
ARCHIVES AND HUMAN RIGHTS

News from the Section on Archives and Human Rights *Winner of the Premio Internacional Derechos Humanos 2020 de la Asociación pro Derechos Humanos de España*

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Commentary.

Meta? No more Facebook; now it's Meta. Mark Zuckerberg, the owner of the company, thinks we want to live in a virtual world, at least part of the time. He says the Meta world will provide “immersive experiences like augmented and virtual reality to help build the next evolution in social technology.”
<https://about.fb.com/news/2021/10/facebook-company-is-now-meta/>

Changing a name is a big step, whether for a corporation or a person. When I married years ago, it was assumed you would take your husband's name. I remember how hard that was, how different it seemed to be when I was referred to by a name that had a different ethnic ring than my own, how much paperwork was associated with changing all my bank accounts and insurance and voting registrations. But at least I had all those documents to change. And while the change upset my sense of self for a while, it did not break my fundamental sense of identity.

UN Sustainable Development Goal 16.9 is, “By 2030, provide legal identity for all including birth registration.” <https://sdgs.un.org> That goal clearly refers to a person's name and, probably, citizenship and perhaps property ownership, but identity is more than that. As *Psychology Today* writes, “identity encompasses the memories, experiences, relationships, and values that create one's sense of self.” <https://www.psychologytoday.com/us/basics/identity> In what it termed a “landmark ruling” in a case brought by the Ava Guarani people of the Campo Agua'e indigenous community, the UN Human Rights Committee said “for Indigenous people, ‘home’ should be understood in the context of their special relationship with their territories, including their livestock, crops and way of life” (for fuller discussion, see item on Paraguay below). For the Ava Guarani, as for other Indigenous people, their identity is rooted in place.

In her report to the UN General Assembly, Karima Bennouna, the Special Rapporteur in the field of cultural rights, called for greater recognition of human rights-respecting cultural mixing and syncretism and increased respect for mixed cultural identities. The report does not specifically discuss archives, but Recommendation J is “Make available to all education about and documentation of the diversities and hybridities of cultural practices, cultural heritages and histories of cultural borrowing and mixing.” <https://undocs.org/en/a/76/178> Archives have a part in that.

Looked at in this broad scope, archives hold truly vast volumes of records relating to identity. Beyond citizenship, beyond identification cards, records of the treatment of women, Indigenous peoples, religious minorities, LGBTQ+ individuals, mixed-race, adoptees, migrants, victims (with all the complications of that term), all are documented in archives holdings. And, as we are learning, artificial intelligence is driving predictive policing, often based on the presumed link between some element of identity and criminal behavior (see below under Technology). Archivists must be alert to the need to acquire and describe and responsibly provide access to records that relate to identity.

Meta? Archivists have enough challenges in the real world.

SAHR News. Giulia Barrera was an expert witness at the trial in Rome of military from Chile and Uruguay who were part of the South American “Condor” operation that killed and disappeared Italian citizens. She will describe the role of archival documents in the Italian Condor trial for a First Tuesday Talk on December 7 at 16:00 Paris time. To register in advance for the talk:

<https://us02web.zoom.us/join/joinMeeting?zUuufuupjMjHdJMwRvnfcLazSsNOMizDvN3> After registering, you will receive a confirmation email containing information about joining the event.

SAHR prepared a letter that ICA sent to the UN Working Group on Business and Human Rights on the topic “Corporations due diligence based on a reliable records management policy; Proposal for better access to business records regarding human rights abuses.” A copy of the letter is found at

<https://www.ica.org/en/corporations-due-diligence-based-on-a-reliable-records-management-policy-proposals-for-better-access>

International news.

European Union/United Nations. The EU and UN launched the International Methane Emissions Observatory to track pledges made by countries “to slash methane emissions by 30 per cent by 2030,” *Geneva Solutions* reported. “Methane is the second-biggest driver of global warming after carbon dioxide emissions,” and the new organization’s first aim is to improve the reporting with the fossil fuel sector, which is “the biggest emitter” of the gas. The announcement clarified that the program “will receive no industry funding but will engage with companies to use their data.”

https://genevasolutions.news/climate/un-eu-launch-watchdog-to-track-government-methane-pledges?utm_source=newsletter&utm_medium=email

International Court of Justice. The court ruled on a long-running dispute between Kenya and Somalia over the maritime boundary between the two countries, *Crisis Group* reported. The decision split the disputed territory, and included 13 maps showing how the court analyzed and defined the boundary that gave several offshore potential oil areas to Somalia. Kenya quickly rejected the decision. <https://www.icj-cij.org/public/files/case-related/161/161-20211012-JUD-01-00-EN.pdf>; https://www.crisisgroup.org/africa/horn-africa/kenya/un-court-decision-fresh-test-kenya-somalia-ties?utm_source=Sign+Up+to+Crisis+Group%27s+Email+Updates&utm_campaign=8a648f8595-EMAIL_CAMPAIGN_2019_01_28_08_41_COPY_01&utm_medium=email&utm_term=0_1dab8c11ea-8a648f8595-359425329

International Criminal Court (ICC). AllRise, an Austrian NGO, supported by the Climate Observatory, a group of 70 Brazilian civil society organizations, filed a complaint with the ICC against Brazil’s president Jair Bolsonaro for his administration’s “widespread attack on the Amazon, its dependents and its defenders that not only result in the persecution, murder and inhumane suffering in the region, but also upon the global population.” The 286-page filing urged an investigation and prosecution. It is not clear whether the ICC will agree to investigate; according to the ICC website, since the court opened, it has “received more than 12,000 such communications,” *CNN* reported.

<https://www.cnn.com/2021/10/12/americas/brazil-bolsonaro-icc-crimes-against-humanity-intl/index.html>

Kosovo Specialist Chambers. The leaders of the Kosovo Liberation Army veterans’ association pleaded not guilty to the charge that they “gave Kosovo media and politicians confidential court documents last year that included names and personal data from witnesses involved in war crimes cases,” *Reuters* reported. However, a Kosovo journalist told the court that he received “around 1,000 pages of documents” from the veterans’ organization in September 2020, after the group held a press conference where the documents were displayed, *BIRN* reported. For background, see *SAHR News* 2020-12.

<https://www.reuters.com/world/europe/kosovo-rebel-veterans-leaders-deny-charges-over-leaked-witness-data-2021-10-07/>;

<https://balkaninsight.com/2021/10/26/kosovo-journalist-testifies-about-receiving-confidential-hague-court-files/>

United Nations. For the first time, the UN Human Rights Council recognized that “having a clean, healthy and sustainable environment is a human right.” The Council called on States to work together “to implement this newly recognized right” and established a new special Rapporteur dedicated to the human rights impacts of climate change. <https://news.un.org/en/story/2021/10/1102582>

The UN Committee on the Rights of the Child said it “could not immediately rule on a complaint” filed by 15 teenage activists led by Swedish teenager Greta Thunberg, *Reuters* reported. The complaint argued that “state inaction on climate change violates children’s rights.” The Committee “concluded that a ‘sufficient causal link’ had been established between the significant harm allegedly suffered by the

children and the acts or omissions of the five states” where they live, but said “they should have taken the case to national courts first.” <https://newsinfo.inquirer.net/1500963/un-panel-says-it-cant-rule-on-climate-case-brought-by-thunberg>

