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Commentary.

September 2013 was a big month for international justice: Charles Taylor, the former president of Liberia, was confirmed guilty of war crimes during the war in Sierra Leone, 1991-2002, by the appeals panel of the Special Court for Sierra Leone; General Carlos Alberto Paz Figueroa was convicted in Peru for the forcible disappearance in 1990 of a professor; and in Guatemala the former national police chief Hector Bol de la Cruz was convicted of the forcible disappearance in 1984 of a student and labor leader. Taylor was sentenced to 50 years in prison, Paz Figueroa to 15 years, and Bol de la Cruz to 40 years.

Archives are important in these cases, both the archives used in the trial by the prosecution and the defense attorneys and the archives created by the court during the case. Kate Doyle, who testified in the Bol de la Cruz trial, wrote, "The documents [of the National Police of Guatemala] were the most important evidence the prosecutors had." By contrast, in Peru's case against Paz Figueroa the court relied heavily on oral testimony because, according to Jo-Marie Burt, who has written extensively on human rights prosecutions in Peru and elsewhere in the region, "in general the military routinely denies that any documents from the civil war period exist, even when prosecutors have obtained certain documents . . . and when defendants bring documents to court to support their claims of innocence." This makes the oral testimony entered in the trial record exceptionally important for future cases. And the trial record of the Taylor case is massive, providing an historical record both for Liberia, where he was president, and for Sierra Leone, where he fomented inhuman crimes.

An event that got much less press than these sensational cases was the report to the September session of the United Nations' Human Rights Council by Pablo de Grieff, the United Nations Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. In his report, which focuses on truth commissions, de Grieff wrote that successful truth commissions "have provided recognition to victims as rights holders, fostered civic trust, and contributed to strengthening the rule of law." Significantly for archivists, he pointed out the importance of archives for use by truth commissions and the archives of the truth commissions themselves. He encouraged "states to opt for archiving modalities that maximize access to all stakeholders, in compliance with the rights to privacy and personal security, convinced that the establishment of truth commission and national archives contribute in a substantial manner to realizing the right to truth and may further criminal prosecutions, reparation, and institutional and personnel reforms. Technological advances in archiving that allow for selected blocking of parts of documents should be utilized, and good practices gathered by expert bodies should be applied. The Special Rapporteur calls for the development of international standards on archiving and strongly supports such an initiative."

The Special Rapporteur's mandate extends beyond truth commissions, and de Grief emphasized that "truth cannot be a substitute for justice, reparation or guarantees of non-recurrence, singly or collectively" and that there are "abiding national and international obligations concerning each

measure, compelling practical moral and political reasons for implementing them, as well as convincing empirical evidence that they work best, as justice measures, when designed and implemented in a comprehensive fashion rather than in isolation from one another.”

And that leads us back to the trials, international ones like the Taylor trial at the Special Court and national ones like those in Peru and Guatemala. While the records of defense attorneys often are private materials, the records of prosecutors and courts are government records. These are records of the highest importance, for the country and for international justice. Their preservation is a key national archival responsibility, one that is particularly challenging when parts of a case are conducted in closed session and when the records of the prosecutor include many pieces of evidence that lead to persons not indicted or charges not brought. Just as September was a good month for addressing gross violations of human rights and serious violations of international humanitarian law in three courts, we need to make sure that the following months see the prompt, professional archival management of these records—not only those of the Special Court for Sierra Leone and the justice systems in Peru and Guatemala but also those of courts and cases like them throughout the world.

For articles about the Bol de la Cruz and Paz Figueroa cases, see <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB440/> and http://rightsperu.net/index.php?option=com_content&view=category&layout=blog&id=37&Itemid=62; for the report of the Special Rapporteur, see A/HRC/24/42 <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session24/Pages/ListReports.aspx>.

News of the International Council on Archives. Remember October 2 is the UNESCO-designated World Day for Audiovisual Heritage.

The HRWG will meet on Friday, November 22, at 2 p.m., in Mechelin, Belgium, at Kazerne Dossin, the Belgian memorial, museum and documentation center on Holocaust and human rights. This is an open meeting but seating is limited, so if you plan to attend, please contact Trudy Peterson.

International news.

