees (UNHCR) launched a "biometric registration process" for the estimated 245,000 Rwandan refugees living in the Democratic Republic of Congo. According to UNHCR, the system "captures and stores all fingerprints and iris scans" and "permits the much faster and accurate verification of identities than the manual search for records in UNHCR's database that was previously required." Of course, the Biometric Identity Management System is also a records system that must be managed by UNHCR's archives. <http://www.planetbiometrics.com/article-details/i/2905/desc/un-begins-biometric-registration-of-rwandans-in-drc/>; UNHCR on biometric registration <http://www.unhcr.org/cgi-bin/texis/vtx/home/opensslPDFViewer.html?docid=550c304c9&query=biometric%20registration>

El Salvador/United States. The United States deported El Salvadoran General Carlos Eugenio Vides Casanova for his role in the torture and extrajudicial killings of unarmed persons during the 1979 -1992 Salvadoran civil war, reported *al-Jazeera* and others. The immigration appeals board's decision was based on previous proceedings that used declassified U.S. government records, the report of El Salvador's truth commission, some items from the El Salvador military, and other reports and testimony.
<http://www.aljazeera.com/indepth/features/2015/04/american-sanctuary-ends-salvadoran-general-150406210929299.html>; for the basic decision, see <http://www.nytimes.com/interactive/2013/04/12/world/12salvador-docviewer.html?action=click&contentCollection=World&module=RelatedCoverage®ion=Marginalia&pgtype=article>

France/Rwanda. French President Hollande announced that presidential records about the 1994 Rwandan genocide will be declassified, reported *RFI*, *France 24* and others, and that the declassification process will extend "to documents consulted by a parliamentary commission that investigated the genocide in 1998." Perrine Canavaggio explains that a commission composed of representatives of the national archives, the Presidency, and the ministries of Defense and Foreign Affairs gave advice on the question of declassification and, while the first set of items have been released, the agencies continue to review others. According to *The New Times* of Kigali, Rwanda, the Rwandan government reacted "cautiously" to the news of the declassification. For some of the released items, see <http://www.rfi.fr/afrique/20150413-rwanda-genocide-rwandais-pieces-declassifiees-elysee-france/>; <http://www.france24.com/en/20150408-france-secret-elysee-papers-rwandan-genocide-servenay> ; <http://allafrica.com/stories/201504091307.html>

India/United Kingdom. The ruling BJP government declassified some Intelligence Bureau files on Subhash Chandra Bose, an Indian nationalist opposed to British rule who cooperated with Nazi Germany and Japan during World War II. The declassified records show that the government of India "snooped on the Bose family between 1948 and 1968," reported the *Daily Mail*, and that the Nehru government allowed the British to maintain an MI5 (U.K. domestic counter-intelligence and security agency) agent in New Delhi after independence. In response to the public demand that all the files on Bose be opened—some 90 still remain closed—the government established a committee to look into a thorough revision of the classification/declassification policy, reported *The Times of India*. For background, see *HRWG News* 2014-12. <http://www.dailymail.co.uk/indiahome/indianews/article-3035213/New-files-reveal-IB-ratted-Bose-s-family-British-MI5-independence-Nehru.html>; <http://economictimes.indiatimes.com/news/politics-and-nation/government-to-revisit-process-of-classification-of-documents/articleshow/46950027.cms>

Morocco/Spain. A Spanish judge charged eleven current and former Moroccan officials with genocide for killings and torture in Western Sahara from 1975-1991, *El Pais* reported. Some of the victims "had

Spanish ID cards and passports” making the case a Spanish one, not just a case of universal jurisdiction. <http://www.sfgate.com/news/world/article/Spain-Judge-wants-7-Moroccan-officials-tried-for-6191240.php>

National news.

