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### **Commentary.**

Body parts are part of archives. A court case may include a mummified finger that was part of a damage claim. Strange circumstances can lead to an archives holding cremated remains until a suitable, dignified solution can be found. To be sure, these are unusual archival situations, but not unknown.

Now, however, as DNA testing has become routine in many parts of the world, archives are starting to hold both test results and samples—the part that comes from the body. The archives of the International Committee of the Red Cross holds DNA samples from Chile and is starting to take more from Lebanon. Major forensic anthropology organizations, such as the Guatemalan Forensic Anthropology Foundation, have large archival holdings of DNA samples and test records. For forensic purposes DNA is taken both from discovered remains and from family members of persons who have disappeared in the hope that someday remains will yield a match. For example, an area outside the city of Veracruz, Mexico, the remains of more than 250 people in 125 separate graves were discovered since excavations at the site began in the summer of 2016. According to a report in the *Los Angeles Times*, the killers had “routinely” removed “all traces of ID on their victims” so DNA is the best clue to their identities. Officials are collecting DNA from relatives of the missing, and the first two sets of remains have been identified.

<http://www.latimes.com/world/mexico-americas/la-fg-mexico-disappeared-20170320-story.html>

Forensics is perhaps the most famous use of DNA, but more DNA samples are taken and stored for medical reasons. The use of DNA and genetic testing is an issue so complex that a committee of the U.S. National Academies of Sciences, Engineering and Medicine has just completed an examination of “how evidence is generated, evaluated, and summarized” and developed a framework for the evidence needed for evaluating the “validity and utility” of genetic tests. <https://www.nap.edu/read/24632/chapter/1> DNA samples are useful for a burgeoning number of medical studies, but they also provide evidence of kinship. A large industry has now sprung up to allow people to find their “roots,” whether an adoptee trying to find a birth parent or a man who simply wants to know whether he should wear lederhosen or a kilt to a family reunion.

Storing DNA test samples and results is a long-term concern. With the rapid growth of the DNA “industry,” archivists will have to become involved in the issues of preservation and access. Managing DNA archives will require straddling investigatory and medical archives techniques.

But the most astonishing news about DNA and archives is this: researchers at the New York Genome Center and Columbia University have discovered they can encode digital documents on DNA. According to *Science* magazine, “DNA has the potential to provide large-capacity information storage.” The researchers say: “DNA is an attractive medium to store digital information. . . a storage strategy, called DNA Fountain . . . is highly robust . . . Using our approach, we stored a full computer operating system, movie, and other files . . . in DNA oligonucleotides and perfectly retrieved the information.”

<http://science.sciencemag.org/content/355/6328/950> Could a future reference question be: “If I give you my cheek swab, could you store all my family photographs on my DNA?”

### **International news.**

European Court of Justice. Two years ago the Court ruled that people have the right to update or remove information on them in electronic form that search engines might find. It has now added a qualifier, ruling “that individuals cannot demand that personal data be erased from company records in an official register,”

reported *TechEye*. The Court argued that company registers need “to be public to ensure legal certainty and to protect the interests of third parties.” It acknowledged that “there might be specific situations in which access to personal data in company registers could be limited, such as a long period after a company’s dissolution” but this “should be determined on a case-by-case basis.” <http://www.techeye.net/news/european-court-backtracks-on-right-to-be-forgotten>

International Court of Justice (ICJ). The Court rejected a request by Bosnia to review the ICJ’s 2007 genocide judgment clearing Serbia of responsibility for genocide in Bosnia during the 1992-1995 war. The rejection was procedural; the Court said that it could not act on the request because it had not been approved by all three members of Bosnia’s collective presidency (who represent the Croat, Serb and Bosniak population respectively), each of whom had written to the Court to express his views, reported *BIRN*. The Serb member of the presidency was strongly opposed. [http://www.balkaninsight.com/en/article/bosnia-appeal-in-genocide-case-against-serbia-rejected-03-09-2017?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm\\_campaign=9a7b38f0af-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_a1d9e93e97-9a7b38f0af-319755321](http://www.balkaninsight.com/en/article/bosnia-appeal-in-genocide-case-against-serbia-rejected-03-09-2017?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=9a7b38f0af-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-9a7b38f0af-319755321)

Independent International Commission of Inquiry on the Syrian Arab Republic. In a report to the UN Human Rights Council, the UN-mandated Independent International Commission of Inquiry on Syria said that the tactics used by the Syrian government forces and their allies in the conflict in Aleppo between July and December 2016 resulted in unparalleled suffering for Syrian men, women, and children and amounted to war crimes. The report was based on 291 interviews, including with citizens of Aleppo City, review of satellite imagery, photographs, videos and medical records. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/026/63/PDF/G1702663.pdf?OpenElement>

United Nations. The Security Council adopted a resolution to strengthen measures to protect cultural heritage from destruction. It “deplores and condemns” the damage and destruction of an array of cultural materials, including archives. It “encourages” member states to safeguard such property in “a network of ‘safe havens’ in their own territories,” and to create national inventories of cultural property to establish procedures “and where appropriate databases” on illicit export and missing cultural property. [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2347\(2017\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2347(2017)); for UNESCO press release <http://whc.unesco.org/en/news/1648>

The Special Rapporteur on the right to food and the Special Rapporteur on toxics called for a “comprehensive, binding treaty to regulate hazardous pesticides throughout their life cycle, taking into account human rights principles.” Until such a treaty is in place they urge states to “establish impartial and independent risk-assessment and registration process for pesticides, with full disclosure requirements from the producer.” They said there are “no reliable, global statistics on the number of people who suffer from pesticide exposure” but cited an estimate that between 1 and 41 million people are affected annually by short- and long-term exposure. <http://www.srttoxics.org/2017/03/srfood-pesticides-pressrelease/>

Two UN officials and four Congolese working with them to monitor a sanctions regime imposed by the UN Security Council on the Democratic Republic of Congo were captured by a militant group on March 12. On March 28 the UN announced that the bodies of the two UN staff members and their interpreter were found. The father of one of the investigators said “DNA tests and dental records would be used to confirm the identities of the bodies.” A former coordinator of the UN Congo group told *Reuters*, “Going to places where few people go, asking questions that few people ask, finding out the truth, this is the work of United Nations experts. This is how the reports and recommendations (guiding) the Security Council are written.” <http://news.trust.org/item/20170328123826-gn5z4/>