International Criminal Tribunal for Yugoslavia (1). A former senior officer of the Yugoslav People’s Army testified in the trial of Croatian Serb leader Goran Hadzic that the Army forwarded “to the local police and authorities, to Serbia as well” reports with “all the information we had” on “paramilitary units’ war crimes.” *BIRN* reported that the officer commented, “It is important that we did report the crimes, and why they didn’t take any action, I don’t know.” The reports should be in the archives of the Army and the police in Serbia and Bosnia.

http://www.balkaninsight.com/en/article/yugoslav-army-reported-war-crimes?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=d522f405db-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-d522f405db-311109073

International Criminal Tribunal for Yugoslavia (2). At the trial of Ratko Mladic, the former chief of the Bosnian Serb military, military expert Richard Butler testified that in his research he had not “come across any documents in which Mladic ordered the execution of captives” (one of the charges against Mladic is genocide of about 7000 Bosniak men and boys from Srebrenica in July

1995). *BIRN* reported that Butler went on to say that he found an order issued by Mladic in autumn 1995 “that fuel be obtained for transferring the remains of Srebrenica victims from where they were initially buried to other graves;” he said that “suggested a crime.” Butler also said that a “map prepared for the Srebrenica offensive, marked as approved with Mladic’s signature, proved that he had direct command;” Mladic wrote on the map, “This belonged to Serbs and still does.” Additionally, Butler “quoted documents about the mobilization of dozens of buses and the procurement of fuel, as well as intercepted conversations involving Mladic.”

http://www.balkaninsight.com/en/article/mladic-s-order-to-evacuate-everyone-from-srebrenica?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=69b0fb5cf5-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-69b0fb5cf5-311109073; http://www.balkaninsight.com/en/article/srebrenica-crimes-suggested-by-mladic-s-order?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=3a935b8f05-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-3a935b8f05-311109073

To see the transcript of the Butler testimony,

<http://www.icty.org/x/cases/mladic/trans/en/130904ED.htm>,
<http://www.icty.org/x/cases/mladic/trans/en/130905IT.htm> and
<http://www.icty.org/x/cases/mladic/trans/en/130906IT.htm>

World/general news.

Electronic surveillance by the U.S. National Security Agency, as revealed by documents leaked to the press by Edward Snowden, continued to make headlines around the world in September. Two articles published by the *New York Times* are especially revealing: one discusses the Agency’s ability to circumvent “much of the encryption, or digital scrambling, that guards global commerce and banking systems, protects sensitive data like trade secrets and medical records, and automatically secures the e-mails, Web searches, Internet chats and phone calls of Americans and others around the world,” and the other outlines the Agency’s work since November 2010 to analyze phone call and email logs “to examine Americans’ networks of associations for foreign intelligence purposes.” The *Times* notes that the U.S., the U.K., Canada, Australia and New Zealand cooperate in the in analyzing information obtained from the NSA’s decoding, and the U.K. has its own “counterencryption” program. The National Archives of these five countries face a major task to appraise and ensure the preservation of the records of this massive data collection activity. http://www.nytimes.com/2013/09/06/us/nsa-foils-much-internet-encryption.html?_r=1&
http://www.nytimes.com/2013/09/29/us/nsa-examines-social-networks-of-us-citizens.html?pagewanted=1&_r=0

Videre, an NGO based in London that works to film human rights abuses around the world, was featured in a long story in *wired*. The article quotes Videre’s archivist saying that her work is like gold mining: “you might sift through 40 hours to find a single nugget.” <http://www.wired.co.uk>; the Videre website <http://www.videreonline.org/>

Montenegro’s justice minister announced that the country has “more than 15,000 [judicial] verdicts which have yet to be enforced,” *BIRN* reported. Last June the World Bank released a study of Costa Rica’s strategy for monitoring compliance with court orders; in 2009 one chamber of the supreme court of Costa Rica began to monitor compliance with direct orders in cases that involve “individual claims for medications, pensions, or labor rights.” Six months later the court had a press conference and released its findings: a dismal record of non-compliance. It continued

to publicize the problem, as well as discussing it with agency heads. Compliance then improved. The court records of verdicts are an important starting point for monitoring programs.

http://www.balkaninsight.com/en/article/montenegro-s-verdicts-poorly-enforced?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=59643c17b7-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-59643c17b7-311109073; <http://documents.worldbank.org/curated/en/2013/06/17945127/public-strategy-compliance-monitoring>

Bilateral and multilateral news.