Argentina. President Kirchner announced that “all of the secret information held by the military” pertaining to the 1982 war with the United Kingdom over the Malvinas Islands/Falkland Islands “will be declassified and made available within 30 days,” reported the *Buenos Aires Herald*. The *Herald* said it “hoped” the records will “have information about the human rights violations committed against conscripts by higher-ranking officers” and will allow “an investigation into human rights violations committed during the conflict” to be launched. The government has taken DNA samples from family members of all Argentine soldiers killed in the conflict whose remains have not been recovered and will contact British authorities so that the remains of the soldiers buried on the Islands can be identified. The president also announced that an “oral archive” of testimonies from veterans will be housed in the Malvinas Museum. <http://www.buenosairesherald.com/article/185920/cfk-declassifies-all-documents-related-to-1982-war>

Canada. The *Toronto Star* reported that researchers from Osgoode Hall Law School and Western University “reviewed Immigration and Refugee Board decisions on 11,333 Hungarian refugees” made between 2008 and 2012. They found that Roma made up 85% of all Hungarian refugees; only 18.1% of the Roma’s applications for residence were granted compared with 47.2% from all countries. They concluded that “institutional bias” exists against the Roma refugees and the outcome of the applications is “the luck of the draw.” <http://www.thestar.com/news/immigration/2015/04/02/odds-unfairly-stacked-against-roma-refugees-law-school-researchers-find.html>

An official at the Income Security Advocacy Center told *Law Times News* that the work flow in the Ontario Disability Support Program is so laborious that it consumes “a huge amount of legal aid resources.” The Ministry of Community and Social Support Services rejects more than 50% of applications for support; if the application is approved the entire process has to be repeated in two years rather than simply updating the file. The Ministry has a backlog of “some 60,000 cases.” The Advocacy official said, “There has to be a more efficient way of reviewing a client’s file.” <http://www.lawtimesnews.com/201504064592/headline-news/tribunals>

Amnesty International Canada called for more “accurate and comprehensive statistics on missing and murdered indigenous women and girls to ensure that the right steps are being taken to address threats and ensure the safety” of them. When in 2014 the Royal Canadian Mounted Police (RCMP) compiled its first report on these missing persons, “it had to deal with the fact that police homicide reports often record the ethnic identity of victims as ‘unknown’,” Amnesty said, and the police have no standards or training on how to record this information accurately, raising questions about the accuracy of the RCMP data. The statistics RCMP released show that the homicide rate for indigenous women and girls was roughly 7 times higher than for all other women and girls in Canada, and while acts of domestic violence led to 62% of murders of indigenous women, 74% of female homicides in the non-Aboriginal community are by family members, showing the diverse nature of attackers preying on indigenous females. <http://www.amnesty.ca/blog/the-need-for-accurate-and-comprehensive-statistics-on-missing-and-murdered-indigenous-women-and>

Croatia. The government agreed to proposed legislation to authorize a single payment of 13,000 euros to all victims of sexual crimes committed during the wars of the 1990s, reported *BIRN*, and up to 19,500 euro to some victims “who were underage at the time or forcibly impregnated.” To be eligible for the payment, the minister of war veterans said, “A victim of sexual violence comes before the committee and tells what happened to her or him and gives accompanying documentation, if there is any. The commission will then decide whether they will get the status of a victim or not.” The committee records will need sensitive, secure preservation. <http://www.balkaninsight.com/en/article/croatia-gives-reparations-for-wartime-sexual-violence-victims>

Egypt. According to UNHCR, Egypt is host to more than 250,000 refugees. A social worker at a Cairo NGO told *Egyptian Streets* that sexual violence constitutes “a large portion of the problems faced by refugees in Egypt.” She said “many police stations do not acknowledge UNHCR identification and require

national IDs/passport, making it difficult [for the refugees] to report cases.” Moreover, refugees are not given work permits by the government to work in “legal vocations” forcing them to seek work in the unofficial economy, often leaving them vulnerable to abuse. http://egyptianstreets.com/2015/04/18/exposing-the-horrors-of-sexual-violence-against-refugees-in-egypt/?mkt_tok=3RkMMJWWfF9wsRonuarOc%2B%2FhmjTEU5z17u0kUKCg38431UFwdcjKPmjr1YIETsBkI%2BSLDwEYGJlv6SgFSLHMMa12z7gLXxI%3D

Kosovo. The government commission determining who fought for the Kosovo Liberation Army against Serbian forces during the 1998-1999 conflict has verified more than 25,000 of the 66,300 applications received, *BIRN* reported. The commission has also received around 7,000 complaints about its decisions. Verification makes a person eligible for veterans’ benefits. As the commission completes its work, its records should go to the national archives as evidence of the participation in the conflict that is central to the present national identity. For background, see *HRWG News* 2014-11. http://www.balkaninsight.com/en/article/more-than-25-000-koa-war-veterans-verified?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=b69e2b9f19-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-b69e2b9f19-311109073

