
ARCHIVES AND HUMAN RIGHTS
News from the Section on Archives and Human Rights
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Commentary.

Prison sentences are shortened for many reasons: commuted, pardoned, paroled. The COVID-19 pandemic has added a new one: furloughed. Governments around the world, worried about the spread of the virus to crowded prison populations, are freeing prisoners. They seemed to have support for this from the High Commissioner for Human Rights, who in late March said prison authorities should “examine ways to release those particularly vulnerable to COVID-19, among them older detainees and those who are sick, as well as low-risk offenders.” Governments heard that—and expanded on it.

The International Crisis Group’s April “Crisis Watch” shows, for example, that:

- *Cameroon’s president released prisoners “to limit spread of COVID-19 in prisons;”
- *Iran “extended furlough of prisoners temporarily released in March to 20 May;”
- *Nicaragua released “1,700 prisoners ahead of Easter celebrations;”
- *Myanmar’s president “announced [the] country’s largest ever prisoner amnesty, releasing some 25,000, more than a quarter of total prison population, very few political prisoners included,” and released “hundreds of detained Rohingya who faced court cases for travelling within the country without permission” but then “returned [them] to displacement camps in Rakhine;”
- *Somaliland’s president “ordered release of 574 prisoners;”
- *South Sudan “ordered release of 1,400 inmates to reduce prison overcrowding;”
- *in Eritrea the UN special rapporteur on human rights in Eritrea and Amnesty International both “called for release of prisoners from overcrowded prisons amid COVID-19 pandemic.”
<https://www.crisisgroup.org/crisiswatch#overview>

It is one thing to release “regular” prisoners, but quite another to release those accused of crimes against humanity. In Chile, in what the Council on Hemispheric Affairs said was “an extraordinary step backward,” the Court of Appeals in Santiago “granted release and sentence reductions to 17 State actors convicted of crimes against humanity perpetrated against thousands of Chilean citizens during the Pinochet dictatorship.” This was immediately condemned by human rights groups, and well over 100 people signed an open letter protesting impunity in Chile; they worried that more releases would follow: “Pinochetista legislators are pressuring the . . . government to grant those among these prisoners who are over 75 years old the benefit of house arrest, measures presently being studied with regard to the coronavirus.” <https://www.eurasiareview.com/24042020-open-letter-with-100-signatures-opposes-release-of-pinochet-era-perpetrators-of-crimes-against-humanity/>

In late March 2020, the Association of Defense Counsel practicing before the International Courts and Tribunals urged the UN International Residual Mechanism for Criminal Tribunals to grant the early or provisional release of persons sentenced to imprisonment by the International Criminal Tribunals for the former Yugoslavia and Rwanda (ICTY and ICTR) in light of the COVID-19 pandemic. Three persons convicted by ICTY of war crimes during the Balkan wars of the 1990s requested early release; the president of the Mechanism rejected the request, which was “applauded” by representatives of Bosnian war victims. A man convicted by ICTR of crimes against humanity and genocide argued that “the coronavirus pandemic requires that the Early Release Application be granted without further delay.” The Mechanism rejected that also. <https://balkaninsight.com/2020/04/08/hague-court-denies-early-release-to-unrehabilitated-convicts/>; <https://jrad.irmct.org/view.htm?r=246957&s=>

The issue came into sharp focus on 6 April when former Chad president Hissene Habre was given a “60 day leave” from prison in Senegal where he has been serving a life sentence for crimes against humanity imposed by a special Senegal/African Union court. A Senegalese judge ordered him to stay “at his home in Ouakam, a district of Dakar, and . . . to return to prison on its expiry.” An association of victims of the

Habre regime strongly objected. <https://www.aljazeera.com/news/2020/04/chad-president-temporarily-released-jail-due-covid-19-2004070630471.html>

The UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence waded into this controversy, issuing a statement and advice to governments on 29 April: “Urgent measures to protect against COVID-19 in overcrowded jails should not lead to impunity for persons convicted in many countries for serious violations of human rights, crimes against humanity, genocide, or war crimes.” He noted that individuals convicted of such acts “usually enjoy conditions of detention established for security reasons that avoid mass contact, which places them at an advantage in terms of safety and health compared to other persons deprived of their liberty.” He concluded that if it is impossible to have “safe and healthy detention conditions,” as a last resort “temporary house arrest should be granted, with appropriate controls. . . . However, the individuals must return to prison once the emergency situation has passed, to serve the remainder of their prison term.”
<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25840&LangID=E> ;
<https://www.ohchr.org/EN/Issues/TruthJusticeReparation/Pages/infonotecovid.aspx>

Thinking through the documentation of these mass releases, permanent or temporary, is instructive. With smaller releases, such as the Chilean case, it is possible to add the Appeals Court decision to the file of each individual. But releasing hundreds or even thousands based on a presidential order means careful individual documentation is unlikely. Does a lack of documentation pose a danger for the person released, because existing records will show that he or she should be in prison but is not? Could this lead to re-arrest? If the situation is one of conditional release, as with Habre, what documentation is created to show where he is? Is a tracking system in place that will trigger officials to bring him back to prison on the specified date? And the Rohingya, freed from prison but sent to a camp—what records exist of this?

Prisoner records cannot, of course, tell the full story of the releases; that will be in the files of the politicians and administrators. But it is essential that both the decision to release and at minimum a list of those to whom it applies and what conditions it imposes are documented. In the future these are the records that will allow the public to know what the government did and to hold it accountable for its actions in the time of COVID crisis.

SAHR news. The UN Special Rapporteur in the field of cultural rights issued a call for submissions on the “threats posed by climate change to culture and all of the cultural rights covered by [the] mandate.” https://www.ohchr.org/Documents/Issues/CulturalRights/Call_ClimateChange/SR_letter-cultureclimate_change.pdf The SAHR submitted a brief statement, which will be posted to the ICA website.

International news.

Council of Europe. The Council of Europe Commissioner for Human Rights published the annual activity report for 2019. Among the issues highlighted is the risk that “unregulated uses of digital technologies and artificial intelligence pose to human rights, in particular privacy, equality, and freedom of expression and assembly.” <https://www.coe.int/en/web/commissioner/-/challenges-to-human-rights-have-intensified-in-europe>

Extraordinary Chambers in the Courts of Cambodia (ECCC). The three cases still pending before the ECCC are “in a state of deadlock as a result of opposing rulings by international and national judges,” the U.S.-based nongovernmental Open Society Justice Initiative (OSJI) wrote. Declaring that “the court is incapable” of bringing the cases “to a legitimate legal conclusion,” it called on the UN to “disengage from the cases in a planned manner.” One of the steps it recommends is to “immediately [provide] for protection and maximum public access to the court’s original archives and provide that full copies of the archives are maintained by the UN.” OSJI has monitored the ECCC cases from the start of the Court, making this a powerful statement. <https://www.justiceinitiative.org/uploads/9e0af740-d7b6-4c70-ba0c-96df88328b2c/briefing-eccc-end0304-20200429.pdf>

Inter-American Commission for Human Rights Special Rapporteur for Freedom of Expression, Organization for Security and Co-operation in Europe Representative on Freedom of the Media, and UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

The three experts urged, in the face of the COVID-19 pandemic, that governments “provide truthful information about the nature of the threat posed by the corona virus . . . in accessible formats to all;” “refrain from blocking internet access;” make “exceptional efforts to protect the work of journalists;” with internet companies, “address disinformation;” and ensure that any use of tools of surveillance technology “protect the personal information of patients” and “abide by the strictest protections and only be available according to domestic law that is consistent with international human rights standards.” Thanks to Giulia Barrera for this link. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25729&LangID=E>

International Committee of the Red Cross (ICRC). ICRC published “general guidance for the management of the dead related to COVID-19.” It set out four “fundamental principles,” one of which is, “Every effort should be made to ensure the reliable identification of the dead.” Recommendations on documentation are found throughout the text. <https://www.sciencedirect.com/science/article/pii/S2589871X20300309>