Afghanistan/Netherlands. Details of nearly 5000 persons killed by the Afghan Communist government in 1978 and 1979 have been released on the web site of the Netherlands national prosecutor's office, reported the *New York Times*. The lists include name, date of death, father's name, occupation, hometown and the charges against the person. The Dutch had opened a war crimes investigation on the Amanullah Osman, who headed interrogations for Afghan intelligence in 1978-1979 and fled to the Netherlands in 1993. During the investigation the Dutch obtained the lists of those killed from an Afghan refugee in Germany who had gotten them from a former United Nations Special Rapporteur for Afghanistan who is now dead. After Osman's death in 2012 the Dutch decided to release the lists. The Dutch prosecutor's office said, "The close relatives of the deceased in this case have the right to know the truth about the circumstances of the disappearance and the final fate of their loved ones."

<http://www.nytimes.com/2013/10/01/world/middleeast/release-of-decades-old-death-lists-stirs-anger-and-grief-in-afghanistan.html?ref=rodnordland&r=0>

Argentina/Spain. An Argentine judge issued arrest and extradition orders for four former Spanish police officers as part of an investigation of possible crimes against humanity during the dictatorship of General Francisco Franco (1939-1975). The *Associated Press* noted that it is not clear that Spain will act on the petitions. At the same time, the United Nations Working Group on Enforced or Involuntary Disappearances visited Spain and issued a statement of preliminary findings on September 30, which said in part, "It is regrettable, the situation of impunity for cases of enforced disappearances that occurred during the Civil War and the dictatorship. There is no ongoing effective criminal investigation nor any person convicted . . . Other important challenges in Spain are the limited scope of the Law of Historical Memory and the lack of budget for its implementation, the fact that the Amnesty Law remains in force, the absence of an autonomous crime of enforced disappearance, the lack of a law on access to information, the difficulties in accessing archives and the lack of a national plan for the search of disappeared persons, among others." The Group's final report on Spain will be submitted to the Human Rights Council in 2014.

[http://www.wral.com/franco-victims-greet-argentine-probe/12915191/;](http://www.wral.com/franco-victims-greet-argentine-probe/12915191/)

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13749&LangID=E>

Australia/Israel. The family of the Australian man known as Prisoner X who committed suicide in an Israeli prison will receive \$1.1 million to settle the case and agree that the government is not to blame for the death, *ABC News* reported. This also means that further documents about the matter will not be released. For background, see *HRWG News* 2013-02, 2013-03, 2013-04.

<http://www.abc.net.au/news/2013-09-11/israel-may-compensate-family-of-australian-ex-mossad-agent/4950612>

Bosnia/Croatia/Serbia. *BIRN* reported that Belgrade prosecutors supplied information to Bosnian prosecutors about the possible location of a mass grave at Strpci, which has now been located.

The grave may hold the remains of Bosnians and Croatians who were abducted from a train in 1993 by the Bosnian Serb military. http://www.balkaninsight.com/en/article/bosnia-serbia-jointly-work-on-strpce-case?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=9d203a1123-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-9d203a1123-311109073

Bosnia/Netherlands. The Netherlands' supreme court ruled that the state was responsible for not preventing the deaths of persons who were being protected at Srebrenica in 1995 by Dutch troops serving under the United Nations. This decision allows the families of Srebrenica victims who brought the law suit to claim compensation from the Netherlands and opens the way for law suits from other families, *BIRN* noted. Very large quantities of records exist on Srebrenica and the Dutch battalion there, and the Netherlands Institute for War Documentation copied many of them during its research for its 2002 report on the role of Dutchbat in Srebrenica. The decision may make it more difficult for the United Nations to persuade countries to contribute personnel to its peacekeeping forces. http://www.balkaninsight.com/en/article/netherlands-responsible-for-three-srebrenica-deaths?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=45b7d7c00d-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-45b7d7c00d-311109073; for a discussion of the legal implications of the decision, see <http://www.ejiltalk.org/dutch-supreme-court-affirms-that-dutchbat-acted-unlawfully-in-srebrenica/>

Chile/United States. The family of Victor Jara, a popular folk singer who was murdered after Augusto Pinochet's military regime took power in Chile, filed a civil lawsuit in Florida against Pedro Pablo Barrientos, the former Chilean army officer charged with Jara's death, who is now living there. In a separate action, Chile has asked for Barrientos' extradition; according to the *New York Times*, the Chilean extradition request is 543 pages, and the case "has been handled by half a dozen judges; it was closed and later reopened; Mr. Jara's remains were exhumed for forensic analysis and reburied in 2009" and "a dozen soldiers" from Barrientos' regiment have testified that he was responsible for Jara's death. The Chilean records on the case must be enormous. For links to many articles on the case, see <http://www.cja.org/article.php?class=3&list=class&offset=3&qty=100>

