

Written and compiled by Trudy Huskamp Peterson for the HRWG

### Commentary.

As we start a new year and look back on the tumult of the one just past, a number of organizations have issued lists of good things that happened in 2016. At the Human Rights Working Group we may not have a list of 99 good things, as does this website (<https://medium.com/future-crunch/99-reasons-why-2016-has-been-a-great-year-for-humanity-8420debc2823#.z3h69ha97>) but we are deeply pleased that the working paper “Basic Principles on the Role of Archivists and Records Managers in Support of Human Rights” is now issued and available in a number of languages on the ICA website. And as a final glance at 2016, here are items from each month’s issue of *HRWG News* that, taken together, illustrate the diversity of human rights issues that include archives. Best wishes for the year ahead!

January. A doctor in Flint, Michigan, United States, discovered that the percentage of children with unsafe levels of lead in their blood doubled and sometimes nearly tripled after the city switched its water source in April 2014. She said, “If we did not have (electronic medical records), if we were still on paper, it would have taken forever to get these results.”

February. Between 1966 and 1996 France carried out nuclear tests in French Polynesia. In 2010 France passed a law authorizing compensation for military veterans and civilians whose cancers could be attributed to the test program, but only around 20 of the 1000 people who applied have received compensation. French President Hollande promised to “review” the processing of the applications.

March. Afghan females who are accused of the crime of sex outside marriage, which is punishable by up to 15 years in prison, are forced to undergo a “virginity exam.” The doctors who perform the exams “write reports based on these examinations, and they are used as evidence in courts hearing the ‘moral crime’ accusation.” Human Rights Watch called it “sexual assault in the name of science.”

April. The United Nations gave Cyprus access to the archives of the United Nations Peacekeeping Force in Cyprus to help locate persons still missing from the Cypriot civil war.

May. Saudi Arabia’s justice ministry issued a “directorate” to clerics who register marriage contracts, telling them they must give the bride a copy of the marriage contract “to ensure her awareness of her rights and the terms of the contract.”

June. Berta Caceres, an environmental activist in Honduras, was murdered. A former Honduran soldier said “lists featuring the names and photographs of dozens of social and environmental activists were given to two elite [military] units, with orders to eliminate each target,” and Caceres’ name was on the list.

July. The International Committee of the Red Cross (ICRC) began collecting DNA samples in Lebanon to help identify thousands of people who disappeared during Lebanon’s 1975-1990 civil war. The ICRC had previously launched a database project in Lebanon to preserve information about each missing person.

August. In 1993 “indigenous and farmer residents of the Ecuadorian rainforest” sued the oil company Texaco, alleging that the company left behind “an environmental and public health disaster” from its oil venture in the Amazon between 1972 and 1990. After winning the case in Ecuador, they tried to collect in the U.S., where Texaco’s successor Chevron is based. The U.S. Second Circuit Court told the Ecuadorians

they cannot collect the verdict against Chevron. The Ecuadorians have asked the International Criminal Court to open an investigation into the Texaco/Chevron actions.

September. The Prosecutor of the International Criminal Court (ICC) issued a “Policy Paper on Case Selection and Prioritisation” that for the first time indicates that the ICC will prosecute economic and environmental crimes. The Paper also said the Court “will also pay particular attention to attacks against cultural, religious, historical and other protected objects as well as against humanitarian and peacekeeping personnel.”

October. The Central Information Commission of Indonesia ruled “that an investigative report of the murder of human rights activist Munir Said Thalib was public information that needed to be disclosed,” but the government said it did not have the report and did not know its whereabouts.

November. To identify the destruction of three villages in northern Rakhine state, Myanmar, where serious human rights abuses are believed to be occurring, Human Rights Watch (HRW) used high-resolution satellite imagery and also, perhaps for the first time, used thermal anomaly data collected by an environmental satellite sensor that detected the presence of multiple fires burning.

December. A U.S. judge ordered the preservation of the U.S. Senate’s 2014 report on Central Intelligence Agency’s Detention and Interrogation Program.

### **International news.**

International Criminal Court (ICC). Bosco Ntaganda is on trial for 13 counts of war crimes and 5 counts of crimes against humanity committed in Congo’s Ituri district during 2000-2005. The testimony of two experts illustrates the importance and limitations of scientific data. Dr. Lynn Lawry, an epidemiologist, conducted a survey in 2010, interviewing “998 households in various locations in the Congo on human rights abuses” during the conflict, reported the *International Justice Monitor*. Lawry’s report, which the prosecutors entered into evidence, said that one in every seven households in Ituri reported abuses at the hands of Ntaganda’s forces. Lars Bromly from the United Nations Institute for Training and Research Operations Satellite Application Program analyzed satellite images taken in 2002 and 2003 in the same Congolese locations “for evidence of destruction, burning, or damage to housing structure.” Because of the length of time between the satellite images, he said he could see “evidence of destroyed or torched structures, but in most instances he could not draw conclusions as to the cause of the destruction or when it occurred.” <https://www.ijmonitor.org/2016/12/ntaganda-trial-goes-on-recess-after-testimony-of-expert-witness-on-sexual-violence/>; <https://www.ijmonitor.org/2016/12/ntaganda-trial-goes-on-recess-after-testimony-of-expert-witness-on-sexual-violence/>