United Nations High Commissioner for Human Rights. The High Commissioner published an article titled, “Human rights trampled in push to build infrastructure.” Noting the murders of activists opposing infrastructure development projects, he said the “tools of repression” used in the “macho world of mega-infrastructure” include “curbs on peaceful assembly, clampdowns on non-governmental organizations, attacks on independent media, state censorship, draconian anti-terror laws, state-sponsored vilification, surveillance, arbitrary detention, torture and disappearances.” And, he wrote, “in some countries punitive laws and special law-enforcement agencies have been created specifically to protect investors’ interests.” He made six recommendations, among them that “all development financing institutions, and their independent accountability mechanisms, should systematically collect and publish data on intimidation,

coercion and reprisals in connection with their activities, and what actions are being taken in response.”  
<http://www.miamiherald.com/opinion/op-ed/article136884218.html>

United Nations High Commissioner for Refugees. As the war in Syria ends its sixth year, the High Commissioner reported that 4.9 five million Syrians—nearly a quarter of Syria’s prewar population—have fled their country. In addition, 6.3 million have been displaced but are still within Syria.  
<http://www.unhcr.org/sy/1046-as-war-enters-7th-year-unhcr-warns-syria-is-at-a-crossroads.html>

World Health Organization (WHO). Using data from a wide range of international organizations, non-governmental organizations, and academic studies, WHO released two publications: an atlas on children’s health and environment and a companion report titled, “Don’t pollute my future! The impact of environment on children’s health.” The studies conclude that worldwide each year “more than 1 in 4 deaths of children under 5 years of age are attributable to unhealthy environments” or about 1.7 million children.  
<http://www.who.int/mediacentre/news/releases/2017/pollution-child-death/en/>

## **World/general news.**

Business records. The Corporate Human Rights Benchmark (CHRB), an organization of “investors and non-profit groups,” issued its first annual report. It assessed 98 of the largest publicly traded companies in the world in the sectors of agricultural products, apparel, and extractive industries on 100 human rights indicators. The Benchmark staff members used “public information disclosed by companies on their websites, other platforms, or through the CHRB Disclosure Platform.” In a useful, extensive description of the methodology used, the CHRB wrote, “This Measurement Theme seeks to recognise companies that disclose relevant information on human rights, regardless of whether the disclosed information is sufficient to meet a Score 1 or 2 in a CHRB indicator. The rationale . . . is to encourage even poor performing companies to become more transparent as a first step towards respect for human rights.” Rated on a scale of 1 to 10, 10 being the top, the highest corporate score was 7.8 and the average was 3.0.  
[https://www.corporatebenchmark.org/?token=9pZhxvrDDHU0CjukMmiC0yiYzVgJEuk\\_GyFJCyQmX6A&webform\\_id=welcome](https://www.corporatebenchmark.org/?token=9pZhxvrDDHU0CjukMmiC0yiYzVgJEuk_GyFJCyQmX6A&webform_id=welcome)

The Business and Human Rights Resource Centre, a nongovernmental organization based in London, launched the Defenders Database in February: “Over the last 2 years our researchers have been compiling over 400 cases of attacks against human rights defenders working on corporate accountability around the world. We found the most attacks in the following sectors: mining (30), agribusiness (14), gas, oil and coal (8) and dam-building (7).” The Centre said a fourth of the cases “were connected to companies headquartered in China, the U.S. or Canada or their subsidiaries.” The relationship between this data and that in the previous item is interesting, particularly with regard to mining industries. <https://www.business-humanrights.org/en/key-findings-from-the-database-of-attacks-on-human-rights-defenders-feb-2017>

The nongovernmental organizations Swedwatch and Fair Finance Guide Sweden produced a comprehensive report on the “role of banks linked to the crisis faced by Borneo’s indigenous peoples and their forests.” The report used the public records of seven banks based in Scandinavia. The researchers recommend that the governments of Indonesia and Malaysia “ensure open access to historical records of indigenous peoples’ land use.” They also recommend that the governments “require companies and investors to conduct” assessments of projects and the “resulting assessment reports, including EIA [environmental impact assessment] reports, should be subject to compulsory public disclosure.”  
[http://www.swedwatch.org/sites/default/files/tmp/silent\\_approval\\_borneo\\_full\\_report\\_0.pdf](http://www.swedwatch.org/sites/default/files/tmp/silent_approval_borneo_full_report_0.pdf)

“LafargeHolcim, a French cement maker, admitted . . . that it had paid armed groups in Syria to continue its operations,” reported *Agence France Presse*. The plant operated in Syria from 2010 to 2014, a company statement said. In the wake of lawsuits filed against it in 2016, the “company commenced an internal independent investigation” and found that “the local company provided funds to third parties to work out arrangements with a number of . . . armed groups, including sanctioned parties, in order to maintain operations and ensure safe passage of employees and supplies to and from the plant.” Corporate records must have been essential in the internal investigation.  
<http://en.rfi.fr/middle-east/20170302-french-cement-giant-admits-unacceptable-practices-syria-plant>  
<http://www.lafargeholcim.com/LafargeHolcim-responds-syria-review>

In 1991 Shell oil company made a film titled “Climate of Concern,” which “set out with crystal clarity how the world was warming and that serious consequences could well result,” reported *The Guardian*. Rediscovered by a Dutch journalist, the film was predated by a 1986 company report obtained by *The Guardian* that warned of the consequences of climate change. However, since that time Shell has remained a member of groups fighting energy targets in the U.S. and Europe and continued to invest in fossil fuels. <https://www.theguardian.com/environment/2017/feb/28/shell-film-warning-climate-change-rate-faster-than-end-ice-age>

Six former child slaves from Mali who had worked on cocoa farms in Ivory Coast (the world’s biggest cocoa producer) sued Nestle’s U.S. unit and Cargill Inc., alleging they knew forced labor was being used but still “provided farmers there with funding, supplies and training,” reported *Bloomberg News*. The U.S. Federal court in California threw out the case, saying “the former child slaves had failed to show that any domestic conduct by the two companies was linked to the use of forced labor at their overseas suppliers.” <https://www.bloomberg.com/news/articles/2017-03-10/nestle-cargill-win-dismissal-of-lawsuit-by-former-child-slaves>