Timed to appear before the UN Framework Convention on Climate Change 26th Conference of the Parties (COP26) environment summit meeting, the UN Development Program and the University of Oxford published the *G20 Peoples' Climate Vote*, a survey of public opinion on climate change. They polled over 689,000 people, nearly half under the age of 18, in 18 of the G20 countries from October 2020 until June 2021, using “an innovative survey methodology using mobile gaming networks.” *PassBlue* summarized the report as providing “evidence that around half the G20 countries, responsible for three-quarters of global emissions, had not adhered to core principles of the Paris Agreement to ratchet up ambition--and that among those that strengthened their nationally determined contributions . . . pledges, much more needs to be done.” <https://www.undp.org/publications/g20-peoples-climate-vote-2021>; <https://www.passblue.com/2021/10/31/good-news-from-cop26-un-members-agree-on-a-new-enterprise-to-transform-global-responses-to-climate-change/>

The UN Environment Program issued its Emissions Gap Report 2021. “Climate commitments by UN member states were well below what was needed to adhere to the goals of the Paris Agreement in order to avoid a devastating global temperature rise of at least 2.7 degrees Celsius this century,” *PassBlue* reported. <https://www.unep.org/resources/emissions-gap-report-2021>; <https://www.unep.org/resources/emissions-gap-report-2021>

In a letter to NGOs Bank Track and OECD Watch, the UN’s Office of the High Commissioner for Human Rights “confirmed that banks do have responsibilities when it comes to the impacts of companies in which they hold shares on behalf of clients.” The letter explained that the UN Guiding Principles on Business and Human Rights “only require ‘that there is a direct link between [the financial institution’s] service and the investee company.’” Financial institutions are “expected to ‘formally report’ how they address severe human rights risks and adverse impacts connected to its activities, products and services.” <https://www.oecdwatch.org/nominee-shareholdings-un-human-rights-office-confirms-banks-human-rights-responsibilities/>; <https://www.ohchr.org/Documents/Issues/Business/finance-2021-response-nominee-shareholders.pdf>

World Health Organization (WHO). Since the report was released on the sexual abuse by aid workers during the Democratic Republic of Congo’s Ebola epidemic, more people have come forward alleging abuses by aid workers at the time, *Reuters* reported. A senior WHO official said that the report had focused only on abuse by WHO employees or contractors, so WHO “will hand over all 83 case files to the UN investigation services because there could be alleged perpetrators that work for other UN agencies.” Names of suspects are “being uploaded in the UN ‘ClearCheck’ database, a systemwide tool that screens potential employees.” <https://news.trust.org/item/20211027125017-vtzp3/>

World Meteorological Organization (WMO). After four years of negotiations, the 193 WMO member countries “adopted a resolution making it mandatory for them to collect certain [climate and weather] information in their territories and share it with fellow members.” *Geneva Solutions* noted that climate models “use information from as far back as the 1850s to understand and predict climate change patterns; however, there are huge voids in certain regions such as Africa and the Pacific Ocean, where data is collected and exchanged sporadically” due to lack of technical or financial resources to collect the data or reluctance to share it. https://genevasolutions.news/climate/wmo-makes-climate-data-sharing-mandatory-in-landmark-step?utm_source=newsletter&utm_medium=email

World/general news.

Business. Olam International, one of the world’s top cocoa processors, said on its website that the “company could trace its cocoa all the way from the farm to its processing facilities across the world;” however, in a lawsuit by Brazilian state prosecutors for allegedly “failing to address labor abuses” in its supply chain, Olam said that if it bought beans from a middleman “there is no way for the buyer of the commodity to know where it came from,” *Thomson Reuters Foundation* reported. Prosecutors said they have “proof of child and slave labor in Olam’s supply chain” and “invoices attached to the lawsuit show the company bought cocoa from a farm in Brazil where nine workers were found in slavery-like conditions in 2017.” Two other food companies also are being prosecuted, but the court has sealed all

the documents relating to the three cases. The prosecutor said, “The secrecy, in my view, is to preserve the image of the companies.” <https://news.trust.org/item/20210812130016-jf5im/>

Steven Donziger, a U.S. lawyer who has “spent decades battling the energy firm Chevron over pollution in the Ecuadorian rainforest, was sentenced to six month’s imprisonment . . . for criminal contempt charges arising from a lawsuit brought by the oil giant,” *The Guardian* reported. The charge was for failing to turn over his computer and other electronic devices in the U.S. lawsuit. The judge ignored an opinion by UN experts of the Working Group on Arbitrary Detention who looked at the case and “said the US breached international law by putting Donziger under house arrest for about four times the maximum sentence of six months that he has now received in this contempt case.” Amnesty International also petitioned the court to implement the UN advice. For background see *SAHR News* 2021-05. <https://www.theguardian.com/us-news/2021/oct/01/steven-donziger-lawyer-sentenced-contempt-chevron>

The ride-sharing company Lyft issued its first “safety report,” which said that between 2017 and 2019 it had received from its riders more than 4,000 reports of sexual assault, *VICE* reported. https://www.vice.com/en/article/88g4kx/lyft-report-reveals-thousands-of-sexual-assault-incidents?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=211022

According to Greenpeace, “at least 600 plantation companies have illegal operations in Indonesian forests, including in national parks, wetlands, and U.N. world heritage sites,” reported *BenarNews*. “In September, the forestry ministry said 3.37 million hectares of palm-oil plantations occupy forest areas, but permits had been applied for around 700,000 hectares of them. The companies have two more years to receive permits for the rest.” The chairman of the Palm Oil Plantation Workers Union said “he suspected that many large companies disguised their plantations as belonging to smallholders” and the government “needs to conduct mapping on the ground.” For the report, Greenpeace “compiled maps of industrial oil palm plantation concessions and contracted geospatial experts TheTreeMap to produce a spatial analysis of oil palm plantings in Indonesia from the beginning of 2001 to the end of 2019. These were overlaid with the Indonesia forest estate map published by the Ministry of Environment and Forestry (MoEF), dated October 2020. Industrial oil palm plantations were distinguished from smallholder plantings through satellite image analysis.” <https://www.eurasiareview.com/22102021-greenpeace-hundreds-of-palm-oil-firms-operate-illegally-in-indonesian-forests/>; https://www.greenpeace.org/static/planet4-southeastasia-stateless/2021/10/85efa777-illegal_palm_oil_in_forest_estate.pdf

Global Witness, another major NGO, also issued a report of its investigation into “the growing threat facing Papua New Guinea’s . . . communities and tropical forests from palm oil companies driving widespread deforestation and human rights abuses.” Reporting on 17 companies, GW said it has “seen and collected copies of documentation related to these cases including workers’ medical reports; autopsy reports; police reports; worker, witness, and supervisor statements; insurance forms; proof of employment, including payslips; and accident and autopsy photos.” The report includes information from recordings of oil palm managers detailing corruption and labor abuses to investigators posing as commodity traders. <https://www.globalwitness.org/en/campaigns/forests/true-price-palm-oil/#resource-library>

Global Witness said it analyzed “over 70,000 share, bond, credit, and underwriting deals struck between financiers headquartered in the UK, EU, US, and China and twenty of the worst agribusiness companies between 2016 and 2020. These companies all have reported links to the destruction of tropical forests and associated human rights abuses in Southeast Asia, Central and West Africa, and Brazil.” It found that “major banks, including HSBC, JPMorgan, Deutsche Bank, BNP Paribas, Rabobank and Bank of China are profiting from rainforest destruction, contrary to many of their own public commitments,” having “ploughed \$157 billion” into the agribusiness firms studied, including “soy giant” SLC Agricola, Brazilian beef producers JBS, Marfeig and Minerva, and Salim Group and Olam International, both palm oil producers. <https://www.globalwitness.org/en/campaigns/forests/deforestation-dividends/>

Public Citizen, a U.S.-based NGO, said its investigation “revealed the extent to which Pfizer [pharmaceutical company] bullies governments in COVID-19 vaccine negotiations, including barring governments from discussing the agreements without Pfizer’s approval, retaining unilateral control to make key decisions and even securing an intellectual property waiver for itself.” Public Citizen gained

access to “several Pfizer contracts, including with Brazil, Colombia, the European Commission and the U.S., that offer a glimpse” into its operations and power.