Bosco Ntaganda and Thomas Lubanga are accused of witness tampering in the Ntaganda case. As evidence, the prosecutor gave the defense 20,968 records, including lists of “non-privileged contacts,” visitation records, spreadsheets with call data records, audio files of telephone conversations, and “metadata files with information on the date, start time, end time and duration of the telephone conversation and the telephone number called by the detainee,” reported the *International Justice Monitor*. <https://www.ijmonitor.org/2016/12/prosecution-details-extent-of-witness-tampering-evidence-against-ntaganda/>

United Nations. The General Assembly passed a resolution creating a “mechanism” to “collect, consolidate, preserve and analyze evidence” and prepare cases on war crimes and human rights abuses committed during the current conflict in Syria, reported *Reuters*. The team is to “prepare files in order to facilitate and expedite fair and independent criminal proceedings in accordance with international law standards, in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes.” The resolution called “on all states, parties to the conflict and civil society groups to provide any information and documentation to the team.” <http://www.reuters.com/article/us-mideast-crisis-syria-warcrimes-idUSKBN14A2H7>

### **World/general news.**

Land. The nongovernmental organization PAN Asia Pacific found that in 2016 “an average of nearly 16 farmers, indigenous people and advocates of land rights were killed every month through November worldwide, or three times the average in 2015,” reported *Thomson Reuters Foundation*. Another NGO, Global Witness, called the fight over land and environment “a new battleground for human rights.” Land titles are at the heart of these conflicts. <http://news.trust.org/item/20161212105955-1jz7o/>

Medical records. *STAT* reported on the debate in the medical community over whether volunteers in clinical trials should have access to the results. “Only 9 percent of research volunteers surveyed in 2014 got even so much as a summary of the study results.” <https://www.statnews.com/2016/12/01/clinical-trial-data-results/>

By using the Oceanic Nino index (of the El Nino phenomenon in the Pacific Ocean) and “weekly weather variables and data on dengue notifications . . . [from] the Sri Lankan Ministry of Health” between 2009 and 2013, researchers found “that El Nino conditions in the Pacific precede exacerbated dengue epidemics six months later in Sri Lanka,” reported *CORDIS*. The researchers believe the findings can “give health officials more time to increase preparedness and mount control effort responses prior to the epidemics.” [http://cordis.europa.eu/news/rcn/126603\\_en.html](http://cordis.europa.eu/news/rcn/126603_en.html)

A research team found that breast cancer mortality rates declined between 1987 and 2013 in 39 out of 47 countries it studied, reported *Eurasia Review*. The lead researcher said, “Breast cancer is by far the primary cancer site in women and, worldwide, represents a quarter of all cancers in women.” The researchers based the study on “information on breast cancer deaths from the World Health Organization database.” [http://www.eurasiareview.com/10122016-breast-cancer-mortality-rates-decline-in-many-countries/?utm\\_source=feedburner&utm\\_medium=email&utm\\_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29](http://www.eurasiareview.com/10122016-breast-cancer-mortality-rates-decline-in-many-countries/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29)

The Health and Medicine Division of the U.S. National Academies published the proceedings of a workshop on “Big Data and Analytics for Infectious Disease Research, Operations, and Policy.” Topics included are “preventing, detecting, and responding to infectious disease threats using big data and related analytics,” the varieties of data that are useful “including demographic, geospatial, behavioral, syndromic, and laboratory,” and the “means to improve their collection, processing, utility, and validation.” One participant said, “Some sources, such as hospitals and health clinics, provide relatively reliable inputs into existing health monitoring systems, but the data are often incomplete or delayed. More novel data sources, such as school attendance records, veterinary clinics, social media, pharmaceuticals sales, global transportation patterns, and climate do not contain as much information by themselves . . . but when multiple traditional and nontraditional data sources, both structured and unstructured, are combined, they can yield a more rapid, reliable, and actionable picture of a community’s health than is possible from clinical data alone.” [http://nationalacademies.org/hmd/reports/2016/big-data-and-analytics-for-infectious-disease-research-operations-and-policy-proceedings-of-a-workshop.aspx?utm\\_source=HMD+Email+List&utm\\_campaign=a1b0b4d367-Big-Data-PW-12%2F8&utm\\_medium=email&utm\\_term=0\\_211686812e-a1b0b4d367-180156329&mc\\_cid=a1b0b4d367&mc\\_cid=9ed352a082](http://nationalacademies.org/hmd/reports/2016/big-data-and-analytics-for-infectious-disease-research-operations-and-policy-proceedings-of-a-workshop.aspx?utm_source=HMD+Email+List&utm_campaign=a1b0b4d367-Big-Data-PW-12%2F8&utm_medium=email&utm_term=0_211686812e-a1b0b4d367-180156329&mc_cid=a1b0b4d367&mc_cid=9ed352a082)

Privacy. Yahoo announced that in August 2013 hackers obtained more than a billion user names, birth date, phone numbers and passwords, reported the *Associated Press*. Shortly thereafter *CNN* reported that the Yahoo users’ stolen records are for sale on the dark web. <http://finance.yahoo.com/news/yahoo-says-hackers-stole-information-221214183.html>; <http://money.cnn.com/2016/12/16/technology/yahoo-for-sale-data-dark-web/index.html>

Risk. Thirteen heads of state and representatives of some thirty other countries met in Abu Dhabi and established “a special fund of \$100 million and a network of Sanctuaries around the world where cultural property threatened by conflicts could be sheltered,” reported *Le Temps*. A foundation created under Swiss law and based in Geneva will manage the fund. <https://www.letemps.ch/monde/2016/12/02/fondation-patrimoine-peril-sera-basee-geneve>