In 2015 Volkswagen admitted that it had “cheated” on emissions tests on automobiles that it sold worldwide. A team of scientists at the Massachusetts Institute of Technology has now estimated that 1,200 people in Europe will die prematurely, each losing as much as a decade of life, because of the excess emission from 2.6 million affected cars sold *just* in Germany. “The team based their analysis in part on the German Federal Motor Transport Authority’s measurements of emissions from Volkswagen cars. They then used historical data on driving behavior in Germany to estimate the number of kilometers driven by each car per year and where drivers were likely to drive the most. From that, the researchers generated a map of excess emissions within Germany.” <http://news.mit.edu/2017/volkswagen-emissions-premature-deaths-europe-0303>

A group of people who claim they developed non-Hodgkin’s lymphoma as a result of exposure to glyphosate, a key ingredient in the herbicide Roundup, sued Monsanto, the company that produces the herbicide. The judge in the case “unsealed” the Monsanto documents in the case, including “internal emails and email traffic between the company and federal regulators.” The company documents suggest “Monsanto had ghostwritten research that was later attributed to academics” and worked to avoid government investigations of glyphosate’s health impact, reported the *New York Times*. [https://www.nytimes.com/2017/03/14/business/monsanto-roundup-safety-lawsuit.html?\\_r=0](https://www.nytimes.com/2017/03/14/business/monsanto-roundup-safety-lawsuit.html?_r=0)

Sports. The International Olympic Committee amended its standard contract for host cities; the revision is “aimed specifically at protecting human rights and countering corruption.” Among the changes is the responsibility of the host country to abide by the United Nations Guiding Principles on Business and Human Rights and to establish and maintain “effective reporting and compliance.” <https://www.olympic.org/news/ioc-strengthens-its-stance-in-favour-of-human-rights-and-against-corruption-in-new-host-city-contract>

Torture. Two persons tortured by the U.S. filed suit against the two Central Intelligence Agency (CIA) psychologists who designed the torture program. They sought CIA records for the case, but the Agency “formally asserted the state secrets privilege” to prevent “disclosure of seven categories of information concerning its post 9/11 interrogation program,” reported *Secrecy News*. For background, see *HRWG News* 2016-11. <https://fas.org/blogs/secrecy/>; <https://fas.org/sgp/jud/statesec/mitchell-pompeo.pdf>

World War II. The U.K. National Archives released “the final batch” of Nazi persecution claim files. After World War II the U.K. Foreign Office administered a program to distribute payments to British victims of Nazi persecution, including the relatives of concentration camp victims. Approximately 4000 persons applied, and about a quarter received payments, reported *The Jewish Chronicle*. <https://www.thejc.com/news/uk-news/thousands-of-stories-of-nazi-persecution-revealed-as-holocaust-compensation-scheme-records-published-1.434553> ; for the National Archives statement see <http://www.nationalarchives.gov.uk/about/news/nazi-persecution-claim-case-files-released/>

The Freie Universitat Berlin, the heirs of Rudolf Mosse (a publisher who had an extensive art collection), and the German Lost Art Foundation formed a partnership: “Using the methods of provenance research, the goal is to determine which works from the Mosse Collection still exist and where they are currently located. The findings will be made accessible to the public in a timely fashion through an online publication with an object database.” A related story said the Foundation now will help private collectors determine the origins of art they have inherited or obtained. <http://www.fu->

## **Bilateral and multilateral news.**

**Bosnia/United States.** In the U.S. “former Bosnian Army serviceman Sloba Maric, who became a naturalized US citizen in 2002, was stripped of his status . . . and jailed for 18 months for not disclosing his role in wartime crimes,” *BIRN* reported. Meanwhile, in Sarajevo Edin Sakoc, who was sent to Bosnia from the United States in February 2016 “because he gave false information about his role in the Bosnian war to the authorities” when arriving in the U.S., was convicted of wartime crimes.

[http://www.balkaninsight.com/en/article/us-jails-bosnian-for-war-crimes-lies-03-28-2017?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm\\_campaign=0f6abc3ec7-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_a1d9e93e97-0f6abc3ec7-319755321](http://www.balkaninsight.com/en/article/us-jails-bosnian-for-war-crimes-lies-03-28-2017?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=0f6abc3ec7-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-0f6abc3ec7-319755321);  
[http://www.balkaninsight.com/en/article/bosnian-croat-fighter-jailed-for-serbs-murders-03-10-2017?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm\\_campaign=3eb72eea7a-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_a1d9e93e97-3eb72eea7a-319755321](http://www.balkaninsight.com/en/article/bosnian-croat-fighter-jailed-for-serbs-murders-03-10-2017?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=3eb72eea7a-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-3eb72eea7a-319755321)

**Burkina Faso/France.** Nearly 30 years after the assassination of Thomas Sankara, the president of Burkina Faso, by a coup d’etat led by Blaise Compaore, and now nearly three years since Compaore in turn was overthrown, the deputy representing Burkina Faso in the French legislature is demanding that France open its archives on the Sankara murder, reported *RFI* and *Le Monde*.