Colombia/United States. Chiquita Brands International, a giant produce company with huge banana plantations in Colombia, admitted paying a right-wing Colombian paramilitary group \$1.7 over a seven-year period, reported the *Huffington Post*. Chiquita is now asking a U.S. appeals court to dismiss lawsuits against it by relatives of victims of the Colombian civil war who argue that Chiquita's payments enabled the violence. Corporate records of the payments are significant in this case. http://www.huffingtonpost.com/2013/09/22/chiquita-colombia-lawsuit_n_3971616.html; for background, see <http://www.business-humanrights.org/Categories/Lawlawsuits/Lawsuitsregulatoryaction/LawsuitsSelectedcases/ChiquitalawsuitsreColombia>

Cuba/Spain. On July 22, 2012, a car crash in Cuba killed Oswaldo Paya, a leading Cuban dissident who also held Spanish citizenship, and a youth activist. The driver of the car, Angel Carrero, also Spanish and a human rights activist in Cuba to deliver funds to Cuban colleagues, was convicted Paya's death and transferred to Spain to serve his four year prison term. The Carrero family complained to the Spanish National Court that Angel was "browbeaten" into falsely confessing he had car accident and that what actually happened was that the car Angel was driving was intentionally hit from behind by a vehicle with Cuban state license plates. According

to the *Washington Post*, the family quoted a text message “sent that evening to a friend abroad from Mr. Carronero’s cellphone, saying that someone had tried to run them off the road.” The Spanish judge dismissed the complaint; the family plans to appeal. The Inter-American Commission on Human Rights asked Cuba for information on the accident, and United Nations Watch presented the question of Paya’s death to the September session of the United Nations Human Rights Council. http://www.washingtonpost.com/opinions/spanish-court-turns-a-blind-eye-on-oswaldo-paya-case/2013/09/27/0b7ad8ca-2554-11e3-b3e9-d97fb087acd6_story.html ; <http://blog.unwatch.org/wp-content/uploads/UNW-official-statement-on-Oswaldo-Paya.pdf>

Dominican Republic/Haiti. The constitutional court in the Dominican Republic ruled that children born of illegal immigrants since 1929 are not citizens, leaving thousands—mainly Haitians—in limbo, reported the *Associated Press*. The ruling says “officials are studying birth certificates of more than 16,000 people and notes that electoral authorities have refused to issue identity documents to 40,000 people of Haitian descent.” The electoral commission has a year “to produce a list of those to be excluded.”

http://www.salon.com/2013/09/27/dominican_ruling_strips_many_of_citizenship/

Indonesia/Netherlands. The government of the Netherlands formally apologized to the Indonesian people for the “excesses” the Dutch military committed during counterinsurgency operations during Indonesia’s fight for independence from the Netherlands (1945-1949), the *Jakarta Globe* reported. The Dutch government also announced that victims of the violence can claim compensation from it, if the claimant had been “married to a person summarily executed by Dutch soldiers, the execution in question must have been of a similar nature as those in Rawagede and South Sulawesi [massacre sites], and the execution must have already been mentioned in a publication. Statements of witnesses will be accepted as proof of the fact that the deceased husband was indeed summarily executed.”

<http://www.thejakartaglobe.com/news/jakarta/netherlands-apologizes-for-indonesian-colonial-killings/>

Iraq/United States. The U.S. previously announced its plan to turn over to the Iraqi government the “Jewish Archives” found in a flooded basement of the secret police headquarters in Baghdad in 2003 and taken to the United States for preservation. This blog post argues against the transfer. For background, see *HRWG News* 2013-08. <http://www.jewishpress.com/blogs/guest-blog/is-iraq-entitled-to-the-jewish-archive/2013/09/24/>

United Kingdom/Former colonies. The latest release of archives from the Foreign and Commonwealth Office—documents that were hidden until a lawsuit was brought by a group of Kenyans—includes a document warning that “Somalia could be a base for subversion into east and central Africa” after its independence, reported *The Guardian*. The release raises some questions because “papers in a file entitled ‘Southern Rhodesia pre-independence records’ no longer exist” and some documents were redacted. For background, see *HRWG News* 2013-04, 2013-05 and 2013-06. <http://www.theguardian.com/world/2013/sep/27/somalia-foreign-office-files-subversion>

National news.