Sexual violence. The International Center for Transitional Justice, a nongovernmental organization based in New York, published a report on sexual violence against men and boys. Noting that sexual violence is often characterized as a women’s issue, it says “male victims’ experience of sexual violence continues to be underreported, misunderstood, and mischaracterized in transitional justice processes.” The under-reporting “is particularly relevant for truth commissions as the statements they receive from victims not only inform their final reports, but also typically contribute to the creation of victim registries and the

design of reparations programs, and even prosecutions.” It urges change in the registration processes. <https://www.ictj.org/publication/sexual-violence-men-boys>

Torture. A U.S. federal judge “ordered that a Senate report on how the CIA [U.S. Central Intelligence Agency] detained and interrogated terror suspects after 9/11 be preserved by the government,” reported *The Hill*. The petitioner, who is on trial for involvement in the U.S.S. Cole bombing which killed 17 sailors and who was water-boarded by the CIA after his detention, feared that the report would be destroyed by the incoming Senate. The judge took the extraordinary step of ordering “that an electronic or paper copy of the Senate Select Committee on Intelligence, ‘Committee Study of the Central Intelligence Agency’s Detention and Interrogation Program’ (2014) be deposited with the Court Security Officer for secure storage.” President Obama said he will preserve his copy in his Presidential records but refused to declassify it now. <http://thehill.com/policy/national-security/312067-judge-orders-government-to-preserve-senate-torture-report>; <https://assets.documentcloud.org/documents/3248156/2016-12-28-Preservation-Order.pdf>

World War II. France’s Ministry of Defense signed an agreement with the French Shoah Memorial and the United States Holocaust Memorial Museum, permitting them to make copies of records relating to World War II-era crimes by Nazi occupiers and French collaborators. An official of the U.S. museum told the *Associated Press* that the project “will help uncover information on war criminals and anti-Semitic crimes committed in France.” <https://www.ushmm.org/information/press/press-releases/france-shares-important-postwar-judiciary-records-with-museum>

## **Bilateral and multilateral news.**

Argentina/United States. The United States declassified and provided to the Argentine government more than 500 pages of documents on the military dictatorship in Argentina. The documents include a “comprehensive CIA report on Condor operations,” wrote the nongovernmental National Security Archive, which published a sample of the documents on its website. The report says that Operation Condor, long known as the South American multi-national agreement by secret police services to track down and kill opponents of their regimes in the 1970s, also “targeted officials of Amnesty International as well as other human rights groups, and planned overseas missions in Paris and London.” <http://nsarchive.gwu.edu/NSAEBB/NSAEBB572-Declassified-files-show-Operation-Condor-targets-for-assassination/>

Bosnia/Kosovo. The Coalition for RECOM, a nongovernmental organization in the Balkans that advocates setting up a regional truth commission, issued a report documenting 600 wartime places of detention in Bosnia and Herzegovina during the 1992-95 war. The Coalition said about 160,000 people had been detained at these sites and that “at least” 130,000 people were killed or went missing in the former Yugoslavia during the wars. [http://www.balkaninsight.com/en/article/600-wartime-detention-sites-identified-in-ex-yugoslavia-12-13-2016?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm\\_campaign=96bed52a19-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_a1d9e93e97-96bed52a19-319755321](http://www.balkaninsight.com/en/article/600-wartime-detention-sites-identified-in-ex-yugoslavia-12-13-2016?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=96bed52a19-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-96bed52a19-319755321)

Brazil/Italy. Giulia Barrera, chair of the Human Rights Working Group, testified at the *processo Condor brasileiro* in Rome. On trial are four ex-agents of the military dictatorship in Brazil (1964-1985) for their roles in the assassination of Italian-Argentine Lorenzo Vinas Gigli, who disappeared on 26 June 1980 on the frontier between Argentina and Brazil. She used images of archival documents to illustrate the form of the dictatorships in Argentina and Brazil and the functioning of the illegal system of repressive cooperation among Southern Cone countries called “Condor.” <https://www.brasildefato.com.br/2016/12/06/justica-italiana-ouve-primeira-testemunha-contra-ex-agentes-da-ditadura-no-brasil/> Thanks to Vitor Fonseca for the reference.

Chile/United States. In an example of the power of declassified documents, Chile’s supreme court ruled “that the government can file an extradition request to the United States for two former secret police agents wanted for a 1976 car bombing in Washington that killed a former Chilean ambassador and a US citizen,” the *Associated Press* reported. Last year the U.S. declassified documents that included an assertion by the head of Chile’s intelligence agency at the time of the bombing that “he authorized the assassination” on “direct orders from Pinochet,” the military dictator of Chile. Pinochet and the intelligence chief are both dead. [https://www.theguardian.com/world/2016/dec/06/chile-bombing-extradition-michael-townley-armando-fernandez-larios?CMP=share\\_btn\\_fb](https://www.theguardian.com/world/2016/dec/06/chile-bombing-extradition-michael-townley-armando-fernandez-larios?CMP=share_btn_fb)

Finland/Syria. Finland's Ministry of Education and Culture announced that the National Archives "has during this autumn taken digital copies of documents that have become endangered due to the Syrian Civil War into safekeeping. While hoping that the original documents will survive the destruction of the war, Finland has for its part wanted to ensure that the information contents will be preserved for future generations by serving as a haven for the documents." Thank you, National Archives of Finland.