International Conference of Information Commissioners. Over 40 commissioners, most of whom represent national governments, issued a statement recognizing that during the COVID-19 crisis “resources may be diverted away from usual information rights work” but “the importance of the right to access information remains. Public bodies must also recognise the value of clear and transparent communication, and of good recordkeeping, in what will be a much analysed period of history.” <https://www.informationcommissioners.org/covid-19>

Organization of American States Special Rapporteur on Freedom of Expression, Organization for Security and Co-operation in Europe Representative on Freedom of the Media, and United Nations Special Rapporteur on freedom of opinion and expression. The three experts issued a “Joint Declaration on Freedom of Expression and Elections in the Digital Age.” In a section on “Access to Information Relating to Elections” they said states should require media outlets to make public information about their ownership, and parties and candidates should “be transparent in a timely fashion” about their spending on elections, particularly on “media and other digital communications efforts.” And they recommended, “Digital media and online intermediaries should make a reasonable effort to address dis-, mis- and mal-information and election related spam, including through independent fact-checking and other measures, such as advertisement archives, appropriate content moderation and public alerts.” Thanks to Antoon De Baets for this link. <https://reliefweb.int/report/world/joint-declaration-freedom-expression-and-elections-digital-age-0>

United Nations. UN Secretary-General Antonio Guterres called on governments to tackle the “horrifying global surge” in domestic violence “fueled by worldwide lockdowns to curb the spread of the new coronavirus,” *Thomson Reuters Foundation* reported. According to UN data, calls to helplines “have tripled in China and doubled in Lebanon and Malaysia compared with the same time last year,” while the U.K. said its domestic abuse helpline had a “25% increase in calls and website hits had more than doubled” and France said “reports of domestic abuse to police had soared by 36% in Paris and 32% elsewhere after its restrictions came into force.” <https://news.trust.org/item/20200406130935-cndqw/>

The UN Committee on Economic, Social and Cultural Rights adopted General Comment 25 on the right to science. It declares that science “refers both to a process following a certain methodology . . . and to the results of this process.” It insists that scientific research must “incorporate ethical standards in order to ensure its integrity and the respect of human dignity,” including respect for privacy and confidentiality. It says, “Limits on the applications of science and technology can be used to guarantee the safety and quality of products used by persons” and “when the research is done in countries or on populations different to those of the researchers, the state of origin must guarantee the rights and obligations of all parties involved.” And in paragraph 49: “States must exert all efforts to ensure equitable and open access to scientific literature, data and contents including by removing barriers to publishing, sharing and archiving scientific outputs.” <https://www.ohchr.org/Documents/HRBodies/GC7April2020.docx>

The UN Working Group on Business and Human Rights issued a statement on the relevance of the *UN Guiding Principles on Business and Human Rights* for “ensuring that business respects human rights during the COVID-19 crisis and beyond.” Discussing the three “pillars” of “protect, respect and

remedy,” it demands that businesses ensure that workers are “not exploited with the justification of crisis and emergency”: “While masks may be disposable, workers are not.” And, it said, the responsibility to respect applies to all businesses, such as “tech companies developing applications to monitor the spread of the virus, who need to address the human rights risks of intrusive data collection and surveillance, including by thinking ahead for when the health crisis is over.” Business archives are essential for ensuring adherence to the *Principles*.

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25837&LangID=E>

World/general news.

Business records. Tearfund, a nongovernmental organization in the U.K., issued a report on plastic pollution by Coca-Cola, Nestle, PepsiCo and Unilever in six countries: China, India, Brazil, Mexico, the Philippines and Nigeria. In discussing their methodology, the researchers described corresponding with the companies to get country-level data on their “plastic footprint;” none provided the information. The researchers then turned to published global sales figures published by the companies, “subsidiary accounts, financial media or other compilers of corporate information” and World Bank data. They calculated that in the six countries the four companies “are responsible for more than half a million tonnes of plastic pollution every year” and noted that “from a technical and economic perspective, it is questionable whether it is possible actually to recycle such a large and ever-increasing volume of plastic.” https://learn.tearfund.org/~media/files/tilz/circular_economy/2020-tearfund-the-burning-question-en.pdf?la=en

More than 200 Colombians whose “family members were murdered or who themselves suffered violence by paramilitary death squads filed a new lawsuit against Chiquita Brands International, seeking redress from the banana company that spent years supporting those paramilitaries,” the nongovernmental organization EarthRights International reported. For background to the long-running Chiquita cases, see *ICA HRWG News* 2013-04 and 09, 2016-06 and 10. <https://earthrights.org/media/over-200-colombian-plaintiffs-file-claims-for-torture-and-killings-against-chiquita/>

In Zambia, “over 40 residents of Chongwe . . . dragged United Quarries and its three directors to the Lusaka High Court, accusing them of contaminating boreholes and damaging their properties due to alleged mining activities in the area,” *News Diggers!* reported. In the claim “the plaintiffs stated that after conducting a due diligence search on the register of the Ministry of Land” they found the company “misrepresented material facts when applying for land by purporting to show that the land was for agriculture purposes, yet it was for mining.”

<https://diggers.news/courts/2020/04/14/41-chongwe-residents-sue-united-quarries-for-conducting-illegal-mining-activities/>

Between 1972 and 1989 the Panguna mine in Bougainville, Papua New Guinea, “developed and majority-owned by Anglo-Australian mining giant Rio Tinto, was one of the world’s largest copper and gold mines,” wrote the Human Rights Law Centre, an Australian nongovernmental organization. The mine discharged “a billion tonnes of mine waste into local river systems, devastating the environment and the health and livelihoods of local communities. Anger over these practices and the unequal distribution of the mine’s profits ultimately led to an insurrection by local people in 1989 which forced the mine’s closure and triggered a brutal, decade-long civil war which cost the lives of up to 15,000 people.” In 2016 Rio Tinto “divested from the mine” without remediating the damage. To report on current conditions, Centre researchers visited 38 villages in the mine area, conducted “60 in-depth interviews,” and drew on “the research and findings of over 300 interviews of mine-affected residents conducted under a research project initiated by the Catholic Diocese of Bougainville between 2017 and 2019.” The Centre urges Rio Tinto and its local subsidiary to fund an independent environmental and human rights impact assessment study, including a “proper GIS mapping of clan land boundaries, especially within areas being destroyed by tailings flow, to help prevent land disputes” and create a fund to “enable effective reparation and remedy.” Bougainville has voted to become independent from Papua; it will not have the resources to clean up the mine site. <https://static1.squarespace.com/static/580025f66b8f5b2dabbe4291/t/5e7d7cce47c7f816da86005f/1585282297310/AfterTheMineRioTintoDeadlyLegacy.pdf>

In an extraordinary open letter, 29 Nobel Laureates said they “support Steven Donziger and the Indigenous peoples and local communities in Ecuador in their decades-long work to achieve

environmental justice over pollution caused by Chevron.” For background on the case, see *HRWG News* 2016-09. <https://static1.squarespace.com/static/5ac2615b8f5130fda4340fcb/t/5e9890f6d641a53d544792d6/1587056892216/2020-04-nobel-laureates-statement.pdf>

Human Rights Watch (HRW) issued a report on the Souapiti dam in Guinea that is being built by China International Water and Electric Corporation, which will “jointly own and operate it with the Guinean government.” The dam’s reservoir “will ultimately displace an estimated 16,000 people from 101 villages and hamlets,” but “residents have so far not obtained titles to their new land.” Among the many recommendations HRW made is that the government should provide “written documentation to both men and women in each household about the compensation and inventory process” and for non-literate persons provide a clear explanation in local languages. The report is based on “more than 90 interviews with residents impacted by the resettlement, as well as interviews with business and government leaders” and “optical and radar satellite data.” Because there “was almost no publicly available information on the specific location of the villages impacted,” HRW had to create a map “through a hydrological model of the depth and geographic extent of the . . . reservoir.” <https://www.hrw.org/report/2020/04/16/were-leaving-everything-behind/impact-guineas-souapiti-dam-displaced-communities>