<https://www.citizen.org/news/report-how-pfizer-silences-world-governments-in-vaccine-negotiations/>

In 1951, tissue taken from the cervical cancer tumor of a Black woman named Henrietta Lacks before she died “became the first human cells to be successfully cloned,” *AP* reported. “Reproduced infinitely ever since, HeLa [Henrietta Lacks] cells have become a cornerstone of modern medicine, enabling countless scientific and medical innovations, including the development of the polio vaccine, genetic mapping and even COVID-19 vaccines.” Now the Lacks family is suing Thermo Fisher Scientific, asking the court to order the firm to “disgorge the full amount of its net profits obtained by commercializing the HeLa cell line” and to be “permanently enjoined” from using HeLa cells without permission of the heirs. Business records will be a key to the case. https://apnews.com/article/business-thermo-fisher-scientific-inc-lawsuits-race-and-ethnicity-health-1b7942bb535b3656195d2347c9e676be?utm_source=STAT+Newsletters&utm_campaign=c5798da7e0-MR_COPY_01&utm_medium=email&utm_term=0_8cab1d7961-c5798da7e0-149736437

“The Pandora Papers are nearly 12 million files--totalling close to 2.94 terabytes--leaked from 14 companies that provide corporate services in offshore jurisdictions. The documents offer the most comprehensive look to date at how such service providers help the rich and famous--including celebrities, the ultra-wealthy, politicians, and criminals--to hide their money in financial secrecy jurisdictions,” explained the Organized Crime and Corruption Reporting Project, a global network of journalists and media centers. The International Consortium of Investigative Journalists received the leaked files and coordinated a worldwide investigation into their contents. While this tax avoidance strategy may be legal in the countries where the users of the services reside, “Tax avoidance alone is estimated to cost the world’s poorest countries \$200 billion a year--far in excess of what they receive in development assistance.” <https://www.occrp.org/en/the-pandora-papers/faq-about-the-pandora-papers>

A provincial court in Ecuador “found sufficient evidence in the first instance court filing to verify the discriminatory and racist treatment” by which the company Furukawa Plantaciones C.A. del Ecuador “subjected 123 [workers] to serfdom.” The company is “obliged to repair the serious human rights violations committed within its farm . . . where more than 1,200 peasants of all ages have harvested abaca for almost 6 decades,” reported the #FurukawaNeverMore Solidarity Committee. For background, see *SAHR News* 2021-02. <https://www.furukawanuncamas.org/post/court-ratifies-serfdom-furukawa?lang=en>

Writing in *The Conversation*, historian Benjamin Franta described the archival research in many locations undertaken by U.S., French and Dutch researchers that showed the big oil companies knew as early as 1959 that continued use of fossil fuels would create a greenhouse effect. A chart from Exxon’s internal 1982 climate change report, reproduced in the article, predicted how much carbon dioxide would build up from fossil fuels and how much global warming would be caused and is “remarkably accurate.” https://theconversation.com/what-big-oil-knew-about-climate-change-in-its-own-words-170642?utm_medium=email&utm_campaign=Latest%20from%20The%20Conversation%20for%20October%2028%202021%20-%202099620746&utm_content=Latest%20from%20The%20Conversation%20for%20October%2028%202021%20-%202099620746+Version+A+CID_71c54eb23d5a90c19ffaca8a4aee4d21&utm_source=campaign_monitor_us&utm_term=What%20Big%20Oil%20knew%20about%20climate%20change%20in%20its%20own%20words

Frances Haugen, a former Facebook product manager, gave the *Wall Street Journal* “tens of thousands of pages of internal documents she had collected” showing how the company “often . . . chose to let misinformation spread widely, to keep more people logging on,” the *New York Times* reported. The article discusses how the media handled the story of the “The Facebook Files.” <https://www.nytimes.com/2021/10/24/business/media/facebook-leak-frances-haugen.html>

Climate change. “More than 32,000 submissions made by governments, companies and other interested parties to the team of scientists” compiling a report for the Intergovernmental Panel on Climate Change were leaked to Greenpeace, which provided them to *BBC News*. “The leak reveals Saudi Arabia, Japan and Australia are among countries asking the UN to play down the need to move rapidly away from fossil fuels. It also shows some wealthy nations are questioning paying more to poorer states to move to greener technologies.” https://www.bbc.com/news/science-environment-58982445?utm_source=InsideClimate+News&utm_campaign=d27d71aea3-&utm_medium=email&utm_term=0_29c928ffb5-d27d71aea3-328765186

The “unequivocal finding of *The Lancet’s* annual ‘countdown’ report,” wrote a commentator in *World Politics Review*, is “climate change is bad for your health.” The work of “a team of nearly 100 scientists from 43 institutions around the world,” the report said global warming “is not just an environmental disaster, but is also exposing humans to searing heat and extreme weather events; increasing the transmission of infectious diseases; exacerbating food, water and financial insecurity; endangering sustainable development; and worsening global inequality.”

<https://www.worldpoliticsreview.com/articles/30082/without-mitigation-climate-change-is-also-a-health-crisis>;
[https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(21\)01787-6/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(21)01787-6/fulltext)

Forced labor. Sedex, a U.K.-based membership organization, aims to help companies “manage and improve working conditions in global supply chains.” It released a report based on its review of “over 100,000 social audits conducted across 158 countries over the past five years” and said that 36% of social audits “found multiple indicators (two or more) of forced labour. While it was known that forced labour is an under-identified issue, this figure being over a third of the sizable data sample is a truly serious revelation.” The most common forced labor found was the exploitive use of overtime. (A social audit is a formal review of a company’s business procedures and code of conduct regarding social responsibility and the company's impact on society.) <https://news.trust.org/item/20211018113451-b9ypz/>

Hunger. The NGO Concern Worldwide and the German humanitarian aid agency Welthungerhilfe developed a measurement tool called the Global Hunger Index which “calculates a country or region’s hunger score based on four indicators—undernourishment, child wasting, child stunting and child mortality rates.” Its 2021 report said violent conflicts are the leading cause of food crises: “Of the 155 million people throughout the world currently acutely food insecure, 99.1 million live in conflict-hit regions,” *Geneva Solutions* reported. The Index suggested that the UN Sustainable Development Goal of zero hunger by 2030 is “tragically distant” and 47 countries “will fail to achieve even low levels of hunger.” Data for the indicators come from data collection efforts by a large number of UN and other multilateral agencies. https://genevasolutions.news/peace-humanitarian/fight-to-end-world-hunger-dangerously-off-track-global-index-shows?utm_source=newsletter&utm_medium=email ; <https://www.globalhungerindex.org/pdf/en/2021.pdf>

Medical records. In a new report sponsored by the app security company Approov, a researcher “checked for vulnerabilities in apps built using the Fast Healthcare Interoperability Resources (FHIR) standard, which was set up to encourage information exchange in healthcare,” *The Verge* wrote. She did not find weaknesses in the electronic health records themselves, but “when she tested third-party programs that link up with health records to pull out data” she was “able to access over 4 million patient and clinician records from over 25,000 providers through those holes.” Even worse: she did not use advanced cybersecurity hacking. A member of the FHIR management group said, “She just used basic stuff that your freshman year of cybersecurity would have stressed.”