[http://www.minedu.fi/OPM/Tiedotteet/2016/12/syyria.html?lang=fi&extra\\_locale=en](http://www.minedu.fi/OPM/Tiedotteet/2016/12/syyria.html?lang=fi&extra_locale=en)

Former Yugoslavia/Israel. The Supreme Court of Israel ruled against a request under the freedom of information law to release "information about defence exports to the former Yugoslavia during the 1990s Bosnian war," *BIRN* reported. The requesters said they filed the request "after previous allegations that the Israeli government assisted Bosnian Serb forces during the 1992-95 conflict," including by the export of Israeli military equipment to them. The court said, "We are persuaded that disclosure of the requested information may harm national security or foreign relations," which the requesters said was a tacit admission that documents on the exports do exist. References to the exports are found in sources as varied as a report from the Netherlands Institute for War Documentation to an excerpt from Ratko Mladic's diary that was quoted in a 2011 judgement by the International Criminal Tribunal for the former Yugoslavia.

[http://www.balkaninsight.com/en/article/israel-court-denies-request-for-bosnian-war-deals-data-12-07-2016?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm\\_campaign=58cd52a9e2-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_a1d9e93e97-58cd52a9e2-319755321](http://www.balkaninsight.com/en/article/israel-court-denies-request-for-bosnian-war-deals-data-12-07-2016?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=58cd52a9e2-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-58cd52a9e2-319755321)

France/Senegal. France promised to give Senegal 2.5 million digital images of documents it holds relating to the Senegal's colonial history, particularly archives relating to the Thiaroye massacre of 1944 and the Tirailleurs Senegalais, which was a corps of colonial infantry the French Army recruited from Senegal and other parts of West Africa that fought in both World War I and World War II. The families of the massacre victims demanded that France turn over all the Ministry of Defense archives on the massacre.

[http://www.dakaractu.com/THIAROYE-44-LES-FAMILLES-DES-VICTIMES-DEMANDENT-LA-FIN-DE-L-OBSTRUCTION-A-LA-MANIFESTATION-DE-LA-VERITE\\_a122495.html](http://www.dakaractu.com/THIAROYE-44-LES-FAMILLES-DES-VICTIMES-DEMANDENT-LA-FIN-DE-L-OBSTRUCTION-A-LA-MANIFESTATION-DE-LA-VERITE_a122495.html); <http://sanslimitesn.com/le-president-sall-la-france-va-rendre-au-senegal-ses-archives/>

Germany/Switzerland. A German court ruled that the art collection of Cornelius Gurlitt, which includes art obtained by his father that might have been seized by the Nazis from Jewish owners, was legally willed to the Kunstmuseum in Bern, Switzerland. The German research team trying to determine the ownership history of the paintings has definitively established the ownership of only five of the 1500 works. The head of the team "stressed the extraordinary difficulty of tracing ownership back over the decades, despite a multinational team combing archives in Germany, France, the United States and elsewhere," reported the

*New York Times*. [http://www.nytimes.com/2016/12/15/world/europe/cornelius-gurlitt-nazi-art-court.html?rref=collection%2Fbyline%2Ffalison-smale&action=click&contentCollection=undefined&region=stream&module=stream\\_unit&version=latest&contentPlacement=2&pgtype=collection](http://www.nytimes.com/2016/12/15/world/europe/cornelius-gurlitt-nazi-art-court.html?rref=collection%2Fbyline%2Ffalison-smale&action=click&contentCollection=undefined&region=stream&module=stream_unit&version=latest&contentPlacement=2&pgtype=collection)

India/United States. A prominent New York art dealer was arrested and charged with selling stolen artifacts, reported the *Daily Mail*. Some of the items she is accused of possessing were smuggled into the U.S. by Subhash Kapoor, who was the focus of the *HRWG News* Commentary in July 2015.

<http://www.dailymail.co.uk/news/article-4057196/NY-antiquities-dealer-charged-selling-stolen-artifacts.html>

Iraq/Kuwait. The Iraqi Defense Ministry offered rewards "to those who may provide credible information about the whereabouts of remnants of Kuwaiti missing persons, and Kuwait's national archive," reported

*Gulf News*. <http://www.kuna.net.kw/ArticleDetails.aspx?id=2582020&language=en>

Ireland/United Kingdom. Fianna Fail, Ireland's Republican Party, called for "immediate publication" of the Stalker report, *The Times* reported. Between 1984 and 1986 John Stalker, at the request of the Chief Constable of the Royal Ulster Constabulary (RUC), investigated fatal shootings by the RUC in November and December 1982. A U.K. state paper, now declassified under the 30 year rule, revealed that the former British Secretary of State for Northern Ireland told a representative of the Irish government in 1986 that if the report was released it was "obvious that a considerable number of senior members of the police would be charged with the most serious crimes." <http://www.thetimes.co.uk/edition/ireland/publish-shoot-to-kill-report-says-fianna-fail-77ntbmzf>



Israel/Yemen. Israel released online “200,000 previously classified documents from the state archives pertaining to the missing children” from the 1950s, particularly those of immigrants from Yemen, reported the *New York Times*. The documents “include personal files of the children, arranged by alphabetical order, containing hospital records, burial certificates, police reports and protocols of the [past] official commissions of inquiry, as well as testimony given by the parents.” The government did not release the details of “children who were officially placed in adoptive homes and other cases in which privacy might be compromised.” The government said it would “build a DNA bank where people who suspect they were unofficially adopted as children can search for matches with the missing children’s families.”