Albania. The World Bank announced that it is supporting a project to scan “decades of papers involving pensions, social security and other benefits, which tens of thousands of the country’s retirees depend on.” During the process, the documents are being verified, and after scanning the

originals will be stored in “a brand new state-of-the-art archive.”

<http://www.worldbank.org/en/results/2013/08/16/years-of-crucial-information-now-seconds-away-for-albania-pensioners>

Australia. The South Australian government “will conduct a review of how state records are kept in the wake of an independent inquiry into child sex abuse at a local school,” the AAP reported.

<http://www.news.com.au/breaking-news/national/sa-to-review-govt-record-keeping/story-e6frfku9-1226715211045>

Controversy arose when the National Archives posted on line a handwritten Japanese notebook, captured in 1945, that provides information on how to build “deadly devices” for the purpose of sabotage, reported the *Herald Sun*. “Terrorism authorities” in Australia are worried that the information could be used to build bombs today; however, the National Archives says the notebook was “examined in accordance with normal archival procedure” before making it available. <http://www.heraldsun.com.au/news/law-order/national-online-archive-now-includes-how-to-make-a-bomb/story-fni0fee2-1226717991614>

Canada. Destroying Canada’s long gun registry data cost about \$1 million, reported the *Canadian Press*. For background, see *HRWG News* 2012-04, 2012-05, 2012-09, 2012-11.

<http://www.vancouversun.com/news/RCMP+cost+estimate+registry+data+destruction+documents+show/8919147/story.html>

A class action suit over abuses at the Huronia Regional Centre that housed “developmentally disabled” persons in Ontario until 2009 was settled. As part of the settlement, the Ontario government will “ensure proper maintenance of the [Huronia] cemetery and create a registry of those buried there” (of the nearly 2000 burials in the cemetery, nearly 75% are in unmarked graves). The government also will make public some 65,000 documents “including internal government documents, police reports, eyewitness accounts and letters from concerned parents” pertaining to the case. Former residents of the Centre can submit claims for compensation and receive “up to \$42,000 each, depending on the severity of alleged abuses outlined in the claim.”

<http://beforeitsnews.com/politics/2013/09/35m-settlement-reached-in-lawsuit-over-abuse-at-huronia-regional-centre-2552022.html>

Croatia. A 93-year-old former Croatian interior minister was indicted over the “killings of 21 civilian prisoners in 1945, when he was a secret service officer with Tito’s Partisan forces,” *BIRN* reported. His lawyer said he had investigated the killings “thoroughly” and his client is innocent; he did not specify what archives were used in his research.

http://www.balkaninsight.com/en/article/former-croatian-official-indicted-with-post-wwii-killings?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=7595bb7f9

Czech Republic. John Feffer of the Institute for Policy Studies published an interview with Jan Urban, a leading Czech dissident prior to 1989 and a founder of Civic Forum. Urban commented on the Czech lustration law (lustration is the process of reviewing the credentials of persons who apply for specific jobs to ensure that persons who served the former regime are not hired): “I think lustration was one of the worst methods of dealing with the past. First, it gave legitimacy to the Communist secret police archives. It’s kind of funny when you declare the secret police a criminal organization and then you use its archives for the purposes of parliamentary democracy building. It took us 17 years to take secret police archives from the political property of the state.”

<http://www.johnfeffer.com/and-justice-for-all/>

Egypt. Former president Hosni Mubarak's doctor secretly recorded his conversations "over a period of months this year," the *New York Times* reported. The recordings "were authenticated . . . when the doctor . . . was summoned to testify about them" at Mubarak's trial. They were released through the web site of the newspaper *Youm el-Saba*. Mubarak is now suing the doctor for recording him. <http://www.nytimes.com/2013/09/23/world/middleeast/secret-recordings-reveal-mubaraks-frank-views-on-a-range-of-subjects.html?pagewanted=all& r=0> .

Was the Muslim Brotherhood a threat to the preservation of the National Archives? The *New Yorker* interviewed a number of Egypt's intellectuals, some of whom thought the Brotherhood wanted to harm the National Archives, but Kahled Fahmy, a professor of history at the American University in Cairo, thinks the Brotherhood did not understand what the Archives is and that the documents the Brotherhood was interested in controlling are actually in the Ministry of the Interior, which Fahmy calls the "true threat to cultural institutions like archives and museums." <http://www.newyorker.com/online/blogs/newsdesk/2013/09/the-battle-of-the-archives-in-egypt.html>