<http://www.rfi.fr/afrique/20170318-burkina-faso-depute-francais-amirshahi-ouverture-archives-sankara> ;  
[http://www.lemonde.fr/afrique/article/2017/03/13/ouvrons-les-archives-sur-le-meurtre-de-thomas-sankara\\_5093727\\_3212.html](http://www.lemonde.fr/afrique/article/2017/03/13/ouvrons-les-archives-sur-le-meurtre-de-thomas-sankara_5093727_3212.html)

**Colombia/Venezuela.** A report by the Open Society Foundations, “Born in the Americas: The Promise and Practice of Nationality Laws in Brazil, Chile and Colombia,” highlighted the problems of the Wayuu people who live on the northern border between Colombia and Venezuela. They traditionally “move back and forth over the border, often spending the dry season on the Venezuelan side, and the rainy season in Colombia” and both countries grant them nationality. However, the Wayuu “often lack official identity documents such as state-issued birth certificates or identity cards” and tightening of the border has left them “unable to cross the border as easily as they once did.” Some “have been denied official documents by both countries, leaving them in a state of unconfirmed nationality—effectively stateless. In addition, the border problems are adding to additional challenges to the Wayuu caused by a seven-year drought that has smitten the region. In this situation, having official identity documents is essential for accessing desperately needed government services and emergency relief.” <https://www.opensocietyfoundations.org/reports/born-americas-promise-and-practice-nationality-laws-brazil-chile-and-colombia>

**Croatia/United States.** Descendants of World War II victims in Croatia filed suit against the Croatian state in the Illinois Federal court in the U.S., *BIRN* reported. They “are demanding 3.2 billion euros in compensation from Croatia for seized property, as well as for the suffering of their relatives during World War II, inflicted by the Nazi-aligned puppet state . . . which was led by the fascist Ustasa movement.” Croatian law enables the return of property seized for the state during “Yugoslav times” but not during World War II. The preamble to Croatia’s constitution says it is not the legal successor to the Nazi state. Tracing the property claims would require use of many archives. <http://www.balkaninsight.com/en/article/us-private-suit-reveals-croatia-s-wwii-property-restitutions-problems-03-13-2017>

**France/Spain.** Documents seized by French authorities from Basque separatists in the 1980s will be given to Spain before the end of 2017, Francois Hollande and Mariano Rajoy announced at the Franco-Spanish summit meeting in late February. <http://www.sudouest.fr/2017/02/24/les-archives-d-eta-remises-a-l-espagne-3225069-6779.php>

**Germany/Poland/United States.** Poland asked the United States to extradite Michael Karkoc, accusing him of leading a Nazi unit that carried out mass killings in eastern Poland during World War II, the *Associated Press* reported. “The decision in Poland comes four years after the *AP* published a story establishing that Michael Karkoc commanded the unit, based on wartime documents, testimony from other members of the unit and Karkoc’s own Ukrainian-language memoir.” [http://www.theeagle.com/news/world/poland-confirms-minnesota-man-as-nazi-commander/article\\_c34003b0-85cd-5743-961e-4810837a2f97.html](http://www.theeagle.com/news/world/poland-confirms-minnesota-man-as-nazi-commander/article_c34003b0-85cd-5743-961e-4810837a2f97.html)

Israel/Palestine. Using data from Israel's Defense Ministry, B'Tselem, a nongovernmental organization in Israel, found that "there had been a 95 percent drop in Palestinians applying for compensation" for cases in which Israel's soldiers "killed, injured or disabled Palestinian civilians." The report said changes in Israeli law led Palestinians to recognize that such claims were futile, although in the 1990s, before the changes took effect, "thousands of Palestinians filed." <http://www.aljazeera.com/indepth/features/2017/03/israel-denies-redress-thousands-palestinians-170307112623995.html> , for the report see [http://www.btselem.org/download/201703\\_getting\\_off\\_scot\\_free\\_eng.pdf](http://www.btselem.org/download/201703_getting_off_scot_free_eng.pdf)

Kosovo/Serbia. *BIRN* reported that the head of the Kosovo government's missing persons commission said Serbia is concealing information on persons missing since the 1998-1999 war: "On this issue it is only Serbia that we need to talk to, because Serbia organized crimes during the war. There are suspicions that they have documents, files. They also have people who have information and know about the locations of all those who are missing." <http://www.balkaninsight.com/en/article/serbia-accused-of-hiding-information-on-kosovo-graves-03-15-2017>

Panama/United States. In July 2016 Panama created a truth commission to look at the events surrounding the U.S. invasion of Panama in 1989 and the overthrow of the government of Manuel Noriega. Now the Panamanian Supreme Court agreed to give the commission members access to the records it holds, reported *Prensa Latina*. The Chief Justice said the commission can have access to "that valuable information within the archives that was not destroyed and that is very well preserved here." <http://www.prensa-latina.cu/index.php?o=rm&id=69220&SEO=justicia-panamena-abre-archivos-sobre-invasion-de-ee.uu>

## **National news.**

Afghanistan. The Institute for War and Peace Reporting (IWPR), a nongovernmental organization based in London, examined the question of how many women in Afghanistan have identity cards. Across the country, 56% of women do not have cards and in the eastern province of Nangarhar a full 70% do not. The cards "are vital to access basic facilities from medical care, education and banking to employment and voting," IWPR reported, but "many women told IWPR that their family had refused them permission to apply for ID cards." <http://www.refworld.org/docid/58de4c184.html>

Albania. In 2015 the parliament passed a law opening access to the files of the Communist-era secret police, the Sigurimi. In December 2016 "an independent authority was set up to help anyone seeking information about their own experience or the fate of a loved one," *AFP* reported. The head of the authority said the archives has "millions of pages of documents, more than 120,000 files and 250,000 records," a distinction that is not clear. She added, "The archives of the dictatorship contain painful secrets for many Albanians." *AFP* noted that "main aim of opening the archives is to ensure that no former Sigurimi collaborator is able to hold a public position" and to "bring transparency to Albania's fractious political scene." <https://sg.news.yahoo.com/opening-secret-police-files-albania-seeks-drain-swamp-032145504.html>

Argentina. On 30 December 2016, the Secretaria de Modernizacion Administrativa del ministerio de Modernizacion de la Nacion issued an administrative order to offices to "clean out" old files and gave authority to any official at the level of Director General or above to authorize destruction, reported *Pagina 12* under the headline "Archives in danger." If the official decides that the files have "historical value" they are to be sent to the National Archives. This reverses the usual process of decision-making for historical value. Then in February the General Archives of the Judiciary announced that it authorized the destruction of all files dated between 1941 and 1982 that are held by the courts of the first instance (lowest courts). A petition against the orders is circulating for signature. <https://www.pagina12.com.ar/26577-archivos-en-peligro>

Bosnia. Bosnia's Institute of Missing Persons told *BIRN* that during the ongoing process to verify the names on the national register of missing persons, the Institute has found 911 people on the register who are alive because "identification documents have been issued to them since the war." Around 7,000 persons remain missing; 2,600 remains have been exhumed but not identified. The Institute spokesperson said, "After the verification process has been completed, an electronic and print file on each missing person will be opened." <http://www.balkaninsight.com/en/article/over-900-missing-bosnians-actually-alive-03-06-2017>