[http://www.nytimes.com/2016/12/28/world/middleeast/israel-missing-yemenite-children.html?\\_r=0](http://www.nytimes.com/2016/12/28/world/middleeast/israel-missing-yemenite-children.html?_r=0)

IS (Islamic State/ISIL/ISIS)/United States. Under a U.S. law that says assets of a designated terrorist organization can be seized, the U.S. Justice Department filed a case to recover antiquities looted by the Islamic State. The case, which is “intended to alert art dealers, auction houses and other potential buyers that the government will go after the items,” focuses on four items which “were identified in a trove of photographs and documents captured in the first . . . ground raid in eastern Syria in 2015,” reported the *Washington Post*. “Other records recovered show how the Islamic State created a sophisticated system for extracting wealth from heritage sites” and “show that the group awarded excavation permits and receipts of collections under its letterhead.” [https://www.washingtonpost.com/local/public-safety/us-steps-up-fight-to-cut-islamic-state-financing-and-trade-in-looted-antiquities/2016/12/15/77a7b40e-c2e1-11e6-9578-0054287507db\\_story.html?utm\\_term=.e10e7a852d9a](https://www.washingtonpost.com/local/public-safety/us-steps-up-fight-to-cut-islamic-state-financing-and-trade-in-looted-antiquities/2016/12/15/77a7b40e-c2e1-11e6-9578-0054287507db_story.html?utm_term=.e10e7a852d9a)

Japan/Russia. The National Archives of Japan “is calling on Russia to hold a joint investigation into documents taken by the Soviet Army when it invaded Manchuria” during World War II, including records from the Kwantung Army, reported *Japan News*. The records are in the Central Archives of the Russian Defense Ministry. <http://the-japan-news.com/news/article/0003395187>

Serbia/Slovenia. A few days after the Slovenian prime minister told parliament that “Slovenia would not make Serbia’s EU accession conditional on the resolution of outstanding bilateral issues such as access to Yugoslav archives,” the Serbian Foreign Ministry handed over to Slovenia “the original of 43 treaties,” reported *STA*. Serbia holds the archives of the former Yugoslavia, and this transfer “marks the first restitution of Yugoslav archives to successors under the 2001 succession agreement.”

[https://english.sta.si/2334861/slovenia-not-to-leverage-accession-talks-to-pressure-serbia-on-archives;](https://english.sta.si/2334861/slovenia-not-to-leverage-accession-talks-to-pressure-serbia-on-archives)

<https://english.sta.si/2337494/slovenia-to-take-over-43-treaties-from-serbian-archive>

## National news.

Cameroon. At a workshop in Yaounde, the problems of registration of births and other facts of civil life were discussed and a white paper outlining the government’s program to regularize the recording of vital personal information was reviewed. <http://www.camer.be/56612/11:1/cameroun-difficile-archivage-des-donnees-detat-civil-cameroon.html>

Canada. After a judge in November said the Canadian Security Intelligence Service (CSIS) “violated the law by keeping electronic data about people who were not actually under investigation,” the federal Public Safety Minister said he is “weighing views” on whether the CSIS “should be allowed to retain and use such information,” reported *The Star*. <http://www.thestar.com/news/canada/2016/12/08/goodale-keeps-door-open-to-csis-use-of-metadata-gathered-from-innocent-people.html>

A Canadian historian found records from 1951 in the Library and Archives Canada (LAC) that show the Federal cabinet secretly approved a Royal Canadian Mounted Police surveillance program codenamed “Picnic” on people who were deemed “disloyal” or “subversive,” reported *CBC News*. The authority included “monitoring of subversive telephone conversations,” apparently without an end date. The historian has not been able to see the original cabinet authorization because it was not turned over to LAC but instead was kept by the clerk of the Privy Council. The Privy Council Office has refused to “confirm or deny the existence of the records.” <http://www.cbc.ca/news/investigates/surveillance-cold-war-picnic-1.3897071>

China. “A nearly nine-gigabyte leak containing explicit photographs and videos of more than 160 college-aged women—who had taken the images as guarantees for exorbitant loans—has renewed scrutiny on

China's massive and often unscrupulous world of shadow lenders," reported the nongovernmental Organized Crime and Corruption Reporting Project. <https://www.occrp.org/en/daily/5878-nude-selfie-leak-sheds-light-on-china-s-multi-trillion-dollar-shadow-lending-industry>

France. The open data law of 28 December 2015 was been used by the private enterprise Filae (formerly genealogie.com) to reuse commercially records of the civil estate (registers of births, deaths, marriages and so forth), including those that have been digitized by the departmental archives. This has provoked "un petit cataclysme" in the cultural establishments, reported *laGazette.fr*. <http://www.lagazettedescommunes.com/478355/archives-laffaire-filae-du-besoin-de-repenser-la-politique-de-diffusion-des-donnees-culturelles/>

The French government announced it will join the Second Protocol (1999) to the Hague Convention of 1954 for the Protection of Cultural Property in Armed Conflicts, reported *The Art Newspaper*. Among its provisions, states must train their military forces to protect cultural sites and "plan emergency measures to protect historical buildings and remove collections in case of conflict." <http://theartnewspaper.com/news/news/france-joins-international-treaty-to-protect-cultural-heritage-in-war-zones/>

India. "Indian police registered 251 cases of honor killing in 2015, compared with just 28 a year earlier when India began counting them separately from murder," reported the *Associated Press*. The National Crime Records Bureau said the highest number was in Uttar Pradesh, where 131 were registered as opposed to just 2 the previous year. Women's rights activists said this "still vastly underestimates the actual numbers" because of "severe under-reporting." A 2011 nationwide survey by the All India Democratic Women's Association "suggested about 900 people are murdered in honor killings ever year in India." <http://www.mysanantonio.com/news/crime/article/India-records-huge-spike-in-honor-killings-in-10779731.php>