Georgia. Over 181 hours (144 files) of secret video recordings obtained through illegal surveillance were destroyed, reported *civil.ge*, but about 26,000 files of secret recordings still exist. In addition, the Interior Minister said there is "a high probability" that copies of the destroyed recordings are in private hands. For background, see *HRWG News* 2013-04, 2013-05, 2013-06, 2013-07. <http://www.civil.ge/eng/article.php?id=26418>; <http://www.rferl.org/content/georgia-illegal-recordings/25096623.html>

Germany. Germany's central office for prosecuting Nazi-era crimes announced that it recommended that local prosecutors open investigations against 30 surviving guards from the Auschwitz-Birkenau death camp. The chief prosecutor told *Spiegel*, "We are currently searching through the archives in Russia, Belarus and Brazil for additional names of possible perpetrators." <http://www.spiegel.de/international/germany/nazi-murder-germany-may-prosecute-30-former-auschwitz-guards-a-920200.html>

Guatemala. The International Crisis Group (ICG) published a report on the trial of former dictator Jose Efraim Rios Montt, who was convicted in May but whose conviction was set aside by the Constitutional Court. ICG urges the government to expedite a new trial for Rios Montt and to prosecute others "believed responsible for massacres and other violations of international humanitarian law, including those committed by guerrilla forces." ICG notes, "Thanks to decades of work by victims associations, human rights investigators and forensic anthropologists, prosecutors could draw on abundant oral, documentary and physical evidence." For background, see *HRWG News* 2013-01; 2013-03; 2013-05. http://www.crisisgroup.org/en/regions/latin-america-caribbean/guatemala/050-justice-on-trial-in-guatemala-the-rios-montt-case.aspx?utm_source=wu23sept13&utm_medium=guatemala-report&utm_campaign=wuemail

India. India has a new program for persons who left Kashmir for Pakistan and want to return. According to the *New York Times*, "once a former fighter has decided he wants to return, his family files an application with Indian authorities. If there are no accusations that he attacked India or killed anyone, the application is usually approved." The returnee is "required to meet with the police regularly for at least a year." The chief minister of the Indian state of Jammu and Kashmir told the *Times* that getting the men and their families "appropriate paperwork" has been difficult; one returnee said he has not gotten identity papers that will enable him to get work. <http://www.nytimes.com/2013/09/07/world/asia/homesick-militants-are-offered-a-way-back-to-kashmir.html?pagewanted=all& r=0>

A video clip posted to Facebook that apparently showed two young men being lynched led to riots in the city of Muzaffarnagar, and at least 30 people were killed. “Scores” of people have been charged in connection with the violence, including a state legislator whose Facebook account published the clip, which was actually several years old, reported the *New York Times*.

http://www.nytimes.com/2013/09/10/world/asia/india-deploys-security-forces-in-uttar-pradesh.html?_r=0

Ireland. The Land Commission was set up in 1881 “to facilitate and eventually subsidize transfers of land ownership from large landlords to small tenants;” it was abolished in 1992. Its records from 1923 to 1992 are in the custody of the Department of Agriculture, and to gain access requires “individual written permission from descendants of all those involved in the original transactions,” says the *Irish Times*. Noting that after 1922 “the distribution of compulsorily purchase land was deeply politicized,” the *Times* asks, “How long can it possibly take to decontaminate this part of our history?” <http://www.irishtimes.com/culture/heritage/irish-roots-the-land-commission-s-forbidden-fruit-1.1534764>

Israel. Veterans of the Yom Kippur War of 1973 are demanding that closed “state archival material relating directly or indirectly to the war be opened to the public” as the only way “to take responsibility for our history,” reported the *Jerusalem Post*. Israel’s State Archives had planned to release “classified minutes from 1973 of cabinet meetings and meetings of the Ministerial Committee on National Security Affairs” relating to the War on its 40th anniversary, but the Prime Minister’s Office blocked the release of the records until they are 50 years old.

<http://www.haaretz.com/news/1.546306> <http://www.jpost.com/Opinion/Op-Ed-Contributors/Do-the-right-thing-Open-all-the-archives-326034>

Kosovo. Fatimir Limaj was acquitted of war crimes; the presiding judge said that “much” of the diary of a deceased witness that implicated Limaj had been “fabricated.” For background, see *HRWG News* 2013-07. <http://www.reuters.com/article/2013/09/17/us-kosovo-warcrimes-idUSBRE98G0TF20130917>

Malta. The *Sunday Times of Malta* reported that “browsing sessions at four different internet cafes uncovered a wealth of personal data left behind by customer,” including a “pathology report of a colon cancer patient and photos of a woman’s breasts,” a work permit application, a visa form with name, a certificate of baptism, and more.