Canada. Two survivors of abuse at the St. Anne's Indian Residential School in northern Ontario filed a request in Superior Court, asking it "to order a full-scale inquiry into why thousands of pages of police records from an investigation in the 1990s detailing the abuse were not disclosed when survivors were seeking compensation under the Indian Residential Schools settlement process beginning in 2006," the *Toronto Star* reported. The lawyer for the survivors argued that the lack of the documents, which were not disclosed until a court ordered it in 2014, "harmed the survivors' ability to get fair compensation." <https://www.thestar.com/news/canada/2017/03/24/lawy>

The British Columbia Court of Appeal ruled that the province must provide the tobacco company Philip Morris International (PMI) with "anonymized data" from government health information databases. PMI says it needs the data to prepare its defense in lawsuits brought against it by people who seek to recover health care costs of medical conditions they have that are associated with tobacco use. <http://www.it-can.ca/2017/03/01/government-of-bc-ordered-to-give-tobacco-companies-access-to-medicare-information/>

Colombia. The Congress approved the transitional justice system that was a key element of the peace accords between the government and the FARC rebel group. The system includes a tribunal (the Special Jurisdiction for the Peace), a truth commission and a missing persons unit. The bill "must now be approved by the Constitutional Court for it to take force," explained *Colombia Reports*. <http://colombiareports.com/colombia-congress-approves-transitional-war-crimes-courts/>

The annual report of the United Nations High Commissioner for Human Rights on the situation of human rights in Colombia included important statements on archives. Paragraph 24 notes that cases in the archives of the Attorney General, the military justice system, the Procurator General, the Comptroller General and the Congress must be made known to the new Special Jurisdiction for the Peace (JEP) which will handle the investigation and prosecution of persons responsible for war crimes and terrorism. Paragraph 25 argued for "legal, institutional, budgetary and cultural changes regarding the identification, protection, access and use of State archives to facilitate the work of the transitional justice system." It "welcomes" the power of the Executive Secretary of the JEP "to order the protection of public or private documents related to the conflict" and "reiterates the need to protect entire archives related to past gross human rights violations." In an important addition, the paragraph says, "Although the Peace Agreement omits reference to the need for the FARC-EP to contribute its archives, those should be included and considered with the same criteria [as] regards State archives." In the section on reform of the intelligence sector (paragraphs 82-84), the High Commissioner warns that the military has been "purging" records from their archives "generating a risk that evidence of human rights violations may have been destroyed" and expresses concern about the "scope and regulation of the power to monitor the electromagnetic spectrum . . . and the data collection about individuals." <http://www.hchr.org.co/>

Democratic Republic Congo. After a video became public in February that "appeared to show uniformed soldiers opening fire on a group of civilians in a massacre that left at least 13 people dead," seven Congolese Army officers have been arrested and charged with war crimes, reported the *New York Times*. For background, see *HRWG News* 2017-02. [https://www.nytimes.com/2017/03/18/world/africa/congo-massacre-war-crimes.html?\\_r=0](https://www.nytimes.com/2017/03/18/world/africa/congo-massacre-war-crimes.html?_r=0)

El Salvador. A court in El Salvador notified seven former high-level military leaders that "they are being investigated for their alleged roles in the 1981 massacre of 1,000 peasants, considered the worst atrocity in the nation's bloody civil war," *Reuters* reported. The El Mozote massacre case was investigated by the El Salvador truth commission (the records of the commission are in the UN Archives in New York). Last July a judge declared unconstitutional the amnesty law that had shielded the officers; in October 2016 the case was officially reopened and the judge "ordered military records from the time of the massacre to be turned over to investigators, as well as additional records on 14 other ex-army and security officials," *telesur* reported. <http://www.reuters.com/article/us-elsalvador-crime-idUSKBN1710G7>; <http://www.telesurtv.net/english/news/Salvadoran-Judge-Reopens-Investigation-of-El-Mozote-Massacre-20161002-0002.html>

Gambia. The Justice Minister said that a truth and reconciliation commission will be set up "within the next six months and public hearings will be expected to commence by the end of the year," reported *Reuters*. The government will pay "appropriate reparations for victims" and will also investigate the finances of

former President Yahya Jammeh, who is in exile in Equatorial Guinea. <http://www.reuters.com/article/us-gambia-politics-idUSKBN16U2ZD>

Guatemala. The judge in the case of enforced disappearance of Marco Antonio Theissen and the detention, torture and sexual violence of his sister Emma Molina Theissen ruled that there is sufficient evidence to send five high-ranking officers to trial for the violations the Theissen family endured, *International Justice Monitor* reported. The judge said he “based his ruling on the testimonial evidence that established the occurrence of the events in question, on the expert reports that analyze the conduct of the military in accordance with the Doctrine of National Security, and military documents that establish the positions held by each of the defendants at the time of the events.” <https://www.ijmonitor.org/2017/03/judge-sends-five-high-ranking-military-officers-to-trial-in-molina-theissen-case/>

India. In the state of Telanga, which includes the Indian tech hub Hyderabad, officials told priests “to request proof of age for the bride and groom before marrying them,” in an effort to stop child marriage, *Thomson Reuters Foundation* reported. Government data for the past two years show that in rural parts of the state more than 30% of boys and girls are married before the legal age (18 for women and 21 for men). A priest told the reporter, “We are getting forms filled out and also taking pictures and proof of identity for the bride and groom. Marriages have been cancelled after we declined to offer our service.” <http://news.trust.org/item/20170321124921-1uhkn/>

*Thomson Reuters Foundation* also reported that the World Resources Institute “is using data collection tool Collect Earth and very high-resolution satellite images, to study land use in Sidhi district in the central state of Madhya Pradesh.” The article noted, “Satellite images are being increasingly used in rural areas to map land holdings in the absence of update records,” but did not discuss the need and costs for preserving the electronic data. <http://news.trust.org/item/20170328180114-ri4pi/>