Iran. The marriage of an Iranian woman to a foreign national requires special permission from the Foreign Ministry and Iran's civil code forbids Muslim women from marrying non-Muslim men, reported *Al-Monitor*. "An estimated 70,000 marriages between Iranian women and Afghan men are not registered with the National Organization for Civil Registration." Iran's Interior Ministry has declared invalid all marriages between Iranian women and Afghan men that took place after 2001. "These unregistered marriages do not guarantee any rights to the Iranian wife and her children." The children are not entitled to birth certificates and do not automatically have Iranian nationality, leaving them stateless. [http://www.al-monitor.com/pulse/originals/2016/12/iranian-mothers-foreign-fathers-children-citizenship-law.html?mkt\\_tok=eyJpLjoiWkRZMU1tWXpNWFZqTldWaysInQiOiJFU1RkVWMyU0g2VXVHXC9kYUw5cHFoaGJPUzA5RjJqQ1QwS1ByTjJkYmM4RHduVStJOVJ0Q3hhUjZna0ZidHFRMnJEdUWwellZRZh4VzE4cHFcL1FDQjdRV2gzdFE1YjNFCWlzRFJlQk5ZXc9nYkVHOkpRTRLSnhxUkFtb25CTWdJNyJ9#ixzz4SpYfaG5T](http://www.al-monitor.com/pulse/originals/2016/12/iranian-mothers-foreign-fathers-children-citizenship-law.html?mkt_tok=eyJpLjoiWkRZMU1tWXpNWFZqTldWaysInQiOiJFU1RkVWMyU0g2VXVHXC9kYUw5cHFoaGJPUzA5RjJqQ1QwS1ByTjJkYmM4RHduVStJOVJ0Q3hhUjZna0ZidHFRMnJEdUWwellZRZh4VzE4cHFcL1FDQjdRV2gzdFE1YjNFCWlzRFJlQk5ZXc9nYkVHOkpRTRLSnhxUkFtb25CTWdJNyJ9#ixzz4SpYfaG5T)

Iraq. More than 400 texts, dating between the 13<sup>th</sup> and 20<sup>th</sup> centuries, were stored in cans and hidden behind a wall constructed before ISIS occupied and partly destroyed the Christian monastery of Mar Behnam, reported *Live Science*. The area near Mosul where the monastery is located was recaptured in November 2016, and the texts have been recovered. Texts that were not secreted were burned. <http://www.livescience.com/57240-historic-texts-hidden-isis-occupied-monastery.html>

Israel. The 2016 Alsberg Prize for Research on Archives was awarded to Akevot Institute researchers Dr. Noam Hofstadter and Lior Yavne by the Association of Israeli Archivists and family of Paul A. Alsberg for the Akevot report *Point of Access*. For background, see *HRWG News* 2016-05.

Mexico. An internal attorney general investigation against the ex-director of the Criminal Investigation Agency found that "key evidence in [the] case of 43 disappeared students from Ayotzinapa," which the Agency conducted during his tenure, "was obtained by torture," *Crisis Watch* reported. The Mexican government refused to release its internal review. A journalist who wrote a book about the case obtained a copy, which she and the *New York Times* say shows a series of violations, including not recording events. <https://crisisgroup.org/crisiswatch> For an interview with the journalist, see [http://therealnews.com/t2/index.php?option=com\\_content&task=view&id=31&Itemid=74&jumival=17987](http://therealnews.com/t2/index.php?option=com_content&task=view&id=31&Itemid=74&jumival=17987)

Pakistan. The judicial commission looking into the August attack on the hospital in Quetta that killed 74 persons issued its report. Highly critical of the government, it said the anti-terrorism National Action Plan should have a "comprehensive monitoring mechanism" and that entry into and departure from Pakistan should be "properly monitored," reported *The Express Tribune*, with all persons entering having "the

requisite documentation and be photographed and thumb impressed by personnel of the Federal investigation Agency.” *Crisis Watch* said the recommendations include a database of all terror groups and “registration of all educational institutions including madrasas.” <http://tribune.com.pk/story/1264780/quetta-hospital-carnage-judicial-commission-exposes-chinks-anti-terror-armour/>; <https://crisisgroup.org/crisiswatch>

“With land revenue management considered to be the one of the most corruption prone departments, a project to computerize all land records in the capital has been stalled for nearly a decade,” reported *The Express Tribune*, but in the Punjab records of “55 million rural properties has been secured by computerization.” The Punjab Chief Minister, inaugurating the Punjab Land Record Authority, said, “The patwari [land record officer] culture, where files moved with money, will end.” <http://tribune.com.pk/story/1265789/nearly-decade-digitisation-land-records-still-distant-dream/>  
<http://tribune.com.pk/story/1272168/computerisation-punjab-land-records-go-digital/>

Peru. The government’s public prosecutor closed its investigation into complaints by 77 women that they were forcibly sterilized in the mid-1990s under a government poverty program. Demus, an nongovernmental organization, filed an appeal asking for this decision and a similar one last July to be reversed, reported *Thomson Reuters Foundation*. For background see *HRWG News* 2016-08. <http://news.trust.org/item/20161214065734-s22tr/>

The Minister of Justice approved a national plan to search for missing persons from the period of the armed conflict (1980-2000). Many government records and papers collected by families will help with the search. <http://rightsperu.net/aprueban-el-plan-nacional-para-la-busqueda-de-personas-desaparecidas-1980-2000/>