<https://www.theverge.com/2021/10/18/22732615/health-record-app-hacks-patient-data>

“Indoor environmental exposures are detrimental to health outcomes and contribute” to the death of children, but improving poor housing conditions is difficult. A group of researchers wondered if the chances of change would improve by sending a letter from a doctor to the patient’s landlord. Between April and October 2019, 127 families in New York City were given a physician’s letter “advocating for housing repairs,” they reported in *JAMA*. Only 35 families gave the letter to the landlord, but an astonishing 31 (89%) of those families reported “that the landlord acted to resolve the issue, and 26 (74%) reported complete resolution” of the problem. “Integrating the letter template into the electronic health record allows for a quick intervention, providing families with a simple way to attempt to remediate their housing conditions before resorting to more time-intensive solutions, such as moving or legal action.”

https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2784773?utm_source=For_The_Media&utm_medium=referral&utm_campaign=fim_links&utm_term=100621&utm_source=STAT+Newsletters&utm_campaign=9dba8a4fba-MR_COPY_01&utm_medium=email&utm_term=0_8cab1d7961-9dba8a4fba-149736437

Migration. Data released by the U.S. Customs and Border Protection said that 1.66 million immigrants were detained at the U.S.-Mexico border between 1 October 2020 and 30 September 2021, *Yahoo News* reported. The *New York Times* noted that this was “the highest number of illegal crossings recorded since at least 1960, when the government first began tracking such entries.” Migrants came from more

than 160 countries in Asia, Africa and Latin America. Nearly 147,000 of the migrants were unaccompanied minors who were detained, and as of 22 October nearly 11,000 were still in government custody. https://news.yahoo.com/border-patrol-detains-record-1-223452284.html?fr=sycsrp_catchall; <https://www.nytimes.com/2021/10/22/us/politics/border-crossings-immigration-record-high.html>

Through a Freedom of Information Act request, Human Rights Watch obtained “160 reports filed by federal asylum officers from 2016 to 2021, relaying details of abuse that asylum seekers described experiencing during interactions with border officials and while in U.S. custody,” the *New York Times* reported. The records are “reports that asylum officers made after hearing allegations of law enforcement misconduct;” however, it is “not clear how many interviews asylum officers conducted during the period that the more than 160 complaints were reported.” <https://www.nytimes.com/2021/10/21/us/politics/asylum-migrants-abuse.html>

UNICEF said that this year 19,000 children, half of whom were under 5 years old, “crossed on foot the treacherous stretch of jungle between Colombia and Panama known as the Darien Gap,” *CNN* reported. The Gap is about 60 kilometers (37 miles long). “At least 5 children have been found dead in the jungle, and more than 150 children ended up arriving in Panama without their parents.” UNICEF “has registered 29 reports of sexual abuse of adolescent girls since January, in addition to assaults on women” during the crossing. <https://edition.cnn.com/2021/10/11/americas/darien-gap-children-unicef-intl-latam/index.html>

Technology. The African Digital Rights Network (ADRN) conducted an “analysis of African legal surveillance frameworks,” comparing laws in Egypt, Kenya, Nigeria, Senegal, South Africa and Sudan. They found “African governments are using new technology laws to increase surveillance of opposition figures” and “existing laws have largely failed to stop state surveillance across the continent, from monitoring academics in Egypt to tracking journalists in South Africa,” *Thomson Reuters Foundation* reported. “The risk of ‘digital authoritarianism’ is on the rise.” <https://news.trust.org/item/20211020225934-jceq3/>

Thomson Reuters Foundation reviewed the increasing use of artificial intelligence by European police forces, which rights groups warn can “reinforce prejudice in policing.” Members of the European Parliament voted to adopt a “non-binding” report “proposing strict regulation of predictive policing” and calling on states “to outlaw the use of mass biometric surveillance.” <https://news.trust.org/item/20211020095858-p47ao/>

Since 2012, Facebook has banned “organizations with a record of terrorist or violent activity,” which, reported *The Internet*, “has since ballooned into what’s known as the Dangerous Individuals and Organizations [DIO] policy, a sweeping set of restrictions on what Facebook’s nearly 3 billion users can say about an enormous and ever-growing roster of entities.” The company has refused to publish the list, saying it would endanger employees. *The Internet* obtained and published “a snapshot of the full DIO list” and an “associated policy document, created to help moderators decide what posts to delete and what users to punish.” https://theintercept.com/2021/10/12/facebook-secret-blacklist-dangerous/?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=211014

The co-founder and CEO of Clearview AI told *Wired* that it “has now collected more than 10 billion images from across the web” and that “the larger pool of photos means users, most often law enforcement, are more likely to find a match when searching for someone. He also claims the larger data set makes the company’s tool more accurate.” The images come from websites including Facebook, Instagram and Twitter and “uses AI to identify a particular person in images.” Facebook and Twitter have demanded that Clearview stop scraping their sites, and the company faces lawsuits in three U.S. states. “The allure of such a tool is obvious, but so is the potential for it to be misused.” https://www.wired.com/story/clearview-ai-new-tools-identify-you-photos/?bxiid=5c48efcf2ddf9c4807adf975&endid=53684912&esrc=sign-up-page&source=EDT_WIR_NEWSLETTER_0_DAILY_ZZ&utm_brand=wired&utm_campaign=aud-dev&utm_content=B&utm_mailing=WIR_Daily_100321&utm_medium=email&utm_source=nl&utm_term=list1_p2

Women. Georgetown University’s [U.S.] Institute for Women, Peace and Security released an index of the status of women in 170 countries around the world. Afghanistan is in last place, Norway is in first, and among the lowest 12, 11 are fragile states. Appendix 1 to the report explains the sources and methodology used, and a separate “index” section provides details of sources and rankings. <https://giwps.georgetown.edu/wp-content/uploads/2021/10/WPS-Index-2021.pdf>

<https://www.forbes.com/sites/stephaniefillion/2021/10/19/afghanistan-last-in-new-global-women-peace-and-security-ranking/?sh=4803e33f5467>

Bilateral and multilateral news.

Africa. In late August, Redress, an NGO in the Netherlands, published “The Forgotten Victims: Enforced Disappearance in Africa,” saying the use of enforced disappearance (ED) “has been a widespread problem on the continent since colonial times and continues to be prevalent today.” It noted that the UN Working Group on Enforced Involuntary Disappearances reported 4,783 active cases across the continent in 2020, but the Working Group said that while underreporting exists in other countries “the African case is particularly dramatic.” The Working Group identified “factors contributing to underreporting” including “a fear of reprisals, weak administration of justice, ineffectual reporting channels, institutionalized systems of impunity, poverty, illiteracy, language barriers, a practice of silence and restrictions on the work of civil society.” Redress added that only 17 of the African states have ratified the UN’s International Convention for the Protection of all People from Enforced Disappearance, but even for them the Convention “does not require States to publish data on the numbers of ED within their borders.” <https://redress.org/wp-content/uploads/2021/08/Report-The-Forgotten-Victims-Enforced-Disappearance-in-Africa.pdf>

Algeria/France. Writing for *justiceinfo.net*, Pierre Hazan, a noted human rights lawyer, urged France to create a Truth and Memory Commission on the Algerian war and French colonization of Algeria, as recommended in the January 2021 report of historian Benjamin Stora to French president Emmanuel Macron. Hazan pointed out, “Expectations remain radically different on either side of the Mediterranean. Algeria expects acts of contrition by France and the restitution of archives. The Macron government . . . wants to pacify the different, competing narratives—those of the sons and grandchildren of Algerian immigrants, of harkis, of repatriates, of soldiers.” <https://www.justiceinfo.net/en/83293-france-algeria-courage-create-truth-memory-commission.html>