<http://www.timesofmalta.com/articles/view/20130915/local/Revealing-all-secrets-of-internet-cafe-computers.486182>

Pakistan. *Reuters* published a special report on the “disappearances” of persons linked to an independence movement for Baluchistan, a large Pakistani province bordering Iran and Afghanistan. In March a Baluch journalist was abducted and his body was found in August; his sister told *Reuters* that he was disappeared by Pakistan’s intelligence services. *Reuters* “submitted a dossier of testimony related to the disappearance” of the journalist and two other persons to the army, which told *Reuters* “it has pursued the query but had not yet been able to obtain any information.” Two weeks after the journalist disappeared, a group of men “ransacked” the offices of the small newspaper where he worked as a proofreader, “set fire to files” and took his computer. <http://www.reuters.com/article/2013/09/24/us-pakistan-disappearances-specialreport-idUSBRE98N00A20130924>

Palestine. *Al-Monitor* reported that the Palestinian Center for Democracy and Conflict Resolution has recorded “more than 400 cases of severe violence against women” (including 16 murders) during the past year in the Palestinian territories. A police spokesman says the police deal with cases of violence “if a woman is hurt or beaten and presents a medical report that proves it,” but if there is no physical harm “the complaint is transferred to the public relations department, which tries to find an amicable solution for the husband and wife to prevent them from divorcing.” This suggests that Palestine’s police records and police statistics are unreliable sources for measuring domestic violence. <http://www.al-monitor.com/pulse/originals/2013/09/palestinian-domestic-violence-women-rights.html>

Peru. The *Associated Press* published a report on Peru’s Truth Commission ten years later. It found that “few” of the recommendations have been fully followed; for example, “No state agency exists dedicated to finding and cataloguing the bodies of the estimated 15,000 people forcibly disappeared in the conflict.” A human rights prosecutor said he had made 80 inquiries for information on human rights cases to the Defense Ministry “and their answer is that they don’t have the information.” <http://www.foxnews.com/world/2013/09/03/unhealed-from-peru-bloody-conflict-are-legion-decade-after-truth-commission/>

Romania. The head of Ramnicu Sarat prison from 1956 until 1963 has been charged with genocide, after the Romanian Institute for the Investigation of Communist Crimes pressed the prosecutors to launch the case, based on the institute’s research, the *Telegraph* reported. <http://www.telegraph.co.uk/news/worldnews/europe/romania/10283888/Romanian-Communist-era-prison-chief-charged-with-genocide.html>

Serbia. A historian at the Serbian Institute for Contemporary History, who is a former member of the state commission for finding the graves of those killed during the early years of Communist rule (1945- 1953), says the commission obtained the names and locations of graves of 52,000 victims. He told *BIRN*, “The archives have long been closed in relation to this topic, you could find some documents here and there, which is nothing compared to the documents that were recently provided to the archive of Serbia by the BIA [Security information Agency] and which I could access as a member of the commission.” <http://www.balkaninsight.com/en/article/serbia-still-unaware-of-communist-era-crimes>

South Africa. The commission set up to investigate the police killings of 34 striking miners in 2012 issued an interim report. The commission said, “we have obtained documents with the SAPS [South African Police Service] previously said were not in existence . . . We have obtained documents which in our opinion demonstrate that the [police] version of the events . . . is in material respects not the truth.” *BBC News* noted that the statement “comes just 10 days after gaining access to police computer hard drives and previously unseen police documents;” the commission is seeking access to additional hard drives and electronic records. For background, see *HRWG News* 2012-09. <http://www.bbc.co.uk/news/world-africa-24164411>

Like Palestine, South Africa’s police statistics are in the news after the South Africa History Archive obtained through the Public Access to Information Act “a range of important, and somewhat intriguing, statistics from the South African Police Service on rape broken down by gender (2004 - 2012) and data relating to public violence (2004 - 2012).” These statistics must be used with care, SAHA notes. http://www.saha.org.za/news/2013/September/release_of_intriguing_statistics_on_violence_by_south_african_police_service.htm

Sweden. Sweden's police compiled a "secret, illegal registry of more than 4,000 Roma, including children" that was accessible to police nationwide, reported the *Huffington Post*. http://www.huffingtonpost.com/2013/09/23/swedish-roma-list_n_3975993.html