Lebanon. The Lebanese Center for Human Rights issued a report based on interviews with “random samples of people arrested by different security agencies” that said more than half of the women arrested by Lebanese authorities in 2013 and 2014 were subjected to severe torture, reported *The Daily Star*. Security for the records of the interviews held by the Center must be a high priority. http://www.dailystar.com.lb/News/Lebanon-News/2015/Apr-17/294849-52-of-female-detainees-in-lebanon-are-tortured-report.ashx?mkt_tok=3RkMMJWWfF9wsRonuarOc%2B%2FhmjTEU5z17u0kUKCg38431UFwdcjKPmjr1YIETsBkI%2BSLDwEYGJlv6SgFSLHMMa12z7gLXxI%3D

Macedonia. The party in opposition to the government produced further recordings of conversations that appear to show that the government was illegally wiretapping citizens and interfering with the lustration commission, the judiciary, and elections: in short, corruption. The leader of the opposition has now been charged with revealing state secrets, reported *Turkish Weekly*. For background, see *HRWG News* 0215-02. http://www.balkaninsight.com/en/article/tapes-reveal-political-meddling-with-macedonian-lustration?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=ef78a9de2c-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-ef78a9de2c-311109073; <http://www.turkishweekly.net/news/182777/macedonia-opposition-leader-faces-new-charges.html>

Mali. Human Rights Watch (HRW) conducted interviews with over 150 victims and witnesses in the northern town of Gao and in the capital, Bamako, in February and March and found that “rampant criminality and attacks by armed groups and abuses by the security forces are putting ordinary people in central and northern Mali at risk.” A local official told HRW that he believed the Islamist armed group is carrying out a “campaign of fear to empty the area of state officials,” saying, “These people burned the mayor’s building, destroying the birth and marriage certificates – and since the attack they’ve gone to the houses of the mayor, his deputy, people who have helped out the military, and those who don’t like their version of Islam and told them to leave, lest they be killed.” HRW said it “documented the execution-style killing of five men and threats against several others,” pointing up once again the importance of the records of nongovernmental organizations. <http://www.hrw.org/news/2015/04/14/mali-lawlessness-abuses-imperil-population>

Mexico. *VICE News* reported that the government “silently implemented a law blocking public access to archival documents related to the country’s Guerra Sucia, or Dirty War, which left thousands of political dissidents, students, and activists dead or disappeared in the 1960s, 70s, and early 80s.” <https://news.vice.com/article/mexico-quietly-placed-archives-related-to-its-dirty-war-under-lock-and-key>

Two researchers used “publicly available data from three well-known sources: (i) the National Institute of Statistics and Geography, (ii) the Center of Research for Development and (iii) the Presidency website” to examine whether military interventions in “certain problematic regions of Mexico” did or did not increase violence. As reported in *The American Statistician*, their “analysis suggests that the military interventions resulted in an increase in the average homicide rate.” <http://www.tandfonline.com/doi/full/10.1080/00031305.2014.965796#abstract>

Netherlands. A research group in The Netherlands used all death certificates filed in The Netherlands between August and November 2010 and then sent all certifying doctors a questionnaire about end of life decision-making. They found, reported *Eurasia Review*, that Dutch doctors withhold or withdraw

treatment to a substantial proportion of elderly patients, but the decisions “don’t seem to be driven by ageism; rather, they are more likely based on considerations of comfort and respect and the avoidance of futile treatment.” http://www.eurasiareview.com/20042015-dutch-doctors-withhold-or-withdraw-treatment-in-many-elderly-patients/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

Nigeria. Amnesty International (AI) reported the results of its four research missions in 2014 and 2015 to investigate Boko Haram (BH) actions in northeast Nigeria. It concluded that BH militants killed at least 5500 civilians since the start of 2014, kidnapped at least 2000 girls and women, and forced more than a million people to flee. AI researchers “gathered 377 testimonies,” conducted “an extensive content analysis of dozens of videos . . . supplemented by an analysis of the videos’ metadata where available,” used “photos and documents” and studied satellite images of the sites of seven incidents to assess the impact of the armed conflict on the ground. One activist “shared his database of more than 100 interviews he carried out with people who witnessed attacks by Boko Haram or were abducted by the group.”