Catholic Church records. In an article on France’s Independent Commission on Sexual Abuse in the Church established in 2018, *justiceinfo.net* noted that similar commissions have been set up in Ireland (2009), Belgium (2009), the Netherlands (2010) Australia (2012) and Germany (2013). The French Commission has received 5,000 calls from persons who say they are victims of sexual abuse by Church officials, has conducted hearings and analyzed “judicial and press resources for seventy years [and] archives in almost all the structures of the Church.” A professor of law commented that the Commission is using “the techniques and procedures of transitional justice.” <https://www.justiceinfo.net/fr/commissions-verite/44191-abus-sexuels-eglise-premieres-lumieres-accablantes-commission-francaise.html>

Climate change. A study published in *Global Environmental Change* looked at the implications of climate-related disasters on violence in societies. Using the climate-related disaster database MunichRe NatCatSERVICE, the UCDP/PRIO Armed Conflict Dataset, and UCDP’s Georeferenced Event Dataset, the researchers compared them for “all countries with sufficient data availability for the time period 1980-2016.” They found that “the simultaneous presence of a large populations,” the “exclusion of ethnic groups from political power . . . and a lower level of human-development . . . is a quasi-sufficient condition for countries being vulnerable to experience armed conflict onsets after climate-related disasters.” The map summarizing the findings is sobering. <https://www.sciencedirect.com/science/article/pii/S0959378019307307>

Researchers writing in *Nature Reviews* reported on the “environmental price of fast fashion.” The fashion industry “produces up to 10% of global CO2 emissions,” is the “second largest consumer of water,” is “responsible for about 20% of industrial water pollution from textile treatment and dyeing,” and adds an estimated 190,000 tons of “primary microplastic pollution” to the oceans. The article is a strong data-based argument on “the need for an urgent transition back to ‘slow’ fashion, minimizing and mitigating the detrimental environmental impacts, so as to improve the long-term sustainability of the fashion supply chain.” <https://www.nature.com/articles/s43017-020-0039-9.pdf>

In an interview with *Thompson Reuters Foundation*, the executive director of the U.S.-based nongovernmental International Council on Clean Transportation reflected on its efforts to help countries slash air pollution through cutting vehicle emissions. He said, “In this arena, data is the primary currency. If you have data and good analysis, this is what drives things.” https://news.trust.org/item/20200402154048-8prl5/?utm_campaign=climate&utm_medium=newsletter&utm_source=mainListing&utm_content=link4&utm_contentItemId=20200402154048-8prl5

Copyright. The Internet Archive, which began digitizing books in 2005, announced on 24 March that during the COVID-19 epidemic it would allow anyone to use its 1.4 million digital copies for free until 30 June. Called the National Emergency Library, the initiative immediately was condemned by the Authors Guild as a violation of copyright. <https://www.theguardian.com/books/2020/mar/30/internet-archive-accused-of-using-covid-19-as-an-excuse-for-piracy>; <https://www.publishersweekly.com/pw/by-topic/digital/copyright/article/83027-internet-archive-responds-to-senator-s-concern-over-national-emergency-library.html>

Femicide. Femicide is the intentional killing of a woman or girl on account of her gender. Writing in *Americas Quarterly*, the research director of the Latin American Initiative for Open Data (ILDA) reported that in Latin American there are “at least 16 different and recurring criteria for identifying a femicide, and different countries also report this information differently,” so ILDA developed a standard for recording instances of femicide. She said that it is important to establish “institutional mechanisms that allow data to be available at different levels of access” and “to clearly identify who is speaking when communicating data and what mechanisms exist to validate the official data. This is particularly important when fake audio recordings and stories are populating our social networks.” https://www.americasquarterly.org/content/tracking-latin-americas-other-pandemic-violence-against-women?utm_source=AQ%27s+Week+in+Review&utm_campaign=db62e17bd9-EMAIL_CAMPAIGN_2020_04_16_09_32&utm_medium=email&utm_term=0_6a33e16b5d-db62e17bd9-26124681

Internally Displaced Persons. The Internal Displacement Monitoring Centre of the Norwegian Refugee Council issued its 2020 *Global Report on Internal Displacement*. It said at the end of 2019 a record 50.8 million people were displaced within their countries: 45.7 million displaced by conflict and violence and 5.1 million by disasters. In a clear discussion of the data used, it said that “although national governments are primarily responsible for counting” internally displaced people, the Centre also uses media information, data from UN and other international organizations, Red Cross and Red Crescent and other organizations, and “in the past two years, we have started using new methods of monitoring displacement, including satellite imagery, national language processing and machine-learning.” <https://www.internal-displacement.org/global-report/grid2020/>

Privacy. Many technology companies and civil liberties groups are writing about how to protect privacy while still using location data to contact people who may have been exposed to the COVID-19 virus. The U.S.-based nongovernmental Electronic Frontier Foundation published advice to organizations that consider sharing aggregate location data, warning, “People without smartphones tend to already be marginalized, so making public policy based on aggregate location data can wind up disregarding the needs of those who simply don’t show up in the data, and who may need services the most.” <https://www.eff.org/deeplinks/2020/04/how-protect-privacy-when-aggregating-location-data-fight-covid-19>

“Plans for Canadian residents to use facial scans to enter their building have sparked criticism from privacy campaigners,” *Thomson Reuters Foundation* reported. The real estate firm 1Valet is using the technology in three buildings in Ottawa; a spokesman said, “Property managers have an editable database of everyone in the building.” Residents can opt out of the systems, but the “cameras will still capture and store images of everyone who enters the properties, including guests, delivery personnel and others.” The company said it has voluntarily shared footage with police “following a break in.” <https://news.trust.org/item/20200406141452-4a1ag/>

Technology. Seventy-five organizations signed a letter “asking social media and content-sharing platforms to preserve all data they’ve blocked or removed during the coronavirus pandemic and make it public for researchers and journalists in the future,” *BIRN* reported. The letter said the postings provide “an unprecedented opportunity to study how online information flows ultimately affect health outcomes, and to evaluate the macro- and micro-level consequences of relying on automation to moderate content in a complex and evolving information environment.” https://balkaninsight.com/2020/04/22/tech-giants-urged-to-preserve-blocked-content-about-virus/?utm_source=Balkan+Insight+Newsletters&utm_campaign=c5ed6522fc-BI_DAILY&utm_medium=email&utm_term=0_4027db42dc-c5ed6522fc-319725265

Tech startups are looking at ways to bring the deceased “back to life in virtual form” by using the data of the deceased, *Thomson Reuters Foundation* reported. A Portuguese tech developer said, “Some years from now, your great-grandchildren will be able to talk with you even if they didn’t have the chance to know you in person.” A “digital afterlife expert” at the Oxford Internet Institute said, “This (Facebook) is the biggest archive of human behavior ever assembled in the history of our species,” and added that “leaving companies who stand to make money from that archive to decide what to do with it could be problematic.” <https://news.trust.org/item/20200417042021-ej19u/>

World War II. In March 1940 Soviet NKVD (secret police) chief Lavrenty Beria asked the Communist Party’s Central Committee to authorize the killing of “11,000 people held in prisons in the western

provinces of Ukraine and Belarus: members of various counter-revolutionary organizations, former landowners, factory owners, former Polish officers, civil servants and fugitives.” A list of names of those who were murdered in Ukraine was released in 1994; the list from Belarus has never been found. In March 1959, the head of the KGB (NKVD’s successor) asked Soviet Premier Nikita Khrushchev “for permission to destroy the files of murdered Poles” and is assumed to have received it. Now a Polish researcher working in the Belarusian State Archives has found a “collection of court reports from early 1940” that “include details of several Polish officers who were arrested by the NKVD” and are believed to be among the Belarussian victims, *The First News* (Warsaw) reported.