The website *Histoire coloniale et postcoloniale* posted a collection of articles written for the anniversary of the 17 October 1961 massacre of Algerians in Paris. The postings include an article by Giles Manceron on the need for access to archives; he will be the 1 February speaker in SAHR’s First Tuesday Talks series. Thanks to Perrine Canavaggio for the link. <https://histoirecoloniale.net/Le-17-octobre-1961-crime-d-Etat-ou-crime-de-Prefecture.html>; https://www.lemonde.fr/societe/article/2011/10/17/17-octobre-1961-ce-massacre-a-ete-occulte-de-la-memoire-collective_1586418_3224.html

Argentina/Iran. An Argentine court “dismissed a legal action against former President Cristina Fernandez de Kirchner charging she sought to cover up the alleged involvement of Iranian terrorists in a 1994 bombing that killed 8 people and injured hundreds at a Jewish center in Buenos Aires,” *The Times of Israel* reported. In an “oral order” the court said “an agreement signed by Argentina and Iran in 2013 for conducting an investigation into the terrorist attack at the Argentine Israelite Mutual Association ‘did not constitute a crime’.” For background, see *HRWG News* 2013-06. <https://www.timesofisrael.com/argentina-court-drops-jewish-center-bombing-cover-up-claim-against-ex-president/>

Australia/Timor Leste. In the complicated case against lawyer Bernard Collaery, who is being prosecuted for his role in exposing a controversial Australian bugging operation targeting Timor-Leste, a court had ruled that parts of his trial would be held in secret. An appeal court has overturned that ruling, saying “open justice helped to deter ‘political prosecutions’,” reported the *Guardian*. The lower court will now hear arguments about any impact disclosure would have on national security. For background, see *SAHR News* 2021-06. <https://www.theguardian.com/australia-news/2021/oct/06/witness-ks-lawyer-wins-transparency-ruling-as-court-cites-need-to-deter-political-prosecutions>

Belgium/Democratic Republic of Congo. In 2018 the Belgian parliament passed a resolution recognizing the colonial-era “targeted segregation of mixed-race children and the policy of forced abductions” in the Congo, and the next year the Prime Minister apologized to the children on behalf of the Belgian state, *justiceinfo.net* recalled. Five women are suing Belgium for reparations, their lawyer basing the “request for recognition of a crime against humanity on two decrees which, according to her, establish a state policy”: a decree of 12 July 1890 “which delegated to the State the protection of abandoned, orphaned, neglected or foundling children” and a 4 March 1892 decree “which authorized

philanthropic and religious associations to take indigenous children placed under State guardianship into agricultural and professional colonies that they ran.” The women also asked the court “to order the Belgian state to produce the archives concerning them.” Their lawyer said the “tool” now used to access the “20 kilometres of documents” of colonial archives is “ineffective.” For background, see *SAHR News* 2020-06, 07, 10. <https://www.justiceinfo.net/en/83372-congo-metis-children-sin-confront-belgian-state.html>

Colombia/United States. The U.S. NGO National Security Archive published a “briefing book” on the declassified U.S. State Department and Central Intelligence Agency reports used to convict Carlos Mario Jimenez, a former Colombian paramilitary leader of the Bloque Central Bolivar, of the 2001 murder of Colombian community leader Eduardo Estrada. <https://nsarchive.gwu.edu/briefing-book/colombia/2021-10-04/declassified-documents-key-judgment-against-colombian?eType=EmailBlastContent&eId=1bd466c6-a351-4c8e-a06b-b2a17b350632>

Iran/Switzerland. Switzerland reopened the case of an Iranian dissident assassinated in Switzerland in Switzerland in 1990, *justiceinfo.net* reported. The 31-year-old case file will now return to active use. <https://www.justiceinfo.net/en/83702-switzerland-relaunching-iranian-cold-case-genocide.html>

Israel/Thailand. Two immigration experts submitted a report to the Israeli Knesset’s Special Committee on Foreign Workers. They questioned 654 Thai foreign workers in Israel and found “all of them said they had been exposed to sexual assault,” *Middle East Monitor* reported. More than 25,000 Thai migrant workers are said to be working in Israel, and “representatives from the National Insurance Institute . . . and Israel Police acknowledged that their systems do not possess the necessary data for complaints from foreign workers and immigrants.” <https://www.middleeastmonitor.com/20211020-every-thai-foreign-worker-has-been-sexually-abused-in-israel-says-a-new-report/>

Japan/United States. Through a series of Freedom of Information Act requests which he filed with the with the U.S. Naval Criminal Investigative Service, a journalist learned that between 2017 and 2019 there were at least 8 investigations “into U.S. military personnel for sexual offenses against Japanese women in Okinawa--and none were made public,” he wrote for *The Intercept*. Members of the NGO Okinawa Women Act Against Military Violence maintain an “ongoing chronology of U.S. military rapes of Okinawan women. Combing through municipal records and interviewing victims, they have uncovered how the earliest attacks started soon after the U.S. invasion of Okinawa in 1945 and have continued” with the total number of victims in “the hundreds.” https://theintercept.com/2021/10/03/okinawa-sexual-crimes-us-military/?utm_medium=email&utm_source=The%20Intercept%20Newsletter

Mexico/United States. October 2022 is set for the U.S. trial of Genaro Garcia Luna, the former head of public security in Mexico, “who was arrested in 2019 on charges of cocaine trafficking,” *The Intercept* reported. “Anticipating a two-month trial, government lawyers have compiled more than 1 million pages of documents related to the case and are currently working with the defense team and the court to navigate the volume of classified materials included in the evidence.” The defense attorney said that number “does not include all of the audio that government investigators have turned over.” <https://theintercept.com/2021/10/27/dea-mexico-drug-war-trial-genaro-garcia-luna/?emci=e9c2a45a-ed37-ec11-9820-c896653b26c8&emdi=51bc35a6-ee37-ec11-9820-c896653b26c8&ccid=4606001>

Saudi Arabia/United Arab Emirates/Yemen. Guernica 37, a U.K.-based group of human rights lawyers, filed a complaint with the Metropolitan Police Service and the Crown Prosecution Service “accusing senior government figures in Saudi Arabia and the United Arab Emirates of complicity in war crimes in Yemen,” *Al Jazeera* reported. “Guernica 37 is focusing on three events including a 2018 air attack on a school bus . . . a 2016 aerial bombing of a funeral in the capital, Sanaa” and “the alleged torture and murder of civilians in Aden.” The filing included “accounts from survivors of the three incidents and their relatives” and “testimony from the families of those killed in the events.” <https://www.aljazeera.com/news/2021/10/20/group-of-lawyers-to-submit-yemen-war-crimes-dossier-to-uk-police>

National news.

Afghanistan. In her annual report to the Human Rights Council, the UN High Commissioner for Human Rights condemned “in the strongest possible terms all human rights violations and abuses and violations of international humanitarian law committed in Afghanistan.” She announced the appointment of a special rapporteur to monitor the situation, one of whose mandates will be “to seek, receive, examine

and act on information from all relevant stakeholders pertaining to the situation of human rights in Afghanistan,” a task that will require robust records management. <https://undocs.org/a/hrc/48/L.24/rev.1>

Albania. More than 6,000 people are unaccounted for, having gone missing during the Enver Hoxha era (1944-1985), *EurActiv* wrote. “During the last year, the Albanian prosecutor’s office failed to conduct any investigations into missing person cases from the communist regime, despite repeated warnings from international officials, the European Commission said in its recently published country report.” “In terms of searching for the missing, many files have been deposited with prosecutors but there has been little progress on many of them.” <https://www.eurasiareview.com/26102021-albania-reluctant-to-find-its-6000-missing-communism-victims-analysis/>