Ireland. scandal over the abusive treatment of a mentally disabled woman code-named “Grace” and 46 other people while living at a foster home has made headlines for several years. A commission of inquiry has now been set up to investigate the extent to which the government’s Health Service Executive “conspired to cover up the Grace foster abuse sex scandal,” reported the *Irish Examiner*. The inquiry originally was to focus only on Grace, but the probe will now include all 47 cases; government records will be the essential evidence. <http://www.irishexaminer.com/ireland/grace-inquiry-to-probe-cover-up-by-hse-444763.html>

Government data for February “show a record total of 7,4521 people who are homeless—a 28% increase over the previous 12 months,” the *Irish Examiner* reported, adding “and more than 2,500 of them are children.” <http://www.irishexaminer.com/ireland/almost-7500-people-now-homeless-446140.html>

“Following the discovery of a suspected mass grave at the site of the former mother and baby home in Tuan, [Limerick] city archivist Jacqui Hayes says the lack of proper records and documentation makes it almost impossible to know if any similar burial site exists in Limerick,” reported the *Limerick Leader*. <http://www.limerickleader.ie/news/home/239157/no-records-relating-to-baby-deaths-says-limerick-archivist.html>

Mexico. Two bills before the Mexican legislature have serious human rights implications. One, called a reform of the criminal law, “flips the very premise of modern justice on its head: Rather than innocent before proved guilty, it would require concrete evidence of reasonable doubt, essentially shifting the burden of proof to the accused,” wrote the *New York Times*. Another bill, on internal security, would expand the military’s “official powers to include police functions like executing arrest warrants, tapping private communications, overseeing crime scenes, interviewing witnesses and investigating cases.” [https://www.nytimes.com/2017/03/16/world/americas/mexico-trump-pena-nieto-wall-drug-war.html?\\_r=0](https://www.nytimes.com/2017/03/16/world/americas/mexico-trump-pena-nieto-wall-drug-war.html?_r=0); for a compilation of articles see <https://www.wola.org/analysis/mexicos-internal-security-security/>

Myanmar. The Advisory Commission on Rakhine State (on the situation of the Rohingya minority in Myanmar) issued an interim report. Among the recommendations are that the Government of Myanmar “should immediately establish a clear strategy and timeline for the citizenship verification process” and “roll out a comprehensive birth registration campaign - with door-to-door visits carried out by mobile teams - in order to reach all children.” <http://therohingya.com/statement-by-kofi-annan-chair-of-the-advisory-commission-on-rakhine-state-interim-report/>



Nicaragua. In 2003 the government adopted a law that “bound the government to clear indigenous territories of people without proper land titles.” Since then conflicts over land, particularly in the area along the Caribbean coast that is home to the Miskito people, have been bloody, with allegations by settlers and Miskitos of fraud in land titling. A “government official” told a reporter for *Al Jazeera* “that on a number of occasions the police have refused to receive complaints related to the land conflict.” The founder of a nongovernmental group defending the rights of indigenous people said the government doesn’t want “to discuss anything related to the land conflict. They hamper our work, don’t let us access documents, or even enter their offices.” <http://www.aljazeera.com/indepth/features/2017/02/nicaragua-bloody-conflict-indigenous-land-170206114438236.html>

Paraguay. A digital copy of the approximately 700,000 pages of the “Archivo del Terror” will be deposited in the National Archives, reported *Terra*. The documents were discovered in 1992 and helped reveal the crimes against humanity committed by dictatorships in the Southern Cone of Latin America in the last half of the 20<sup>th</sup> century. <https://noticias.terra.cl/mundo/latinoamerica/archivo-del-terror-estara-digitalizado-en-el-archivo-nacional-de-asuncion.b35af38e57214c68d81cdcf8e01ab613lq0nftq.html>

Portugal. Persons born between 1981 and 2006 “to parents whose immigration status had not been regularized” are not given Portuguese citizenship. The law “predominantly affects Portugal’s black, Afro-descendent communities, who originate mostly in the African former colonies of Cape Verde, Angola, Guinea-Bissau, Sao Tome and Principe, and Mozambique,” *Al Jazeera* reported. Without citizenship, people do not have the “right to live, study and work in the European Union.” These persons can apply for citizenship, but if they have been convicted of a crime that has a sentence of at least three years, it will be denied, which has “even resulted in the deportation of some, after serving a criminal sentence, to a country they have never set foot in.” [http://www.aljazeera.com/indepth/features/2017/03/portuguese-denied-citizenship-country-170302084810644.html?utm\\_source=Al+Jazeera+English+Newsletter+%7C+Weekly&utm\\_campaign=bea2a40261-EMAIL\\_CAMPAIGN\\_2017\\_03\\_26&utm\\_medium=email&utm\\_term=0\\_e427298a68-bea2a40261-225638537](http://www.aljazeera.com/indepth/features/2017/03/portuguese-denied-citizenship-country-170302084810644.html?utm_source=Al+Jazeera+English+Newsletter+%7C+Weekly&utm_campaign=bea2a40261-EMAIL_CAMPAIGN_2017_03_26&utm_medium=email&utm_term=0_e427298a68-bea2a40261-225638537)

Russia. *L’Express* published a feature on the project in Moscow to collect personal diaries of persons who lived through the Stalin years in Russia, transcribe them and make them available on line. [http://www.lexpress.fr/actualites/1/monde/la-vie-sous-staline-dans-les-journaux-intimes\\_1892881.html](http://www.lexpress.fr/actualites/1/monde/la-vie-sous-staline-dans-les-journaux-intimes_1892881.html)

Rwanda. *New Times* reported on a conference in London on “Digital Archives, Memory and Reconstruction in Rwanda.” A study carried out in 2013 identified “major archives in 18 institutions” that now are part of the “Genocide Archive of Rwanda, a form of physical and digital archive.” <http://allafrica.com/stories/201703220429.html>

South Africa. A labor dispute in August 2012 left 44 people dead, an event known as the Marikana massacre. The Farlam Commission of Inquiry spent two years investigating the massacre, releasing its report in 2014. Now the Socio-Economic Rights Institute of South Africa, which represents 36 families of the deceased, put “a full and comprehensive set of evidence, exhibits and transcripts in a single, easy-to-navigate online location,” reported *Mail and Guardian*. The evidence includes “eyewitness and technical expert testimonies, medical and media reports, policy documents and police protocols.” <https://mg.co.za/article/2017-03-23-00-bringing-home-the-truth-of-marikana>