<http://www.trust.org/item/20150414003851-0btptg/?source=dpMostPopular> ; for the report see <https://www.amnesty.org/en/documents/afr44/1360/2015/en/>

Norway. Norway’s prime minister apologized for discrimination against Norway’s Roma before and after World War II and promised to pay reparations. A government-commissioned report released in February “detailed how Norwegian Roma citizens in the 1930s were denied re-entry after travels abroad” after which 62 people are known to have died in Nazi camps, reported *Reuters*. What documentation will be needed to determine who will get reparations was not stated, but the prime minister said the “details would be worked out in cooperation with Roma representatives.” <http://www.theguardian.com/world/2015/apr/09/norway-to-pay-reparations-to-roma-for-racist-policies-and-suffering-under-nazis>

Serbia. Issue 9 of the Humanitarian Law Center’s *Through ACCESSION towards JUSTICE* reported on the status of ongoing war crimes trials in Serbia. In the Bosanski Petrovac case, the court-appointed medical and ballistics experts testified that “on the basis of the documentation they had at their disposal” they could not determine “the exact cause of the death of the victim or whether the injuries he sustained were caused by a single fired projectile, barrage fire, or shrapnel fragments.” In the Trnje case, the hearing scheduled for March 27 was not held “owing to the fact that the General Staff of the Army of the Republic of Serbia failed to submit to the Court all of the requested documents.” In the Gradiska case, the accused did not appear because of a medical condition and “the course of further proceedings will be determined by the Trial Chamber following the examination of his medical records.” www.hlc-rdc.org

South Africa. As the South Africa History Archive began releasing the transcripts of confidential hearings of the Truth and Reconciliation Commission that the Archive obtained by the use of the Promotion of Access to Information Act, *The Sunday Independent* reported that the release of the transcripts “is expected to stir tensions in an already volatile Kwa-Zulu Natal . . . because [the] contents reveal the extent of collaboration between traditional authorities in the region and apartheid’s death squads.”

http://www.iol.co.za/news/politics/trc-files-reveal-damning-truth-1.1843834#.VS7JcsvD_IV for the initial release of the transcripts, see http://www.saha.org.za/news/2015/April/saha_releases_the_list_of_section_29_hearings_obtained_under_paia.htm and the special edition of the SAHA newsletter <http://www.iol.co.za/news/politics/trc-files-expose-apartheid-s-handmaidens-1.1847214#.VTWt3BjSTAs>

Spain. *The Guardian* published a 1965 report by the Granada police that says poet and playwright Federico Garcia Lorca “was arrested and killed on the orders” of the military authorities in Granada in August 1936. The report was written when an author sought information on Garcia Lorca and that “request for information bounced between several government ministers, as they debated whether to respond. Granada police were then asked to write the report, some 29 years after the death.”

<http://www.theguardian.com/culture/2015/apr/23/federico-garcia-lorca-spanish-poet-killed-orders-spanish-civil-war>

Sri Lanka. The Presidential Commission to Investigate Into Complaints Regarding Missing Persons submitted an interim report to the president. It said that by April 9 it had received 16,153 complaints from residents in the Northern and Eastern Provinces and 5,200 complaints from families of security forces personnel. *The Daily News* reported that the Commission examined “medical registers from relevant hospitals that treated patients during the conflict and its aftermath;” requested foreign governments to provide the “names of person who may have sought refuge” but the countries did not comply “citing privacy laws”; and made written requests, not yet fulfilled, to the Defense and Justice Ministries to release

the “names of persons who were in custody of prisons, detention camps, refugee camps, and rehabilitation centers.” <http://www.dailynews.lk/?q=local/presidential-commission-missing-persons-interim-report-submitted-president>