Argentina. Indigenous organizations demonstrated in front of the Congress building, demanding that the government “make a census of the Indigenous peoples” as called for in a 2006 law “which protects Indigenous peoples from being evicted from the lands they inhabit,” *teleSUR* reported. The demonstrators “also called for the approval of a community property law to obtain land titles for their territories.” https://www.telesurenglish.net/news/Argentina-Indigenous-People-Claim-Their-Land-Rights-20211013-0006.html?utm_source=planisys&utm_medium=NewsletterIngles&utm_campaign=NewsletterIngles&utm_content=10

A hacker broke into the National Registry of Persons “and offered to sell the data on a cybercriminal forum,” *znet* reported. The leaked data included names, home addresses, ID photos and card issuances and similar information on all 45 million citizens. The government denied the hack occurred, and Twitter “suspended” a user alleged to be the hacker. <https://www.znet.com/article/twitter-suspends-hacker-who-stole-data-of-46-million-argentinians/>

Australia. The Parliamentary committee investigating the destruction of the 46,000-year-old caves at the Juukan Gorge made its report. It recommended that Australia “legislate a new framework for cultural heritage protection at the national level,” which would “set out minimum standards for state and territory heritage protections.” One of the standards that should be considered, the members wrote, is “a process by which cultural heritage sites will be mapped, which includes a record of past destruction of cultural heritage sites (with adequate safeguards to protect secret information and ensure traditional owner control of their information on any database).” https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Northern_Australia/CavesatJuukanGorge/Report

Brazil. A judge ruled that the “federal government, the Minas Gerais state government and the country’s Indigenous affairs agency, Funai” were responsible for the “crimes committed against the Krenak people in southeastern Minas Gerais during the dictatorship that ran from 1964 to 1985,” *Mongabay* reported. She ordered the federal government to “organize an official ceremony for a public apology with national coverage” and “conclude the demarcation process of the Sete Saloes Indigenous Reserve, along with a series of measures to rehabilitate Krenak language and culture.” <https://www.eurasiareview.com/03102021-for-brazils-persecuted-krenak-people-justice-arrives-half-a-century-later-analysis/>

A report by the Catholic Church’s Indigenous Missionary Council said 182 Indigenous people were killed last year, a 61% increase over 2019, and 263 land invasions of Indigenous territories were reported, a 137% increase. “Indigenous land claims have also been paralysed,” and of the 1,289 reservations in Brazil “832 are waiting for official recognition,” *Al Jazeera* reported. <https://www.aljazeera.com/news/2021/10/28/brazil-indigenous?emci=36817ed1-b738-ec11-9820-c896653b26c8&emdi=ee514734-b938-ec11-9820-c896653b26c8&ceid=4606001>

Burkina Faso. A military tribunal presided over by both civilian and military officials opened, “aiming to establish who killed Thomas Sankara, the country’s former president” who was assassinated in 1987 along with 12 of his aides, reported the *New York Times*. Among the 14 men accused of plotting Sankara’s death is his successor as president, Blaise Compaore, who is being tried in absentia (he is in exile in Cote d’Ivoire). In 2017 French president Emmanuel Macron said “he would lift the secret classification of all documents relating to the Sankara case, and so far, three batches of documents have been sent to Burkina Faso. But none are from the office of Francois Mitterrand, the French president at the time.” The lawyer representing the Sankara family told *PassBlue* that the trial would have 100 witness and she is working through “20,000 pages of evidence.” For background see, *SAHR News* 2021-

04. <https://www.nytimes.com/2021/10/11/world/africa/thomas-sankara-trial-burkina-faso.html>; [https://www.passblue.com/2021/10/25/a-righteous-act-trying-the-thomas-sankara-murder-case-in-burkina-faso/20,000 pages evidence](https://www.passblue.com/2021/10/25/a-righteous-act-trying-the-thomas-sankara-murder-case-in-burkina-faso/20,000%20pages%20evidence)

Central African Republic. The National Commission of Enquiry presented its report on abuses committed since December 2020; the UN had “recorded 526 violations and abuses of human rights” over a year. The Enquiry “acknowledged some of the abuses which the UN has said its army and its ‘Russia instructors’ committed, but insisted that most of the blame lay with rebel fighters,” detailing “crimes and abuses blamed on the rebels, but not on the Russian security forces and paramilitaries,” *AFP* reported. <https://www.modernghana.com/news/1108175/c-africa-admits-partial-responsibility-for-abuses.html>

Chile. Chile’s Supreme Court “sentenced 19 agents of the defunct National Intelligence Directorate (DINA) to prison for the kidnapping of the brothers Carlos and Aldo Perez during the Augusto Pinochet dictatorship (1973-1990),” *teleSUR* reported. The brothers were members of the left-wing resistance, and the dictatorship carried out a “disinformation strategy” to cover up murders and human rights violations, “news” that “was carried out with the complicity of the media.”

https://www.telesurenglish.net/news/Chile-Supreme-Court-Condems-19-Agents-Of-The-Dictatorship-20211022-0002.html?utm_source=planisys&utm_medium=NewsletterIngles&utm_campaign=NewsletterIngles&utm_content=9

Colombia. The Inter-American Court of Human Rights found Colombia “internationally responsible for the violation of the rights to personal integrity, personal liberty, honor, dignity, and freedom of expression of journalist Jineth Bedoya Lima.” In addition to a payment to Ms. Bedyoa Lima, the Court ordered Colombia to “implement diverse measures of reparation,” including “create a state center for the memory and dignification of all women victims of sexual violence in the context of the armed conflict and investigative journalism which specifically recognizes women journalists’ work” and “design and implement a system for the compilation of data and figures relating to cases of violence against journalists and gender-based violence against women journalists.”

https://www.corteidh.or.cr/docs/comunicados/cp_73_2021_eng.pdf

The International Criminal Court and Colombia signed a cooperation agreement acknowledging “Colombia’s willingness and ability to prosecute,” *Jurist* reported, “effectively closing the ICC’s 17 year-long preliminary investigations into Colombia’s alleged war crimes.” In 2012 the ICC’s Office of the Prosecutor had “determined that the Colombian government forces, the [guerrilla groups] FARC-EP-ELN, and the paramilitary had committed war crimes and crimes against humanity.”

<https://www.jurist.org/news/2021/10/international-criminal-court-closes-long-time-war-crime-investigation-into-colombia-after-cooperation-agreement/>

Cuba. Human Rights Watch said the “Cuban government has systematically engaged in arbitrary detention, ill-treatment of detainees, and abuse-ridden criminal prosecutions in response to overwhelmingly peaceful anti-government protests in July 2021.” HRW documented abuses against 130 victims in 13 of Cuba’s 15 provinces, interviewed more than 150 people by phone and “reviewed case files, fines levied against protesters, press reports and publications by Cuban rights groups, and corroborated photos and videos.” <https://www.hrw.org/news/2021/10/19/cuba-peaceful-protesters-systematically-detained-abused#>

France. The Independent Commission on Sexual Abuse in the Church of France issued its report. It said at the time of writing 330,000 people were alive who had been victims of “sexual assaults by clerics, priests, and laity practicing in the Church (from 1950 to 2020),” which it described as a “floor” figure, *justiceinfo.net* reported. The Commission’s president called reparation an “obligation” of the Church, and the report said compensation of victims should be handled by an “independent body, external to the Church” with “the triple mission of receiving the victims, offering mediation between them and the aggressors (if they are still alive and if they agree to take part in the process) and the institutions to which they belonged at the time of the aggression, and of arbitrating the differences.” The *New York Times* said that to develop the report, the experts “dug through church, state and news archives, held more than 250 hearings with witnesses and experts, and worked with demographic, polling and research institutes. Nearly 6,500 people, victims or those close to them, submitted oral or written testimony.”