South Sudan. The Commission on Human Rights in South Sudan presented its report to the UN Human Rights Council. It found that since July 2016 “there has been a massive increase in gross human rights violations and abuses” that may amount to war crimes, and both government forces and non-State armed groups are responsible. It said it reached its conclusions “based on information received from rights-holders, victims and witnesses of violations of human rights violations and abuses, civil society actors and United Nations and humanitarian agencies working in South Sudan, and the Government of South Sudan. The Commission also reviewed material received from secondary sources, including reports by the African Union Commission of Inquiry of South Sudan, UNMISS, United Nations agencies, and international and national human rights organizations.” It called on the government to “cooperate with the African Union in the speedy establishment of the hybrid court for South Sudan” and pass a law establishing “the commission on truth, reconciliation and healing.” The Commission suggested that if South Sudan does not create a hybrid court, the African Union should do so, and the United Nations should immediately establish an “international impartial and independent investigation . . . into the most serious crimes, including conflict-

related sexual violence, committed since December 2013 by . . . collecting, preserving and analyzing evidence of human rights violations and violations of international humanitarian law.”

<http://www.ohchr.org/EN/HRBodies/HRC/CoHSouthSudan/Pages/Index.aspx>

Spain. The spokesman of the United Left party in the Provincial Council of Huelva urged the recovery, preservation, and digitization of the records of the repression of homosexuals in the jail at Huelva during the Franco regime. [http://huelva24.com/not/96767/lu-pide-la-recuperacion-de-los-archivos-sobre-la-represion-contra-homosexuales-en-la-antigua-carcel-de-huelva-/?utm\\_source=Newsletter&utm\\_campaign=15302bab6b-Newsletter\\_Feb\\_2017&utm\\_medium=email&utm\\_term=0\\_84a7f06290-15302bab6b-225732189](http://huelva24.com/not/96767/lu-pide-la-recuperacion-de-los-archivos-sobre-la-represion-contra-homosexuales-en-la-antigua-carcel-de-huelva-/?utm_source=Newsletter&utm_campaign=15302bab6b-Newsletter_Feb_2017&utm_medium=email&utm_term=0_84a7f06290-15302bab6b-225732189)

Sri Lanka. The High Commissioner for Human Rights issued a report criticizing the slow progress on post-war reconciliation and justice. He called for “restitution of all private land that has been occupied by the military” and for the establishment of the previously-recommended hybrid court, truth commission and office for resolving the fate of missing persons. <http://reliefweb.int/report/sri-lanka/report-office-united-nations-high-commissioner-human-rights-sri-lanka-ahrc3420>

Sweden. The government “proposed legislation that would grant compensation to transgender men and women who had to undergo mandatory sterilization in order to have their sex legally reassigned,” a practice that was discontinued in 2013, reported *Reuters*. What records document the sterilization program was not reported. <http://www.reuters.com/article/us-sweden-transgender-sterilisation-idUSKBN16Y1XA>

Syria. UNICEF issued a report on the war’s impact on children; its records show that “grave violations against children in Syria were the highest on record in 2016.” “At least 652 children were killed—a 20 percent increase from 2015,” of whom 255 were killed in or near a school. And “more than 850 children were recruited to fight in the conflict, more than double the number recruited in 2015.”

<https://www.unicef.org/media/files/UN055709.pdf>

A Berlin-based research project, the Syrian Archive, reviewed “over 50,000 videos” from Aleppo made in the second half of 2016 and verified “some 1,748 videos of human rights violations in Aleppo and its surroundings.” The founder of the Archive told the media when presenting a report on the project, “While attacks and violations have been committed by all parties, including the international coalition, Turkish forces, and rebel groups, the visual evidence analyzed in this report shows that overwhelmingly, Syrian and Russian forces were responsible for the largest amount of human rights violations in Aleppo city and suburbs during this period,” *Deutsche Welle* reported. <http://www.dw.com/en/syrian-archive-finds-overwhelming-russian-atrocities-in-aleppo/a-38169808>

Another activist created a website called “Creative Memory” that “aims to archive all the intellectual and artistic expressions in the age of revolution; it is writing, recording, and collecting stories of the Syrian people, and those experiences through which they have regained meaning of their social, political and cultural lives.” Thanks to Cristina Bianchi for this information. <http://www.creativememory.org/?lang=en>

Taiwan. The government will establish a seven-member committee to “investigate cases from October 5, 1945, when the Chinese Nationalist Party (KMT) arrived in Taiwan, to November 16, 1992, when the then-KMT government ended martial law,” reported *Taipei Times*. For background, see *HRWG News* 2016-05. <http://www.taipeitimes.com/News/taiwan/archives/2017/03/19/2003667061>

Tunisia. The Rassemblement Constitutionnel Démocratique (RCD) was the ruling party from independence in 1956 until it was dissolved in the aftermath of the ouster of President Zine al-Abidine Ben Ali in 2011. *Tunisienumerique* reported that the archives of the RCD’s committee of coordination from the city of Kasserine will be transferred to the national archives. The archives are estimated to weigh 22 tons and may shed light on the repression during the RCD years in power. <https://www.tunisienumerique.com/tunisie-kasserine-22-tonnes-darchive-de-lancien-rcd-transfere-aux-archives-nationales/>

Turkey. The UN Human Rights Office published a report “detailing allegations of massive destruction, killings and numerous other serious human rights violations committed between July 2015 and December 2016 in southeast Turkey, during Government security operations that have affected more than 30 towns and neighbourhoods and displaced between 355,000 and half a million people, mostly of Kurdish origin.”