Turkey. The Istanbul Foundation for Culture and Arts announced that a documentary on the Kurdistan Workers Party (PKK) rebel group would not be screened at the Istanbul film festival because it did not have a “registration document.” Over 100 film producers signed a declaration protesting state censorship. Turkey considers the PKK a terrorist group, but “all sides involved . . . agreed that the registration document is a mere pretext to prevent the screening of the movie,” *al-Monitor* said. The film was shot “during the summer and autumn of 2013 at three different PKK camps, primarily focusing on the guerillas’ reaction to Ocalan’s announcement of the withdrawal of PKK forces to Iraqi Kurdistan” (Abdullah Ocalan is the imprisoned leader of the PKK) and “also skillfully captures the evolution of the organization into a women’s liberation movement.” http://www.al-monitor.com/pulse/originals/2015/04/turkey-bakur-kurdish-guerilla-documentary-rejected.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=fd3fe83e97-April+21+2015&utm_medium=email&utm_term=0_28264b27a0-fd3fe83e97-93088897

Ukraine. The parliament approved a government bill opening up access to the archives of “repressive bodies” of the communist totalitarian regime of 1917-1991, reported *Ukraine Today*. The law covers the All-Russian Extraordinary Commission for Combating Counter-Revolution and Sabotage; the Ukrainian Extraordinary Commission for Combating Counter-Revolution, Speculation, Sabotage and Malfeasance; the Supreme Court; the Supreme Court of Cassation; and the Supreme Cassation Tribunal. “The state is to provide for the digitization of archival information of the repressive bodies and is to take measures to allow for the search for and retrieval of archival information of the named repressive bodies that is stored in the relevant institutions of foreign countries.” <http://uatoday.tv/news/ukrainian-parliament-opens-access-to-archives-of-repressive-bodies-of-ussr-420553.html>

United Kingdom/Wales. Using the Freedom of Information Act, a cousin of a four year old Welsh girl murdered in 1939 requested access to the file on the case held by the Metropolitan Police in London. The request was denied because a “named subject who was a suspect is described derogatorily and should not be associated with these matters. As an unsolved murder, with potential of reinvestigation at any indeterminate stage, practice to close for 100 years is invoked.” The police also cited the protection of witness statements given at the time. The requester is appealing, reported *walesonline*. <http://www.walesonline.co.uk/news/wales-news/police-file-murdered-four-year-old-joyce-9123937>

United States. A study presented at the annual meeting of the Healthcare Information and Management Systems Society reported that the “number of health data breaches has been increasing in recent years, and the most frequent type was theft” which accounted for 55% of the breaches. Using data from the U.S. Department of Health and Human Services, the researcher found that breaches have increased more than 50% in the last 12 months and since 2009 have affected 133 million patient records. Organizations with 500,000 to 1 million records are “attractive targets to hackers,” the researcher said, but the biggest threat in small organizations is an internal user. <http://www.medpagetoday.com/MeetingCoverage/HIMSS/50983>

United States/California. *ProPublica* examined more than 450 complaint investigations undertaken by the California Department of Social Services between 2009 and 2014 regarding “reports of trouble” at the state’s residential facilities for most acutely disturbed children. “More than half of the investigations produced ‘inconclusive’ findings, meaning that no determination of facts was reached in cases that involved sexual abuse, physical assaults, drug use or inadequate care.” Even if the investigation found the complaint legitimate “the agency almost never” imposed civil penalties. *ProPublica* also reviewed a sample of nearly 100 reports of “unusual incidents” that the homes are required to report electronically to the state and found that about a third of these investigations were left open indefinitely. http://www.propublica.org/article/investigations-of-california-group-homes-marked-by-delays-and-uncertainty?utm_source=et&utm_medium=email&utm_campaign=dailynewsletter&utm_content=&utm_name=

State regulators fined Pacific Gas and Electric Company \$1.6 billion for the gas pipeline explosion in San Bruno in 2010 that killed 8 people and destroyed 38 homes. The company had previously been fined for poor recordkeeping. Reported the *Contra Costa Times*, “Investigators believe that a combination of PG&E’s flawed record keeping and shoddy maintenance, coupled with [the state’s] lax oversight, were the

key factors that caused the explosion.” http://www.contracostatimes.com/breaking-news/ci_27880160/san-bruno-pg-e-faces-record-penalty-punishment