<https://www.thefirstnews.com/article/forgotten-document-found-hidden-in-minsk-archive-could-reveal-secrets-of-belarusian-list--an-nkvd-death-list-of-nearly-4000-murdered-poles-11997> ; <https://enrs.eu/article/the-katyn-massacre>

“The Russian Military Historical Society (RVIO) said in a press release . . . it had published newly declassified documents from the Russian Defence Ministry’s central archives about crimes committed by Nazi Germany and its accomplices during World War II,” *Sputnik* reported. “The materials include first-hand testimonies of the Red Army officers in the field who liberated the Sobibor, Auschwitz, Treblinka, Majdanek and other Nazi concentration camps.”

<https://sputniknews.com/world/202004111078921464-russian-historical-society-declassifies-new-archival-materials-on-nazi-crimes-in-europe/>

The *New York Times* published a feature article on Yuri Dmitriev, a Russian man from the province of Karelia (which borders on Finland), who more than 20 years ago in Sandarmokh forest found “burial mounds containing the remains of political prisoners executed by Stalin’s secret police.” (Dmitriev has been in jail since December 2016 on unsubstantiated charges.) Russia’s Military Historical Society sponsored a dig at the site last summer, “looking for evidence to support a highly contested theory put forward by two Karelia historians [who] argue that the thousands of people buried at Sandarmokh are not all Stalin’s victims but also include Soviet soldiers executed by the Finnish Army during World War II.” The dig recovered 16 corpses which have been sent to Russia’s Investigative Committee for forensic analysis. For background on Dmitriev case, see *HRWG News* 2017-04. <https://www.seattletimes.com/nation-world/he-found-one-of-stalins-mass-graves-now-hes-in-jail/>

“The Committee of Inquiry (SK) of the Russian Federation announces on its official website that its investigators are beginning to investigate suspected crimes by Finns in Karelia during the Great Patriotic War--in other words, the Continuation War,” the *Teller Report* said in 20 April. The following week Jussi Nuorteva, the National Archivist of Finland, wrote in *Helsingin Sanomat* that the Finnish military regime in East Karelia “has been studied extensively in Finland” and the National Archives has published “a database of prisoners of war who died during the Winter War and Continuation War” and of “persons who died in civilian camps in East Karelia.” He noted that the Committee “has not used the original archives of the military administration of East Karelia, the Academic Karelian Society or of other organisations or persons that are contained in the National Archives of Finland.” He declared the “allegations of the use of gas chambers and burial alive of prisoners of war are absurd.”

https://www.tellerreport.com/news/2020-04-20-russia-suspects-finland-of-genocide---criminal-investigation-launched-in-karelia.SJWZFh05_U.html; <https://www.hs.fi/mielipide/art-2000006491081.html>

Bilateral and multilateral news.

Algeria/France. The Josette and Maurice Audin Association protested France’s recent decree that the records of the Ministry of Defense from the beginning of the Second World War to the present must be reviewed for declassification before they can be made public. The Association demands that all French archives through the immediate aftermath of Algeria’s independence be available for consultation. It also complained that the archives about the death of Maurice Audin that were made available at the end of March were “droppings” chosen arbitrarily. For background, see *HRWG News* 2019-09. <http://www.humanite.fr/archives-secret-defense-et-crise-sanitaire-le-role-opaque-du-secretariat-general-de-la-defense-et-de>

Belgium/Liberia/United States. Six years ago Belgium opened an official investigation on Martina Johnson, a Liberian living in Belgium who is suspected of being the “commander of a major armed faction during the Liberian civil war,” *justiceinfo.net* reported. The investigation “is still not closed and Belgian justice has never visited” Liberia, but the federal prosecutor’s office “claims that Belgian investigators went to the United States to consult the records of the Truth and Reconciliation

Commission in Liberia.” According to the nongovernmental organization TRIAL International, Martina Johnson is on the TRC’s list of “main alleged perpetrators” of human rights abuses during the war.
<https://www.justiceinfo.net/fr/tribunaux/tribunaux-nationaux/44067-crimes-liberia-inquietant-retard-enquete-belge-martina-johnson.html>

Finland/Liberia/Sierra Leone. A two-part article published by *justiceinfo.net* discussed the Gibril Massaquoi case, now underway in Finland. Massaquoi, a Liberian, fought in the Sierra Leone civil war; he later became a “principal informant” for the prosecutor at the Special Court for Sierra Leone, where he testified for the prosecution. After that he was relocated to Finland with his wife and children. Now Finland has charged him with crimes committed in Liberia during its civil war (1999-2003), based on both research by the Swiss nongovernmental organization Civitas Maxima and more than 90 testimonies the Finnish prosecution team took in Liberia. <https://www.justiceinfo.net/fr/tribunaux/tribunaux-mixtes/44084-affaire-massaquoi-enquete-sur-le-judas-de-sierra-leone-partie-1.html> ; <https://www.justiceinfo.net/fr/tribunaux/tribunaux-mixtes/44121-affaire-massaquoi-enquete-sur-le-judas-de-sierra-leone-partie-2.html>

Germany/Syria. Two men accused of committing crimes against humanity on behalf of the Syrian state have gone on trial in Germany, *BBC News* reported. Both men worked for the General Intelligence Directorate at the Al-Khatib prison where torture was routine; they sought asylum in Germany in 2014 and 2018 respectively. “Key evidence against the pair came from the tens of thousands of photos taken by a military defector known as Caesar, who fled Syria in 2013.” For background on Caesar, see *HRWG News* 2014-01. https://www.bbc.com/news/world-europe-52393402?utm_campaign=US-digest-20200423&utm_medium=newsletter-digest&utm_source=blendle-editorial

Greece/Turkey. A Turkish “classified police report that compiled data from various government agencies” in Turkey was leaked to media. The *Nordic Monitor* reported that it shows the Turkish intelligence agency MIT infiltrated refugee camps in Greece in order to spy on members of the Gulen group, who are critics of the government of Turkish President Recep Erdogan. <http://www.nordicmonitor.com/2020/04/turkish-intelligence-operations-targeting-critics-in-greece-exposed-in-secret-documents/>

Mideast war. In August 2019 UN Secretary General Guterres created a Board of Inquiry to investigate attacks on specially protected facilities such as hospitals and schools in northwest Syria. These locations had been reported to the UN as humanitarian sites before the attacks, and the UN had given the information that they were to be protected to both the Russian government and the coalition forces, with the understanding that the location information would be shared with the Syrian government by its Russian ally (referred to as a “deconfliction mechanism” to protect sites for humanitarian action). A summary of the Board’s 185-page report to the UN Security Council was released on 6 April; it said that in five of seven cases studied – among them four medical sites, a school and a children’s center--“the government of Syria and/or its allies had carried out the airstrike,” but it did not explicitly name Russia. The summary urged the UN Office for the Coordination of Humanitarian Affairs to do a better job of keeping “comprehensive, accurate and reliable records of all sites included in the deconfliction mechanism” and to “strengthen its capacity for record keeping and tracking all aspects of its operations.” The list of sources the Board used is extensive (paragraphs 7-16); it considered aerial satellite images “critical to its work.” The report was met with sharp criticism from Syrian advocacy and humanitarian groups; see the item from Syria Justice and Accountability Centre. For background on the Board, see *HRWG News* 2019-09. https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/NWS_BOI_Summary_06_April_2020.pdf
https://syriaaccountability.org/updates/2020/04/16/un-fails-to-acknowledge-own-failures-in-hospital-attacks-inquiry/?utm_source=SJAC+Weekly+Update&utm_campaign=23aa60df78-EMAIL_CAMPAIGN_2019_01_10_02_56_COPY_01&utm_medium=email&utm_term=0_0a7405c641-23aa60df78-96428969