Philippines. The Commission on Human Rights said it will “investigate claims by President Rodrigo Duterte that he personally killed drug suspects while mayor of Davao,” reported *BBC News*. The chair of the Commission said, “Even if we cannot file charges while Mr Duterte is president I think it is important that we do have a record and documentation [of events] so that at the time of appropriate reckoning we have the evidence preserved so that people may ultimately be held to account for what they have done.” <http://www.bbc.com/news/world-asia-38403977>

Romania. Military prosecutors of the Romanian Supreme Court indicted former president Ion Iliescu and several other former senior officials for crimes against humanity in connection with the violence in 1990 that left at least four dead and over 700 wounded in Bucharest, *BIRN* reported. Previous investigations “had dragged for almost 27 years” and several cases went to the European Court of Human Rights; a large set of records should be available to the prosecutors. <http://www.balkaninsight.com/en/article/former-romanian-officials-indicted-with-crimes-against-humanity-for-the-1990-miners-revolt-12-23-2016#sthash.oLW44G19.dpuf>

Russia. *Sky News* was given permission to film inside the State Archives. An archivist there told the reporter that the FSB (Russia’s security police) told the archives “it was too easy to access some of the documents. In the past, relations of people killed (during the Soviet period) could read files about their loved ones. Now those documents are being summarized for them instead.” The co-chair of the nongovernmental human rights group Memorial said it is increasingly difficult to find out what is held in the national archives. <http://news.sky.com/story/how-russia-is-engaged-in-a-battle-for-its-own-history-10691897>

On December 5 the government adopted a new Information Security Doctrine, reported an opinion piece in *Russia Direct*. <http://www.russia-direct.org/opinion/what-behind-new-russias-information-security-doctrine>

South Sudan. An *IRIN* report from South Sudan pointed out that no one knows how many people have been killed in the civil war. It quoted an official with the nongovernmental International Crisis Group saying, “The UN is the only actor in South Sudan with the capacity to collect and verify death tolls and they chose not to. Death tolls are important for our humanity, to raise awareness and as empirical evidence of how the war evolves.” [http://www.irinnews.org/feature/2016/12/08/south-sudan-%25E2%2580%259C-fighting-will-continue-our-children%25E2%2580%259D?utm\\_source=Sign+Up+to+Crisis+Group%27s+Email+Updates&utm\\_campaign=6062f411b1-EMAIL\\_CAMPAIGN\\_2016\\_12\\_06&utm\\_medium=email&utm\\_term=0\\_1dab8c11ea-6062f411b1-359425329](http://www.irinnews.org/feature/2016/12/08/south-sudan-%25E2%2580%259C-fighting-will-continue-our-children%25E2%2580%259D?utm_source=Sign+Up+to+Crisis+Group%27s+Email+Updates&utm_campaign=6062f411b1-EMAIL_CAMPAIGN_2016_12_06&utm_medium=email&utm_term=0_1dab8c11ea-6062f411b1-359425329)

Sri Lanka. The UN Committee on Torture issued a severely critical report on government practices in Sri Lanka, saying torture is common in places of detention. Many of the recommendations include better



recordkeeping practices in the police and judicial systems, including such basic recommendations as ensuring that “arresting officers register the exact date, time, ground for detention and place of arrest of all detained persons.” [http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/LKA/INT\\_CAT\\_COC\\_LKA\\_25983\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/LKA/INT_CAT_COC_LKA_25983_E.pdf)

Switzerland. *Atlanti* published an article by Cristina Bianchi, a Human Rights Working Group member, on access to records in Switzerland on the estimated 100,000 children that were “forcibly placed in institutions and foster families” between 1800 and 1980. *Atlanti*: Volume 26 (2016), no. 1, pp. 65-71.

Syria. The Syrian Network for Human Rights, a nongovernmental organization, released its annual report on the death toll of civilians that were killed by the six main forces in Syria. It documented 16,913 civilians killed in 2016. [http://sn4hr.org/wp-content/pdf/english/16913\\_civilians\\_killed\\_in\\_2016\\_en.pdf](http://sn4hr.org/wp-content/pdf/english/16913_civilians_killed_in_2016_en.pdf)

Using “raw and frequently gruesome video footage from Syria” two Berliners have created a database of war atrocities called The Syrian Archive ([syrianarchive.org](http://syrianarchive.org)). The men told *DW* that it is “taking videos from all sides of the conflict, to try and be as impartial as possible.” They say their “main aim is to make individual atrocities verifiable for future legal investigations.” <http://www.dw.com/en/syrian-archive-catalogues-war-atrocities-online/a-36945803>

*IRIN* published an article assessing the “complexities of international law” that could be used to hold perpetrators of war crimes in Syria accountable. “Assuming some sort of justice does come to pass, courts will need evidence. And that’s one thing they are likely to have” because various groups have been “meticulously gathering and storing evidence with an eye to future prosecutions.” <http://www.irinnews.org/analysis/2016/12/12/syria-war-crimes-guide-navigating-legal-minefield>

United Kingdom. The Home Secretary announced that 30 files on the 1984 miners’ strike, called the “Battle of Orgreave,” will be transferred to the National Archives and “should be publicly available” in “the first half of 2017.” For background, see *HRWG News* 2016-10. <http://independent.co.uk/news/uk/home-news/home-office-battle-of-orgreave-files-public-miners-strike-a7468216.html>