<https://www.justiceinfo.net/en/83418-french-church-you-must-pay.html>; <https://www.nytimes.com/2021/10/05/world/europe/france-catholic-church-abuse.html>

Haiti. The Center for Analysis and Research in Human Rights, based in Port-au-Prince, said it recorded 117 kidnappings in the month of September and “at least 782 people have been kidnapped for ransom since January in Haiti, almost as many in the whole of 2020, which saw 796 kidnappings in total,” *Agence France-Presse* reported. The Center’s director said, “According to our statistics, there are at least two policemen in every large armed group; some policemen are active in gangs and others provide cover, allowing gangs to operate, or they share information with them.” <https://www.voanews.com/a/ngo-kidnappings-surge-in-haiti-in-october/6279482.html>

India. “In the summer of 2019, a review of citizenship left more than 2 million of Assam’s 33 million people, many of them poor and Muslim, stateless,” the *New York Times* reported. On 23 September a clash in Assam between security forces and protesters over ongoing evictions led to violence, with the police firing on the protesters, burning homes, and razing mosques and madrasas. Videos showing the death of Moinul Haque went viral; Hoque’s family “showed *The Times* his government-issued identification cards, which showed Mr. Haque was an Indian national.” A man whose house was burned “said the fires that day consumed his old documents, including the papers showing his claims to the land.” The *Times* said its interviews and “a review of documents . . . showed that many of the evicted residents were legal citizens of India with a right to live on the government-owned land.” For background, see *HRWG News* 2019-08. <https://www.nytimes.com/2021/10/17/world/asia/india-assam-muslim-evictions.html>

Israel. The Akevot Institute, an NGO, presses the government to declassify records, particularly those relating to the early years of the Israeli state. It filed Freedom of Information Act requests with the Prime Minister’s Office and the Ministry of Defense “requesting a list of records that remain closed for public access” under the terms of the Archive Law. Having received the lists, Akevot concluded “that the vast majority of ISA [Israel State Archives] and IDEA [Israel Defense Forces and Defense Establishment Archive] materials that remain confidential thanks to this mechanism concern documentation of war crimes and the displacement of civilians during the 1948 War, as well as the origins of Israel’s policy regarding its Palestinian citizens formulated at that time.” <https://www.akevot.org.il/wp-content/uploads/2021/10/2021-10-20-Haaretz-Unpleasant-Eng.pdf>

Israel announced “that it approved registration as West Bank residents for some 4,000 Palestinians who have been living for years in the Israeli-occupied territory without official status,” *Reuters* reported. “Inclusion in the Palestinian Population Registry, which Israel controls, will enable the group to receive identification cards.” This is the first large registration since 2009. Among other benefits, the cards “will enable passage through Israeli military checkpoints in the West Bank.” <https://www.reuters.com/world/middle-east/israel-approves-west-bank-residency-4000-undocumented-palestinians-2021-10-19/>

Lebanon. A study by the Samir Kassir Eyes (SKE) media freedom foundation revealed “a sophisticated disinformation operation involving fake accounts, fake journalists’ names, and an elaborate scheme for a character assassination that preceded and followed the actual, physical killing of activist and publisher Lokman Slim on 3 February 2021,” *NOW* reported. “The study looked at 187,540 tweets, retweets and mentions, tweeted between January 4, 2021, and March 4, 2021” some of which “vanished after the campaign ended” but were retrieved by “using several social media data scraping tools.” The study’s author said that “it is imperative for people to understand how these things occur so that they can differentiate between what is actually happening and what is an organized campaign.” <https://nowlebanon.com/the-hate-network/>

Libya. The chair of the UN Independent Fact-Finding Mission on Libya said “all parties to the conflicts, including third States, foreign fighters and mercenaries, have violated international humanitarian law, in particular the principles of proportionality and distinction, and some have also committed war crimes.” In preparing its report, “the Mission considered information from a variety of sources, including interviews with victims and other witnesses; summaries of accounts and analytical data included in reports of the United Nations and other reliable NGOs and media; investigators’ direct observations during site visits; domestic Libyan laws; information provided by the Libyan authorities, other States and reliable stakeholders working on Libya; authenticated satellite imagery and audio-visual material; and verified open-source material.” <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=27595&LangID=E>

Mexico. President Andres Manuel Lopez Obrador issued a decree establishing a Commission for Access to Truth, Historical Clarification and the Promotion of Justice for the “dirty war” period (1965-1990). The 5-member panel has 3 years in which to produce a report. One of the Commission’s central goals is to clarify the fate of missing persons, and the decree specified that all information available in the General Archives of the Nation (AGN) from the Secretariat of National Defense, the presidential staff, the Federal Security Directorate (DFS), the Center for Investigation and National Security (CISEN) and all state intelligence entities will be available for analysis and research. The decree designated the Benemerita Autonomous University of Puebla as the center to hold “all the most important information” about what happened during the “dirty war.”

<https://politica.expansion.mx/mexico/2021/10/07/comision-de-la-verdad-guerra-sucia-en-mexico>

The Ministry of the Interior published *Offenses against Human Rights Defenders and Journalists*, which said that during the current government (begun in late 2018), 47 journalists and 94 human rights and environmental activists have been murdered, *SIPaz* reported. Only 5 perpetrators were sentenced in killings of journalists and only 2 in killings of activists. *Crisis Watch* added that the report said “state officials” were “responsible for 43% and ‘organized crime’ for 33% of the attacks against journalists.”

<https://sipazen.wordpress.com/2021/10/10/national-mexico-146-journalists-and-activists-murdered-second-most-dangerous-country-for-environmentalists-%ef%bf%bc/>; <https://www.crisisgroup.org/crisiswatch#overview>

Myanmar. “Since its takeover of the government in February, the Myanmar military has been torturing detainees across the country in a methodical and systemic way, the *Associated Press* has found in interviews with 28 people imprisoned and released in recent months,” along with “photographic evidence, sketches and letters” and “testimony from 3 recently defected military officials.” *AP* said the detention system “has held more than 9,000 people” and the military and police have “killed more than 1,200 people since February.”

<https://apnews.com/article/myanmar-torture-military-prisons-insein-abuse-390fe5b49337be82ce91639e93e0192f>

Paraguay. In what it termed a “landmark ruling,” the UN Human Rights Committee said “Paraguay’s failure to prevent the toxic contamination of Indigenous people’s traditional lands by commercial farming violates their rights and their sense of ‘home.’” The decision also affirmed that “for Indigenous people, ‘home’ should be understood in the context of their special relationship with their territories, including their livestock, crops and way of life.” The case was filed on behalf of the Ava Guarani people of the Camp Agua’e indigenous community who live in an area surrounded by large commercial farms that for more than 10 years used a fumigation process “which involves the use of banned pesticides” that “affected the indigenous community’s whole way of life, including killing livestock, contaminating waterways and harming people’s health.” The ruling said “Paraguay did not adequately monitor the fumigation and failed to prevent contamination.”

<https://news.un.org/en/story/2021/10/1102922>;
https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/PRY/CCPR_C_132_D_2552_2015_33032_S.pdf

Russia. “Russia’s official statistics showed 221,313 pandemic-related deaths by mid-October, but using “figures maintained by Rosstat, Russia’s statistical agency,” an independent demographer “calculated that excess mortality—seen by analysts as the most reliable indicator of coronavirus deaths—has reached around 750,000,” the *New York Times* reported. Another analyst and organizer of Watching Covid, a “community of experts,” called the official data “absolutely unreliable.” Claims about unreliability of national Covid-19 statistics “have been made about governments in other countries, including China and Turkey,” and critics say the data manipulation by governments “is an obstacle to a full global reckoning of the pandemic’s reach.”

<https://www.stripes.com/covid/2021-10-17/experts-russia-challenge-official-data-covid-3276703.html>

Serbia. “Data obtained by *BIRN* from the Statistical Office of the Republic of Serbia shows that more than 10,000 certificates in which COVID-19 was cited as the cause of death were issued in the country in 2020” although only 3,130 COVID deaths “were published on the official website covid19.rs last year.”