The Organization for the Prohibition of Chemical Weapons (OPCW) released the first report of its Investigation and Identification Team “responsible for identifying the perpetrators of the use of chemical weapons in the Syrian Arab Republic where the OPCW Fact-Finding Mission . . . has determined that chemical weapons have been used or likely used in Syria.” The investigation included “interviews with persons who were present in the relevant places at the time of the incidents, analysis of samples and remnants collected at the sites of the incidents, review of the symptomatology reported by casualties and medical staff, examination of imagery, including satellite images, and extensive consultation of experts.” It concluded that in 2017 aircraft belonging to the Syrian Arab Air Force dropped two bombs with sarin in southern Ltamenah and one “cylinder” that released chlorine on the

Ltamenah hospital. An annex to the report discusses the “information management and other internal procedures” to protect the information collected and created.

https://www.opcw.org/media-centre/news/2020/04/opcw-releases-first-report-investigation-and-identification-team?utm_source=SJAC+Weekly+Update&utm_campaign=0c11b7c15a-EMAIL_CAMPAIGN_2019_01_10_02_56_COPY_01&utm_medium=email&utm_term=0_0a7405c641-0c11b7c15a-90540617;
<https://www.opcw.org/sites/default/files/documents/2020/04/s-1867-2020%28e%29.pdf>

Saudi Arabia/Turkey. On 20 April Turkey’s public prosecutor released a 117-page indictment of 20 Saudi nationals on charges of murder and incitement to murder in the killing of Saudi journalist Jamal Khashoggi inside the Saudi Consulate in Istanbul on 2 October 2018. According to the *New York Times*, the indictment “was based on evidence from cellphone location records of the accused, records of their entry and exit from Turkey and their presence at the consulate” as well as evidence “from searches of their hotel rooms, the consulate and the consul’s residence; from Mr. Khashoggi’s cellphone, laptop and iPad; and from witness statements.” *Al Bawaba* added, “The indictment included photographic and video evidence from the Saudi consulate in Ankara and the residence of the Saudi consul.” None of the indicted is in Turkey; they are unlikely to be extradited by Saudi authorities.

www.nytimes.com/2020/03/25/world/europe/turkey-jamal-khashoggi-saudis.html; <https://www.albawaba.com/news/turkish-prosecutor-issues-117-page-indictment-against-20-saudis-khashoggi-murder-case-1352007>

Somalia/United States. Amnesty International published documentation on the case of two civilians killed and three more injured during two air strikes in Somalia by the U.S. military in its “decade-long fight against the armed group Al-Shabaab.” It said that in the first three months of 2020, the monitoring group Airwars reported 32 air strikes by the U.S. in Somalia; Amnesty published a map showing the strikes where it found evidence of civilian casualties. Meanwhile, U.S. Africa Command’s quarterly report of civilian casualties said an inquiry into the two strikes was “open” as of the end of March.

<https://www.amnesty.org/en/latest/news/2020/04/somalia-zero-accountability-as-civilian-deaths-mount-from-us-air-strikes/> ;
<https://www.africom.mil/media-room/pressrelease/32724/initial-aficom-civilian-casualty-assessment-quarterly-report>

National news.

Brazil. *Thomson Reuters Foundation* obtained documents showing that Rio de Janeiro state has “unlawfully extended an unpaid labor scheme for prisoners denounced by human rights experts as a form of slavery.” The program began in July 2018 as a state “cost cutting measure” and was to end in August 2019, but a request by the Secretariat of Prison Administration “to prolong the program until 2021 had not been authorized” by a state judge. The prisoners have their sentences reduced “by one day for every three days of work.” <https://news.trust.org/item/20200408042208-od22x/>

Chile. The government announced that it will issue “immunity cards” allowing people who have recovered from COVID-19 to return to work. The World Health Organization warned against it, saying that there is no evidence that people could not have a second infection. At the end April Chile’s health service told *Reuters*, “Once the respective quarantine is completed, we will provide . . . a release certificate, but we will not make any pronouncement with respect to immunity.”

https://www.washingtonpost.com/world/the_americas/chile-coronavirus-immunity-passport-antibody-testing-card/2020/04/20/8daef326-826d-11ea-81a3-9690c9881111_story.html
<https://www.bloomberg.com/news/articles/2020-04-22/with-immunity-cards-and-rolling-lockdowns-chile-forges-own-path>;
<https://www.reuters.com/article/us-health-coronavirus-chile/chile-to-push-ahead-with-coronavirus-release-certificates-despite-who-warning-idUSKCN2280NW> ; <https://www.nytimes.com/reuters/2020/04/29/world/americas/29reuters-health-coronavirus-chile.html?emci=055b2545-b58b-ea11-86e9-00155d03b5dd&emdi=aa4ca77c-b58b-ea11-86e9-00155d03b5dd&ceid=4606001>

China/HongKong. The Hong Kong Police Force (HKPF) has a pattern of lax records management, the Legislative Council (the government of the Hong Kong Special Administrative Region) learned. https://www.legco.gov.hk/yr19-20/english/fc/fc/w_q/cso-e.pdf The Director of Administration reported (page 21, Ref Serial no. CSO006) that “from 2015 to 2019, the HKPF lost 15 confidential records,” the most lost by any government department. For non-confidential program files, HKPF lost “4 divisional report files, 1 investigation file, 3 loose minutes and 1 case file” (see Part B). No one was held accountable in 15 cases of missing documents, again “the highest one among all departments” (Part C). Even more serious, the HKPF destroyed more records without authorization than any other part of the government: “From 2015 to 2019, HKPF destroyed 1245 files of investigation reports in 2016, and 1500 investigation reports and 17 files of the police operation in 2017, without seeking approval of senior officers” (Part D). This report is particularly worrisome because the records lost or destroyed cover the period since the

beginning of the Umbrella Movement in 2014, when the police treatment of protesters raised alarms in Hong Kong and abroad. The careless management and destruction of police records makes it difficult to have reliable future investigations of police conduct and to hold police personnel accountable for their actions. Thanks to students from the Postgraduate Diploma in Archival Studies (PDAS) course for the information. For additional information, see *Apple Daily*, <https://hk.news.appledaily.com/local/20200402/T4T3BRMDVY74OUZS5X6H4245CI/>

Colombia. For an in-depth look at a journalistic investigation into the career of a famous drug dealer, see *InSight Crime*'s 6-part series "'The Invisibles' of the Drug World." The investigation relied on documents from the Special Jurisdiction for Peace court as well as identity cards, business registrations, and real estate purchases, amid allegations that the man was able to make judicial files "disappear." <https://www.insightcrime.org/investigations/invisible-drug-lord-ghost/>

Cote d'Ivoire. "The government withdrew from the African Human Rights and Peoples Court, a week after the tribunal ordered the West African nation to suspend an arrest warrant against presidential hopeful Guillaume Soro, who on Tuesday was sentenced to 20 years in jail," *Africa Briefing* reported. "In concrete terms, this 'withdrawal' means that it will no longer be possible for NGOs and private individuals to refer directly to the Court in cases involving the government." <https://africabriefing.org/2020/04/cote-divoire-withdraws-from-african-human-rights-and-peoples-court/>

Croatia. Human Rights House Zagreb published its annual report, saying that no significant progress has been made in identifying missing persons. The Ministry of Croatian Affairs said "the fate of over 82% of people who disappeared during the 1990s war has been resolved, but there are still 1,871 unresolved cases," *BIRN* reported. https://balkaninsight.com/2020/04/17/ethnic-intolerance-hate-speech-persists-in-croatia-report/?utm_source=Balkan+Insight+Newsletters&utm_campaign=4677625dcc-BI_DAILY&utm_medium=email&utm_term=0_4027db42dc-4677625dcc-319725265

Ecuador. Following the protests of 3-13 October 2019, Human Rights Watch "interviewed a dozen witnesses, journalists, lawyers and victims, analyzed video footage of incidents, and reviewed reports from human rights organizations and government offices" and "found that Ecuador's police used indiscriminate force against demonstrators." The government's Ombudsperson's office said "at least four of those killed appear to have been victims of excessive police force;" the Prosecutor General's Office is investigating 9 of the 11 deaths; official records show 1,507 people injured but the Ombudsperson's office said "not all cases were recorded so the total is most likely higher." <https://www.hrw.org/news/2020/04/06/ecuador-lessons-2019-protests#>