Her Majesty’s Inspectorate of Constabulary, which assesses national police forces, issued a report on accusations of sexual abuse made against police officers over the two years that ended in March. In England and Wales, it found that 306 officers and 28 other police employees were involved in 436 reported allegations. Furthermore, fewer than half (48%) of the 436 reported allegations had been referred to the Independent Police Complaints Commission, leaving the Commission records woefully inaccurate. <http://www.bbc.com/news/uk-38240524>

United States. *ProPublica*, which has been following the health conditions of military veterans who were in contact with Agent Orange, published a study of their children. Using data from the Veterans Administration’s Agent Orange Registry, it looked at 37,535 veterans who had children born both before and during/after the war. It found that “the odds of having a child born with birth defects during or after the war were more than a third higher for veterans who say they handled, sprayed or were directly sprayed with Agent Orange than for veterans who say they weren’t exposed or weren’t sure.” <https://www.propublica.org/article/the-children-of-agent-orange>

The *New York Times* published an article on insurance companies that in the 19<sup>th</sup> century made money by selling slave owners insurance policies on their slaves. One of them that is still in business, New York Life, “allowed *The Times* to review several ledgers from its archive, but declined to allow a reporter to interview its archivist to determine whether additional records still exist.” The company said it “profoundly” regrets that history. <http://www.nytimes.com/2016/12/18/us/insurance-policies-on-slaves-new-york-lifes-complicated-past.html?smid=tw-share>

A team of medical researchers interested in determining the number of deaths due to drug use used death certificates (which list cause of death), then “reassigned deaths with nonspecific causes to their likely underlying causes,” and applied an algorithm to every recorded death since 1980. “The researchers found that deaths caused by mental and substance use disorders increased by 188 percent across the U.S.” in thirty years, *VICE News* reported. This is higher than the official data from the Centers for Disease Control, which bases its statistics only on the reported cause of death. <https://news.vice.com/story/the-opioid-crisis-might-be-even-worse-than-it-seems-because-doctors-are-misreporting-deaths>

*Reuters* filed public records requests with all 50 states to obtain data on reported outbreaks of “superbug” *Clostridium difficile* infections in healthcare facilities over the past five years. They found, based on reports from 29 states, that there were 300 superbug outbreaks. *Reuters* then analyzed death certificates and “found that from 2003 to 2014, annual superbug-related deaths at long-term care facilities increased 62 percent, from about 1,400 to almost 2,300.” *Reuters* even “documented cases in which infected patients were transferred, sometimes multiple times, without any of the receiving facilities being notified.”

<http://www.reuters.com/investigates/special-report/usa-uncounted-outbreaks/>

The Department of Homeland Security removed the National Security Entry-Exit Registration System (NSEERS) from “its slate of available programs, effective immediately,” *BuzzFeed News* reported. NSEERS was established after the attacks on September 11, 2001, and required men from 25 majority-Muslim countries entering the country to register, get fingerprinted and told to check in regularly with immigration officers. It was discontinued in 2011, so the close is largely symbolic. What will happen to the NSEERS records was not reported. [https://www.buzzfeed.com/mikehayes/obama-ends-registry-program-that-targets-muslims-before-trum?utm\\_term=.qcgxMgg0V0#.juxZaqqWgW](https://www.buzzfeed.com/mikehayes/obama-ends-registry-program-that-targets-muslims-before-trum?utm_term=.qcgxMgg0V0#.juxZaqqWgW)

United States/California. “On August 1, 2016, Alameda County, California, replaced its ‘70s-era [court] case management system with new software,” *Slate* reported, and since then “the public defender’s office has learned of dozens of cases in which people have been wrongfully arrested, detained in jail when they should have been released, or erroneously told to register as sex offenders.”

[http://www.slate.com/articles/technology/future\\_tense/2016/12/software\\_problems\\_are\\_leading\\_to\\_wrongful\\_arrests.html](http://www.slate.com/articles/technology/future_tense/2016/12/software_problems_are_leading_to_wrongful_arrests.html)

## **Publications.**

*Transitional Justice and Education: Learning Peace*, a new book from the International Center for Transitional Justice (ICTJ) and UNICEF, “examines the complicated relationship between education, justice and peacebuilding in societies grappling with a legacy of violent conflict. It offers lessons on how education can be harnessed in a divided society to overcome the past and create the conditions for peace, often under very difficult circumstances.” <https://www.ictj.org/news/learning-peace-book-ictj-unicef-education>

A useful handbook for verifying internet rumors, put together by representatives of major news organizations all over the world, is Craig Silverman, ed., *Verification Handbook: A definitive guide to verifying digital content for emergency coverage*. <http://verificationhandbook.com/>

The annual *Global Information Society Watch* focuses on “economic, social and cultural rights and the internet.” <http://giswatch.org/2016-economic-social-and-cultural-rights-escrs-and-internet>

**Please share news with us!** [trudy@trudypeterson.com](mailto:trudy@trudypeterson.com) or [j.boel@UNESCO.org](mailto:j.boel@UNESCO.org).

**To subscribe to the Newsletter, enter the required information on the form that you will find on this URL:** [http://www.unesco.org/archives/hrgnews/hrg3\\_042010.php](http://www.unesco.org/archives/hrgnews/hrg3_042010.php)

**Previous issues of the Newsletter are online at** <http://www.ica.org/12315/hrwg-newsletter/list-of-hrwg-newsletters.html> and <http://128.121.10.98/coe/main.jsp?smd=2&nid=569829>