<https://balkaninsight.com/2021/10/12/serbian-officials-knew-covid-deaths-three-times-higher-than-reported/>

South Africa. In 2004 the KwaZulu-Natal Land Claims Commission ruled that the Makua, “descendants of freed northern Mozambican slaves,” were the “rightful owners” of 5.2 hectares of land in Bluff, near Durban. However, the land has not yet been handed over, reported *Thomson Reuters*

Foundation, an example of the limitations of gaining title without enforcement powers.

<https://news.trust.org/item/20211006230012-jvkfo/>

Syria. The NGO Syria Justice and Accountability Centre published “Truth Beyond Prosecution: Reassessing Documentation for Truth in Syria and Beyond.” The Centre’s “survey data . . . suggests many Syrians remain hesitant to change their beliefs about the facts of the conflict. At the same time . . . many are still willing to meaningfully engage with documentation of diverse violations, recognizing shared trauma even across political divides.” The report includes the questionnaire that was used for the survey. <https://syriaaccountability.org/wp-content/uploads/Designed-Version-II.pdf>

A new film, “Bringing Assad to Justice,” premiered in Berlin. It highlights the efforts of “media and private citizens” in documenting and demanding accountability. The executive director of Syrians for Truth and Justice, “a France-based advocacy group that documents violations in Syria,” told *VOA*, “In the Syrian context, citizen journalists have been playing a critical role in documenting abuses and crimes carried out by all sides of this conflict.” <https://www.voanews.com/a/in-syria-documenting-war-crimes-falls-to-journalists-and-citizens-/6261887.html>

Taiwan. The Transitional Justice Commission “outlined the operations of the former state security apparatus and its role in the oppression of Taiwanese in an update on the commission’s ongoing historical research,” *Taipei Times* reported. “Historical records showed” that former president Chiang Kai-shek “intervened in 80% of cases where a military court overturned an initial ruling and replaced it with punishments that were more severe, with 30% of cases resulting in a death sentence.” The Commission’s database includes names of 21,257 persons identified as “victims of state violence, and the commission is making use of the platform to identify perpetrators, including military judges and administrators, along with political leaders, including Chiang.”

<https://www.taipetimes.com/News/taiwan/archives/2021/10/03/2003765442>

United States. In the 1963 case of *Brady v. Maryland*, the U.S. Supreme Court ruled that prosecutors must “turn over exculpatory evidence to defense attorneys, including information that could be used to question the officers’ credibility. But the ruling did not define the steps prosecutors and police must take to ensure defendants are informed or whether lists of troubled officers must be kept at all.” *AP* examined whether “Brady Lists” of troublesome officers are maintained and used, and found not only that “prosecutors sometimes don’t even compile the lists and that wide disparities in what offenses land officers on them are prevalent across the country, with excessive force often failing to merit inclusion,” but also that “many prosecutors and police unions have gone to great lengths to keep Brady List information from becoming public.” In the wake of the murder of George Floyd and the “national conversation on police reform,” a wide variety of groups are calling for increased use of Brady Lists, “with police unions . . . resisting those efforts.” https://apnews.com/article/death-of-george-floyd-religion-police-george-floyd-seattle-b20b50bd1562c70e59fe30689a8a867f?user_email_address=8fcd7efd9e9d6389b9f914ad34a5948d&utm_source=Sailthru&utm_medium=email&utm_campaign=MorningWire_Oct21&utm_term=Morning%20Wire%20Subscribers

Writing in *Just Security*, three lawyers explained that “each of the nation’s 94 federal judicial districts is free to adopt its own procedure—or not—to handle record sealing” [closure]. They said the lack of standard practice “can lead to dangerous consequences, including concealing public health and safety risk information related to medical devices, drugs, and consumer products from the public and regulators.” They called for a new Federal Rule of Civil Procedure on record sealing, thereby ensuring that “there has at least been fair and public consideration of whether the need for secrecy outweighs the public interest in transparency.” <https://www.justsecurity.org/78679/judicial-secrecy-how-to-fix-the-over-sealing-of-federal-court-records/>

Through a public records request, the *Guardian* obtained records showing that the “Canadian company Enbridge has reimbursed U.S. police \$2.4m [million] for arresting and surveilling hundreds of demonstrators who oppose construction of its Line 3 pipeline,” paying the costs of “officer training, police surveillance of demonstrators, officer wages, overtime, benefits, meals, hotels and equipment.” The company’s pipeline, expanded from its current line, is to carry a “heavy oil called bitumen” from wells in Alberta, Canada, to Lake Superior in Wisconsin, including a “new route through pristine wetlands. A report by the climate action group MN350 says the expanded pipeline will emit the

equivalent greenhouse gases of 50 coal power plants.” <https://www.theguardian.com/uk-news/2021/oct/05/line-3-pipeline-enbridge-paid-police-arrest-protesters>

The *Washington Post* reported that churches are confronting their role in “injustices committed against Indigenous peoples by what was known as the federal Indian boarding school system in the United States.” The NGO National Native American Boarding School Healing Coalition has identified 367 boarding schools across the U.S., including 156 associated with the Catholic Church and “various Protestant denominations.” The United Methodist Church said in a statement that “efforts are underway” to identify the schools it once had, and Episcopalian and Presbyterian leaders “confirmed their denominations were associated with boarding schools . . . though their records are incomplete and research is ongoing.” <https://www.msn.com/en-us/news/us/churches-confront-their-role-in-residential-schools-for-indigenous-children/ar-AApif2K>

Through a Freedom of Information Act lawsuit, the *New York Times* and the *Wall Street Journal* obtained a 161-page report by a consulting company revealing that officials of the U.S. Indian Health Service “silenced and punished whistle-blowers in an effort to protect a doctor who sexually abused boys on several Native American reservations for decades.” In addition, “the blistering report included criticisms that serious allegations were badly documented and that records were poorly preserved by I.H.S. officials.” <https://www.nytimes.com/2021/10/05/us/politics/indian-health-service-willfully-ignored-sexual-abuse-by-doctor-report-finds.html>

The *Washington Post* said a “fundamental weakness in the United States’ ability to respond to a public health crisis” is that its “data is a mess”: “Critically important data on vaccinations, infections, hospitalizations and deaths is scattered among local health departments, is often out of date and hard to aggregate at the national level, and is simply inadequate for the job.” <https://www.inquirer.com/health/coronavirus/united-states-covid-19-data-cdc-booster-shots-vaccines-20210930.html>

Yemen. The UN Human Rights Council “voted against renewing the mandate of the Group of Eminent International and Regional Experts on Yemen . . . which in August 2018 reported evidence of possible war crimes committed by all sides, including a military coalition led by Saudi Arabia,” *Al Jazeera* reported. Several countries on the Council had proposed a 2-year extension, and a spokesperson for the Council said “this is the first time the United Nations’ top rights body has ever rejected a draft resolution since its foundation in 2006.” Preserving the records of the Group is essential. <https://www.aljazeera.com/news/2021/10/7/un-ends-yemen-war-crimes-probe-in-defeat-for-western-states>

Two weeks later, UNICEF’s spokesperson said “4 out of every 5 children need humanitarian assistance” and “a staggering 15 million people (more than half of whom are children—8.5 million) do not have access to safe water, sanitation, or hygiene.” More than 10,000 children have been killed or maimed in the conflict: “Yemen is the most difficult place in the world to be a child. And, unbelievably, it is getting worse.” <https://www.unicef.org/press-releases/shameful-milestone-yemen-10000-children-killed-or-maimed-fighting-began>

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