El Salvador. Shocking prison photos were released by the office of the president, showing hundreds of inmates stripped to their shorts and jammed together on prison floors while their cells were searched after an apparent gang war within the prison killed more than 70 people between 24 and 27 April. <https://i.stuff.co.nz/world/americas/300000551/photos-show-el-salvador-inmates-jammed-together-after-prison-ordered-murders>

The government ordered mandatory home quarantine on 21 March. The Office of the Attorney General for the Defense of Human Rights reported to the Supreme Court that by 22 April it had received 778 complaints of "illegal arrests" and "cruel, inhumane and degrading treatment" of those detained for quarantine violations, *El Faro* reported. https://elfaro.net/es/202004/el_salvador/24310/PDDH-constata-%E2%80%9Ccratos-cruelles-e-inhumanos%E2%80%9D-contra-los-detenidos-en-la-cuarentena.htm

France/Reunion. In 2017 President Emmanuel Macron acknowledged the fault of the state in relocating 2015 children from the island of Reunion to France between 1962 and 1984. In April 2018 France's Historical Information and Research Commission issued a 700-page report on the program based on two years of research, including in the "private archives of Child Welfare (ASE) in Reunion" and interviews with the now-adult children. The Commission recommended 25 actions, including "reinforced psychological follow-up, access to personal documents from the departmental archives of la Reunion, assistance for [former] minors adopted to recover their original identity, additional support for the repatriation of bodies to La Reunion, the creation of a memorial center in Reunion." Now, two years later, *justiceinfo.net* reported, nothing has happened. One of the "transplanted" who has amassed a personal archives on the children said, "My last wish is to create an archive fond in Saint-Denis de La Reunion so that historians have access to this memory. Then I hope to be able to turn the page and close

this deal.” For background see *HRWG News* 2016-03. <https://www.justiceinfo.net/fr/reparations/44110-attente-insatisfaites-enfants-reunionnais-creuse.html>

Greece. Amalia Pappa, the Deputy General Director of the General State Archives, wrote to say that the *New York Times* story (reported in the March issue of *SAHR News*) on a secret detention center for migrants in Greece has been officially denied by the Greek government and that the *Times* clarified that a source it used for the story was not simply a Syrian refugee but a Syrian Kurd refugee who had recently received a Turkish passport. For a follow-up story see *InfoMigrants*. Thanks to Ms. Pappa for the information. <http://ontimeneews.gr/wp-content/uploads/2020/03/kingsley.jpg>; <https://www.infomigrants.net/en/post/23398/new-york-times-accuses-greece-of-operating-an-extrajudicial-center-for-migrants>; <https://www.reuters.com/article/us-syria-security-greece-border/greece-denies-report-of-secret-black-site-for-migrants-near-turkish-border-idUSKBN20Y1VF>

Honduras. The Network of Transparency and Access to Information (RTA) published an article on the Institute for Access to Public Information’s plans to create a model information management system “that will serve as a reference for the institutions obliged to comply with the Law of Transparency and Access to Public Information.” Nilda Lopez, who provided this information, said this is the first time a government agency is planning to apply archival procedures and rules to its most valuable records. <http://redrta.org/2020/04/17/honduras-el-iaip-conservara-su-documentacion-historica-mediante-el-modelo-archivistico-de-la-rta>

India. India has no central registry of migrant workers “despite passing legislation 40 years ago to establish such a database, the labour ministry told parliament,” *Thomson Reuters Foundation* reported. The southern state of Kerala has a team of volunteers who are “finding the names and bank details of 400,000 migrant labourers living in temporary shelters to make sure they get assistance” during the COVID-19 lockdown. Elsewhere in India “local officials are collating migrant worker data from phone calls to welfare helplines and social media messages” in addition to visits to migrant worker camps. <https://news.trust.org/item/20200428232028-cld0x/>

Thomson Reuters Foundation also reported that the government unveiled an “Ownership Scheme to map rural residential land for the first time in many Indian states, using drones and other technologies.” Titles will be issued, which can be used as collateral for loans, the Prime Minister said, but a member of the nongovernmental Centre for Policy Research said the Scheme “does not specify whether titles will be given jointly to women, and if customary titles that do not have a written record—such as those held by indigenous people—will be recognized.” https://news.trust.org/item/20200427080619-dh9tn/?utm_campaign=land&utm_medium=newsletter&utm_source=leadItem&utm_content=link1&utm_contentItemId=20200427080619-dh9tn

Manipur is a province in the far northeast, bordering Myanmar. In March about 150 buildings and some vehicles were burned down in Chassad, a village inhabited by the Kuki people, in what media called an inter-village land dispute. The *Sangai Express* reported that a group speaking for the Kukis said, “The Kukis very well know that the [adherents to the National Socialist Council of Nagaland, NSCN] would resort to burning of Kuki houses in the hope that the legal deeds of land ownership issued by British colonial rulers will be burned away.” In response, in early April NSCN issued a statement that the Kukis have been living in Chassad “only from the 1940s onwards,” the “Meiteis and Nagas are the only two indigenous communities that have been recorded to be living in Manipur since time immemorial,” and the “Kukis have been allowed to live in the area until such time when they started wrongfully claiming land ownership.” <https://www.eastmojo.com/manipur/2020/04/09/meiteis-nagas-are-only-indigenous-communities-of-manipur-nsncn> ; https://r.search.aol.com/?_ylt=A0geJaPURq9eNa8A5AhpCWVH;_ylu=X3oDMTBybGY3bmpvBGNvbG8DYmYxBHBvcwMyBHZ0aWQDBHNlYwNzcg--/RV=2/RE=1588574037/RO=10/RU=https%3a%2f%2fwww.thesangaexpress.com%2fEncyc%2f2020%2f3%2f20%2fKANGPOKPI-Mar-20-Reacting-to-the-alleged-misleading-statement-of-NSCN-IM-over-the-recent-Chassad-incident-the-Kuki-Inpi-Manipur-the-apex-body-of-the-Kukis-claimed-that-the-IM-s-statement-went-ag.html/RK=0/RS=XmhIB3xZHfrmQNi7wQ9NSctmIck-

Ireland. The Irish Data Protection Commission is concerned that the “details of illnesses or conditions” that a person may search for on health websites “is being shared with parties such as Google and Facebook through the use of either explicit profiles of logged-in customers, or through predictive profiles based on unique identifiers,” *EurActiv* reported. https://www.eurasiareview.com/07042020-irish-data-authority-concerned-with-sharing-of-illness-data-with-google-and-facebook/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

Malta. “The Maltese Navy was accused of sabotaging a migrant boat off the coast of Malta . . . after letting it drift for more than a day,” the *New York Times* reported. A man on the boat called the nongovernmental organization Alarm Phone, which provides support for migrants in the Mediterranean. The organization shared an audio recording of the call with the *Times*, which reported that the man said, “The Malta military is coming and cut the cable of electricity for the motor. They are not want anybody come to Malta—they say that.” Maltese officials said the migrants “had been rescued, but did not comment on the accusations of sabotage.” <https://www.365news.com/2020/04/malta-accused-of-sabotaging-migrant-boat/>

Mexico. *InSight Crime* reported, “While 27,342 investigations into torture were initiated nationwide between 2006 and 2018, judges handed down just 50 convictions, according to new data published by the Mexican Commission for the Defense and Promotion of Human Rights.” Furthermore, “torture complaints are often not documented. Only about 1% of the 36,401 complaints made to national and state human rights commissions and the Executive Commission of Attention to Victims . . . were officially registered in the National Victims Registry.” <https://www.insightcrime.org/news/brief/torture-widespread-systematic-mexico/>