The report was based on “interviews with multiple victims, witnesses and relatives of victims; analysis of information provided by the Government of Turkey, as well as Turkish and international non-governmental organizations (NGOs); official records; open source documents; satellite images, video, photographic and audio materials; and other relevant and reliable materials.” The report includes links to pertinent satellite images. <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21342&LangID=E>

United Kingdom. The independent inquiry into child sexual abuse “could seek access to the royal archives after hearing evidence that they hold material relevant to investigations into child abuse cover-ups,” reported *The Times*. The inquiry “believes that the archives contain evidence about Fairbridge, a charity with high-level royal connections which was heavily involved in child migration schemes” that between 1945 and 1970 sent thousands of children to remote farm schools in Western Australia where they “suffered harsh physical punishment and sexual assaults.” Thanks to Deborah Jenkins for the information. <http://www.thetimes.co.uk/article/child-abuse-inquiry-may-demand-access-to-royal-archives-jkc3gs9c5>

United States. The Trump Administration’s plans to deport undocumented immigrants, particularly those who have committed serious crimes, is bringing a rush of people to government offices to obtain birth certificates for children born in the U.S., reported the *New York Times*. The Migration Policy Institute, a nongovernmental organization, estimated that of the 11 million undocumented people believed to be in the country, “some 33 percent—3.3 million people—live with at least one child who is an American citizen” by birth. In addition, “the Consulate General of Mexico in New York says it has seen a 30 percent increase in dual-citizenship requests from Mexican parents with American-born children in the past two months”—parents making sure that if they are deported the child can accompany them as a citizen. [https://www.nytimes.com/2017/03/08/nyregion/immigrant-families-birth-certificates.html?\\_r=0](https://www.nytimes.com/2017/03/08/nyregion/immigrant-families-birth-certificates.html?_r=0)

A doctor, writing for *STAT*, said she had “learned to leave blank spots in some patients’ medical records” to protect undocumented immigrants. She quoted a doctor who regularly cares for refugees as saying, “If you don’t document it, it’s not discoverable” by immigration authorities. <https://www.statnews.com/2017/03/06/immigrants-undocumented-doctors/>

The National Registry of Exonerations is a project of three U.S. law schools to “provide detailed information about every known exoneration in the United States since 1989—cases in which a person was wrongly convicted of a crime and later cleared of all the charges based on new evidence of innocence.” The project team released two studies which confirm what most observers already knew: black people are more often convicted of murder or sexual assault in error than white counterparts convicted of the same crimes. Last year there were 166 exonerations nationwide, which is a record. The Registry holds information from many sources on 1,900 wrongful convictions from 1989 to mid-October 2016. <http://www.vox.com/policy-and-politics/2017/3/7/14834454/exoneration-innocence-prison-racism>

The scale of Central Intelligence Agency digital efforts—and, therefore, the enormous digital records of the Agency--was revealed by another WikiLeaks release. <http://www.chicagotribune.com/news/nationworld/ct-wikileaks-cia-20170308-story.html>

Julius and Ethel Rosenberg were convicted of spying for the Soviet Union and executed in 1953. In 2008 a Federal court judge in New York ordered the release of the transcripts of secret grand jury testimony when the witness was deceased; the final witness is now dead, and the National Archives opened the last transcript. <https://www.archives.gov/press/press-releases/2017/nr17-39>

The two U.S. Senators from Virginia introduced a bill to grant Federal recognition to six Virginia Indian tribes, the *Washington Post* reported. “One of the many difficulties facing Virginia’s Indian tribes in their quest for recognition is a gap in record keeping that was created by a state law, the Racial Integrity Act of 1924” which required births in the state to be registered as “white” or “colored” but “with no option available for Indian.” After 1924 “births recorded as Indian became almost nonexistent, resulting in what historians have described as a ‘paper genocide’ of Indian tribes.” Gaining recognition would make the tribes eligible for federal funds for housing, education, medical care and other benefits. [http://www.readingeagle.com/a\\_pps/pbcs.dll/article?AID=/20170320/AP/303209264/1010](http://www.readingeagle.com/a_pps/pbcs.dll/article?AID=/20170320/AP/303209264/1010)

United States/California. The University of California (UC) system released to the *Associated Press* “a trove of confidential files” relating to sexual misconduct allegations against UC faculty and staff. The files, redacted in whole or in part for privacy reasons, covered 112 cases from January 2013 to April 2016 at nine campuses. “Officials said about two-thirds of the people accused of misconduct no longer work for the UC system.” <http://bigstory.ap.org/article/204d921c65cb4f78a341f147ac628e2d/uc-sexual-misconduct-files-show-faculty-resigned-retired?elqTrackId=07f4f3fa27884bf3a5c86ef88629a36b&elq=d7a6a9ade04241aa931a3c34fa4a1e0c&elqaid=12905&elqat=1&elqCampaignId=5319>

United States/New York. New York City’s appeals court ruled that a “contentious provision of the New York civil rights code prevents the disciplinary records of city police officers from being publicly released,” reported the *New York Times*. Media organizations and two civil rights groups had brought suit to obtain the records, arguing that “making the records of police officers public would increase accountability and transparency.” [https://www.nytimes.com/2017/03/30/nyregion/civil-rights-law-section-50-a-police-disciplinary-records.html?rref=collection%2Fbyline%2Falan-feuer&action=click&contentCollection=undefined&region=stream&module=stream\\_unit&version=latest&contentPlacement=2&pgtype=collection](https://www.nytimes.com/2017/03/30/nyregion/civil-rights-law-section-50-a-police-disciplinary-records.html?rref=collection%2Fbyline%2Falan-feuer&action=click&contentCollection=undefined&region=stream&module=stream_unit&version=latest&contentPlacement=2&pgtype=collection)

### **Conferences, Publications.**

The German Federal Archives will have a conference on 10 May 2017 and a workshop the following day at Austelstelle Lastenausgleichsarchiv in Bayreuth. The topic is "Search services and archives work - a humanitarian mission in the consciousness of post-war society and in the present." For further information, see: <http://www.bundesarchiv.de/fachinformationen/05320/index.html.de>

The Arabic version of *DatNav: How to navigate digital data for human rights research* was released. <https://www.theengineeroom.org/datnav-digital-data-in-human-rights-research/>

Two reads: A researcher’s view of working in archives in Bosnia is at <https://cornellpress.wordpress.com/2017/02/16/archives-in-bosnia-in-minutes-and-hours/> and an article on colonial records first published two years ago and now republished is at <http://newafricanmagazine.com/europeans-covered-backs-removing-colonial-archives/>

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