United Kingdom. *Information Age* reported that Big Brother Watch, an NGO, investigated the government's practice of selling data from its "edited electoral register" and found that the sales discourage people from registering to vote. <http://www.information-age.com/it-management/risk-and-compliance/123457316/sale-of-electoral-data-blights-democracy--pressure-group-claims#sthash.DEMbjHyA.dpuf> ; for the report, see http://www.bigbrotherwatch.org.uk/files/reports/democratic_value.pdf

More than half of UK workers secretly find out what their colleagues earn, according to research released by Fellowes, a maker of shredders. Two-fifths regularly discover colleagues' salary information (44%) and a further one in five (21%) know their boss's annual salary. <http://www.heraldonline.com/2013/09/09/5188494/office-papertrails-expose-confidential.html#storylink=cpy>

"Thousands of confidential documents lost by the Serious Fraud Office have turned up at a cannabis farm," reported the *Mail Online*. They included the identity of a "major prosecution witness" in a fraud case. <http://www.dailymail.co.uk/news/article-2420169/Witness-identities-thousands-documents-lost-anti-fraud-squad-case-BAE-Systems.html>

United Kingdom/Northern Ireland. A woman applied to a judge to have the files on her 13 traumatic years in a children's home and a training school destroyed. The judge ruled against her, saying the "Health trust acted lawfully in retaining her records" for up to 75 years, reported *BBC News*. <http://www.bbc.co.uk/news/uk-northern-ireland-24165521>

United States. As concerned and angry as people around the world are about the NSA surveillance program (see General/world above), U.S. citizens have another worry: the U.S. Drug Enforcement Administration has access to U.S. citizen telephone records from "an enormous AT&T database that contains the records of decades of Americans' phone calls—parallel to but covering a far longer time than the National Security Agency's hotly disputed collection of phone call logs." According to the *New York Times*, the phone data is stored by AT&T, not the government, once again pointing to the importance of business records. <http://www.nytimes.com/2013/09/02/us/drug-agents-use-vast-phone-trove-eclipsing-nsas.html?pagewanted=all&r=0>

The number of children accidentally shot to death in the United States is "widely undercounted" by police, the *New York Times* reported after it studied gun deaths in eight states. Using publicly available death certificate data "as a guide, along with hundreds of medical examiner and coroner reports and police investigative files," the *Times* tried to identify every accidental firearm death of a child under age 14. It reported that "accidental shooting occurred roughly twice as often as the records indicate, because of idiosyncrasies in how such death are classified by the authorities" (that is, whether the death is listed as accident or homicide).

<http://www.nytimes.com/2013/09/29/us/children-and-guns-the-hidden-toll.html?pagewanted=all>

A manager at Halliburton Energy Services Inc. was charged in federal court with instructing two other employees to delete data during a post-spill review of Halliburton's work on the British Petroleum well that spilled huge quantities of oil into the Gulf of Mexico in 2010, damaging livelihoods for many in the region as the oil fouled the shoreline.

<http://www.firstcoastnews.com/news/usworld/article/328524/6/Halliburton-manager-charged-with-destroying-evidence->

United States/Alabama. The official records of Birmingham City Commissioner of Public Safety, Eugene “Bull” Connor (1957-1963), were found in an abandoned fire house. Connor was a vicious opponent of the U.S. civil rights movement, and his records include “arrest and bombing reports, telegrams from equality groups asking for the violence to stop, requests from churches wanting an end to the bombing and letters to other police departments asking for dogs,” reported *ABC 33/40*. How the records ended up in the firehouse is unclear; a “tip” led to their discovery and transfer to the city archives at the Birmingham Public Library.

<http://www.abc3340.com/story/23352734/a-look-into-eugene-bull-connors-files>

Publications, conferences

The Holocaust Studies Program of Western Galilee College, Yad Vashem and the Ghetto Fighters House announced a third international interdisciplinary conference and workshop on “The Future of Holocaust Testimonies,” 25-27 March 2013 in Akko, Israel. To propose a paper, send a one page proposal and short CV by 20 October 2013 to TestimonyConf@wgalil.ac.il

Researchers at the World Bank compiled and released the “50 Years of Women’s Legal Rights Database” to “track legal reforms affecting women’s property rights and legal status, starting with the law applicable in 2010 and tracking changes backwards in time to 1960.” Two publications using the data were also released: “Women’s Legal Rights over 50 Years: Progress, Stagnation or Regression?” and “Women’s Legal Rights over 50 Years: What is the Impact of Reform?”

<http://wbl.worldbank.org/data/timeseries>

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