Faced with an estimated 37,000 unidentified bodies across the country, the government created an “Extraordinary Forensic Identification Mechanism” to bring “relevant expertise on the bodies or remains that have not been identified.” The Mechanism is to have authority to “access the information necessary to comply with [the] mandate, in accordance with applicable regulations” and will “prepare an annual report on the activities and results . . . as well as conclusions and recommendations to understand the forensic crisis in Mexico.” <https://dof.vlex.com.mx/vid/acuerdo-snbp-001-2019-841340271>

“The government reported that at least 720 women were murdered in the first quarter of the year and 244 women were victims of femicide” reported *Thomson Reuters Foundation*. “The national statistics agency . . . said two-thirds of women in Mexico have experienced some form of violence, with almost 44% suffering abuse from a partner.” The femicide rate has “more than doubled in the past 5 years,” and as the COVID-19 crisis deepened, calls and messages to the National Network of Shelters “rose more than 80% between mid-March and mid-April when compared to the previous month.” <https://news.trust.org/item/20200427214134-sogyg/>

Montenegro. The Agency for Personal Data Protection agreed that the government may publish the names of people who have been ordered to self-isolate because of COVID-19 infection, reported *BIRN*. https://balkaninsight.com/2020/04/08/montenegro-medic-arrested-for-publishing-list-of-coronavirus-patients/?utm_source=Balkan+Insight+Newsletters&utm_campaign=eb4f525497-BI_DAILY&utm_medium=email&utm_term=0_4027db42dc-eb4f525497-319725265

New Zealand. “[T]housands of indigenous children have been moved into state care under a decades-long practice known as ‘uplifting’ that many Maori people see as a racially skewed legacy of colonialism,” *Thomson Reuters Foundation* reported. “About 60% of the more than 6,000 children taken into state care . . . are Maori, a group that accounts for about 17% of the population, official figures show.” A Maori-led independent inquiry issued a report on the practice in February; it took testimony from affected persons. Among the recommendations are that Maori children know the circumstances of their adoption, their genealogy, and have a relationship with their kinship group or tribe, and that the Ministry of Children should “implement better data, monitoring and tracking systems including a registry of children and families” and provide improved “access to their data/information.” The records of this nongovernmental inquiry need to be carefully preserved. <https://news.trust.org/item/20200423172017-1sszr/>; <https://whanauora.nz/assets/62879b6bdf/OT-REVIEW-REPORT.pdf>

Nicaragua. The Oakland Institute, a U.S.-based nongovernmental organization, issued a report on the land struggles of indigenous and Afro-descent people. Two startling facts: “forest cover in Nicaragua has dropped from 76% in 1969 to 25% today” and “since 2015 more than 40 members of indigenous communities along Nicaragua’s northern Caribbean coast have been killed and many more wounded and kidnapped.” In the Pacific, Center and North region, the indigenous population (over 300,000) has “struggled against dispossession on the basis of communal titles issued largely by Spanish monarchs and that have never been ceded. . . . [H]undreds of private titles have been issued illegally by the government within the areas of the Indigenous communities’ royal titles.” A spokeswoman for the UN High Commissioner for Human Rights said, “Most of the violence has been carried out by settlers as

they seek to force indigenous people from their ancestral homes and use their lands for illegal logging and cattle farming,” reported the *Associated Press*. <https://www.oaklandinstitute.org/nicaraguas-failed-revolution-https://apnews.com/cbc6dfbbfed4e1e1a98ff382b45744b0>

Peru. The Inter-American Court of Human Rights ruled that Peru was responsible for the arbitrary detention and rape of a transgender woman by police and must pay damages, “provide psychological treatment to the victim, adopt new protocols for investigating attacks against LGBT+ people and track statistics of violence against the community,” *Thomson Reuters Foundation* reported. Peruvian rights activists said this is the “first time the court has ruled on a complaint of torture against a member of the LGBT+ community.” <https://news.trust.org/item/20200406225650-9qdlv/>

Romania. “Video footage of Romanian policemen shouting at a group of rounded-up Roma men lying on the ground while an officer repeatedly beats one of them” was published by the newspaper *Libertatea* and “shocked human rights activists in the country,” *BIRN* reported. An investigation has been opened against the policeman doing the beating, who allegedly is the town’s police chief. Two Roma rights nongovernmental organizations accused the Interior Minister of encouraging police violence; they “list a series of alleged police abuses” since the COVID-19 state of emergency was declared on 16 March. https://balkaninsight.com/2020/04/24/video-of-romanian-police-beating-roma-causes-outrage/?utm_source=Balkan+Insight+Newsletters&utm_campaign=c5ed6522fc-BI_DAILY&utm_medium=email&utm_term=0_4027db42dc-c5ed6522fc-319725265

Seychelles. In May 2019 the government established a truth commission to investigate human rights violations following the coup d’etat of 5 June 1977. The president of the commission told *justiceinfo.net* that as of 9 February 426 cases had been filed but “admissibility decisions remain pending for approximately 200 of these cases.” The commission has files from the National Assembly on the 315 complaints it had received, but “the lack of availability of police files led the commission to seek evidence from members of the police force present at the time of the alleged complaint.” <https://www.justiceinfo.net/fr/commissions-verite/44042-gabrielle-louise-mcintyre-commission-seychelles-pas-un-tribunal-elle-cherche-a-combler-les-divisions.html>

South Korea. *The New Yorker* published an article on the government’s program for alerting people that someone in the area has tested positive for COVID-19. A local government is informed when a case is identified in its area; the office then “strips the information of any identifying markers before posting it on the district office’s Web site, blog and social media accounts,” sends “emergency text alerts” to persons in the area, and distributes “infection and testing data to journalists.” In February, “a survey of a thousand people . . . found that respondents’ greatest fear about the disease was social stigmatization. The National Human Rights Commission of Korea issued a statement calling for stronger measures to protect individuals from being outed.” https://www.newyorker.com/news/news-desk/seouls-radical-experiment-in-digital-contact-tracing?utm_source=nl&utm_brand=tny&utm_mailing=NY_Daily_041820&utm_campaign=aud-dev&utm_medium=email&bxid=5c48efcf2ddf9c4807adf975&cndid=53684912&hasha=8fcd7efd9e9d6389b9f914ad34a5948d&hashb=be86af3880f5d49a71f804266e79b70bb4fa408d&hashc=f553fa26cd5d27697a335ab74e22a11c9b48c47784712d14145ae3c0ed4aad10&esrc=bounceX&utm_term=NY_Daily

A special team of prosecutors investigating allegations that the previous Park Geun-hye administration “interfered in an investigation into the 2014 Sewol ferry disaster” in which 304 persons died, including around 250 high school students, has been “looking through presidential records from the Park administration at the National Archives of Korea,” *KBS World Radio* reported. Prosecutors are “also investigating allegations that the now-defunct Defense Security Command conducted illegal surveillance on the families of the victims.” http://world.kbs.co.kr/service/news_view.htm?lang=e&Seq_Code=152683

Sri Lanka. Transparency International Sri Lanka (TISL) called on “the Presidential Secretariat to publicly disclose all relevant documents in the case of the presidential pardon afforded to the convict in the case of the Mirusuvil Massacre of December 2000.” Eight internally displaced refugees returning to inspect their property were arrested on 19 December 2000 in the village of Mirusuvil and murdered by Army soldiers; one soldier was later convicted and he has now been pardoned. TISL wants access to the report of the trial judge, the advice of the attorney general, and the recommendation of the justice minister, arguing that the 2017 Right to Information Act requires public authorities to disclose “decisions and formal acts, particularly those that directly affect the public including the data and

documents used as the basis for these decisions and acts.” <https://www.tisirilanka.org/presidential-pardon-tisl-calls-for-public-disclosure-of-documents/>

The Archive of Memory, a recently launched program in Sri Lanka, seeks to explore post-independence Sri Lanka (1948-2018) by recording the stories of the era through photographs and oral histories, with as diverse a group of voices as possible, *The Sunday Times* reported. Thanks to Antoon De Baets for the reference.