United States/Colorado. A small pharmacy in Denver paid a \$125,000 fine to the U.S. Department of Health and Human Services because “the pharmacy failed to dispose of paper records that contained patient information” in accordance with the Health Insurance Portability and Accountability Act, reported the *National Law Review*. <http://www.natlawreview.com/article/hipaa-settlement-follows-unsecured-paper-records-disposal>

United States/Indiana. A judge ruled that Notre Dame University, a private school, does not have to provide records under the state’s open record law even though its campus police exercise state police powers, reported the *Associated Press*. For background, see *HRWG News* 2015-01. <http://www.newsobserver.com/news/politics-government/article19048443.html>

United States/New York. The New York City Department of Investigation found that “employees at the city Medical Examiner’s Office ‘intentionally destroyed’ documents to cover up the fact that it allowed the wrong corpse to be released for cremation and burial,” reported the *New York Post*. <http://nypost.com/2015/04/12/mes-office-destroyed-docs-to-hide-wrong-corpse-cremation-probe/>

United States/Texas. *Nature Communications* published the results of an investigation into the cause of a series of earthquakes that began in November 2013 near Azle, Texas. Using an impressive variety of data, including earthquake data from the United States Geological Survey, variations in the aquifer “recorded at groundwater monitoring wells,” historic records of earthquakes, records from the Texas Railroad Commission, “pump test data supplied by energy companies,” and others, the researchers concluded that the Texas earthquakes most likely were triggered by activities that are part of industrial oil and gas production. <http://www.nature.com/ncomms/2015/150421/ncomms7728/full/ncomms7728.html>

Twenty years ago Timothy McVeigh and Terry Nichols bombed a government building in Oklahoma City, Oklahoma, killing 168 people. At his trial, McVeigh was sentenced to death and executed in 2001 (Nichols was sentenced to life in prison). The University of Texas announced that it has acquired the files of McVeigh’s attorney: an estimated 1 million pages. The files should allow researchers to better understand McVeigh’s motivations; it is unusual in the United States for a defense attorney to deposit the records of a case in an archives because lawyer-client privilege is usually a serious brake on giving access to them. <http://news.yahoo.com/mcveigh-defense-archive-shows-bomber-viewed-blast-failure-195804817.html>

Publications and programs.

The Humanitarian Law Center in Belgrade, Serbia, published *A Model Strategy for the Prosecution of War Crimes Committed during and in Relation to the Armed Conflicts in the Former Yugoslavia*. Although focusing on the Serbian situation, the wide-ranging recommendations are of interest to any country that needs to prosecute war crimes. The *Strategy* recognizes the important role of records in these prosecutions: it urges the prosecutor to “have detailed and comprehensive records of unresolved cases of war crimes” produced by a “Records Team” that will compile the information on the most significant elements of each case. The *Strategy* also urges the prosecutor to use “an increased amount of evidence” from the International Criminal Tribunal for the former Yugoslavia and to work for “easy provision of documents and to the future use and access of the ICTY Office of the Prosecutor database.” Further, it urges that “archival material of institutions relevant for the prosecution of war crimes shall be made accessible” to the prosecutor and the public, and it recommends that the prosecutor establish “a uniform standard of anonymization of court documents, harmonized with the Law on the Protection of Personal Data, the Law on Access to Information of Public Importance and the general principle of public trials.” <http://www.hlc-rdc.org/?p=28881&lang=de>

The South African History Archive published *Riding the transitional rollercoaster: the shifting relationship between civil society and the Constitution in post-apartheid South Africa*, “the product of a research project undertaken by the South African History Archive in 2014, exploring the changing

relationship between civil society and the South African Constitution, as part of a broader SAHA archival collection project on the Constitution in advance of marking 20 years of the Constitution in 2016.”
http://www.saha.org.za/publications/riding_the_transitional_rollercoaster.htm

The “Charter of Law of Abolition of the Death Penalty” in Portugal, enacted in 1867 and held in the National Archives in Lisbon, was given the European Heritage Label at a ceremony in Brussels. The Archives plans to highlight the Charter through various initiatives to promote the values of European citizenship through workshops, conferences, exhibitions and organized tours for students and the general public. For the ceremony presenting the award, see <http://ec.europa.eu/avservices/video/player.cfm?ref=I101510> Thank you to Maria Trindade Marques Serralheiro for this information.

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