<http://www.sundaytimes.lk/200223/plus/ordinary-voices-made-extraordinary-by-the-times-they-lived-in-393136.html?fbclid=IwAR0ytK3t5NnXtKX3KkVBqoJPScYCiRdQ6FXRMZASJVT18F63Gn8-eBYPH8>

Sudan. Sudan passed a law against female genital mutilation, “making it punishable by 3 years in jail, a move campaigners said ushered in a ‘new era’ for women’s rights in the African nation,” *Thomson Reuters Foundation* reported. “In Sudan more than three-quarters of procedures are conducted by nurses, midwives or other medical personnel,” said the nongovernmental organization 28 Too Many. The regional director for Equality Now, another nongovernmental organization, warned, “People who still believe in the practice might not report cases or act to stop FGM when they know it is happening.”

<https://news.trust.org/item/20200430145405-ajph6/>

Syria. The Syrian Democratic Council is a civil committee of Kurds, Arabs and Assyrians in the semi-autonomous region of northern Syria. It announced the launch of a working group of lawyers, activists and families of the missing and disappeared to “follow up, cooperate, coordinate and communicate with all local, regional and international bodies, organizations and institutions to collect all necessary data and information” about kidnappings and detentions by the Islamic State.

<https://m-syria-d.com/en/?p=2384>; <https://www.hrw.org/news/2020/04/21/syria-focus-new-working-groups-efforts-isis-kidnappings>

Tunisia. Farah Hached, a lawyer who, after the Tunisian revolution, founded Democratic Lab, a nongovernmental organization, told *Justiceinfo.net* she believes the management of the archives of the dictatorship is crucial to advancing a “living and innovative” democracy.

<https://www.justiceinfo.net/fr/m%C3%A9moire/44062-tunisie-chef-etat-peut-remettre-centre-debat-archives-dictature.html>

United Kingdom. The Home Office published a statistical bulletin summarizing the “number of **potential** victims of modern slavery referred into the National Referral Mechanism . . . in 2019” (emphasis in original). The year saw 10,627 referrals, a “52% increase from 2018.” The most common type of modern slavery reported was labour exploitation.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/876646/national-referral-mechanism-statistics-uk-end-of-year-summary-2019.pdf

“More than 12,000 people who were wrongly classified by the Home Office as illegal immigrants have now been given citizenship or some other form of documentation proving that they have—and always had—the right to live in the UK,” *The Guardian* reported. “But there are 3,720 outstanding cases with the Windrush task force, the body set up to consider applications from people who believe they were wrongly categorized as immigration offenders.” For background on Windrush, see *HRWG News* 2018-08. <https://www.theguardian.com/uk-news/2020/apr/30/windrush-case-backlog-remains-at-3700-home-office-reveals>

United States. Families from Detroit, Michigan, filed suit against the state because the local schools were so poor as to “deprive them of a basic minimum education that provides a chance at foundational literacy, in violation of the due process and equal protection clauses” of the U.S. Constitution, *Justia* reported. The district court dismissed the case, but the Sixth Circuit Court of Appeals, although dismissing the equal protection claims, ruled that the plaintiffs “have been denied a basic minimum education and have been deprived of access to literacy.” This, said the summary, “demonstrates that a basic minimum education should be recognized as a fundamental right.”

<https://law.justia.com/cases/federal/appellate-courts/ca6/18-1855/18-1855-2020-04-23.html>

“About 1 in 3 people who became sick enough to require hospitalization from COVID-19 were African American, according to hospital data from the first month of the U.S. epidemic released by the Centers for Disease Control and Prevention [CDC],” *National Public Radio* reported. African Americans constitute 13% of the U.S. population. By the end of May, the CDC reported that 28.5% of cases were African-American, pointing to a racial disparity in virus cases. <https://www.npr.org/sections/coronavirus-live-updates/2020/04/08/830030932/cdc-hospital-data-point-to-racial-disparity-in-covid-19-cases>;

https://r.search.aol.com/_ylt=AwrEze10Z7Be6bcAXc9pCWVH;_ylu=X3oDMTBybGY3bmpvbG9nbG8DYmYxBHBvcwMyBHZ0aWQDB

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The American Lung Association released its “State of the Air 2020” report, showing that in 2016-2018 “more cities had high days of ozone and short-term particle pollution compared to 2015-2017 and many cities measured increased levels of year-round particle pollution.” The report used “the most recent quality-assured air pollution data collected by the Federal, state and local governments and tribes in 2016, 2017 and 2018” and for “year-round particle pollution rankings” used “averages calculated and reported by the U.S. Environmental Protection Agency.” <http://www.stateoftheair.org/key-findings/>

“Industrial chemicals known as PFAS have contaminated soil and water near an incinerator in upstate New York that has been burning firefighting foam” known as AFFF under contract with the Department of Defense, *The Intercept* reported. The chemicals “are associated with kidney cancer, testicular cancer, and many other health problems.” In a 2017 “request for proposals” to dispose of the foam the “Air Force made it clear that it believed ‘no satisfactory disposal method has been identified’ for AFFF and that its incineration may not fully destroy PFAS in the foam and may create dangerous byproducts.” A professor at Bennington College tested three soil and four water samples collected near the incinerator in Cohoes, New York. The analysis showed the presence of 10 PFAS compounds “that have been associated with the foam.” Measurements of PFOS (one of the PFAS compounds) were “twice as high downwind from the facility than upwind of it” indicating “airborne deposition of PFAS from ineffective incineration.” The incinerator is “less than 200 meters from a public housing complex that is home to more than 70 families.” The professor said, “Far from destroying PFAS, the . . . plant appears to be raining down a witches’ brew of PFAS compounds on the poor and working class neighborhoods of Cohoes.” https://theintercept.com/2020/04/28/toxic-pfas-aff-upstate-new-york/?utm_medium=email&utm_source=The%20Intercept%20Newsletter

VICE reported that the “government’s aid package to help those struggling during the pandemic contains a small line that excludes a huge group of people: anyone whose tax return included someone without a Social Security number. That blocks not only undocumented immigrants from receiving the benefits but also the spouses and children they share a tax return with, even if those people are born-and-raised U.S. citizens. As of 2017 an estimated 8 million U.S. citizens live with an undocumented individual, including nearly 6 million children.” https://www.vice.com/en_us/article/bvqg78/this-woman-and-her-kids-are-us-citizens-but-they-cant-get-any-coronavirus-stimulus-money

United States/Georgia. The Fulton County prosecutor “said he will expunge Martin Luther King Jr.’s records for his trespassing arrest during a 1960 sit-in protesting the segregated dining rooms at an Atlanta department store,” the *Associated Press* reported. “But some civil rights advocates said they wouldn’t want their civil disobedience records expunged. ‘That is part of my history as a civil rights worker,’” one said, and King’s biographer, who also was arrested for civil rights actions, said a civil rights arrest is a “badge of honor.” Expunging records of civil rights cases is an unacceptable whitewashing of the historical record. <https://www.onlineathens.com/news/20200403/prosecutor-to-expunge-mlks-1960-atlanta-arrest>

United States/Michigan. A U.S. District Court judge ruled that a “lawsuit filed by the estate of a Flint woman who died of Legionnaires’ disease during the city’s water crisis can go forward against former Gov. Rick Snyder and others,” *mlive.com* reported. *VICE* spent a year and a half investigating “who knew what when” about the toxic water that officially killed 12 and sickened dozens more (the true totals may be higher). “Hundreds of confidential pages of documents . . . along with emails and interviews, reveal a coordinated, five-year cover-up” by the then-governor and other officials “to prevent news of Flint’s deadly water from going public—while there was still time to save lives—and then limit the damage after the crisis made global headlines.” *VICE* asserted that the state’s “environmental department manipulated water testing and data in Flint from 2016 through 2018” and also “distorted lead data . . . in at least 35 homes that were part of the state’s official testing group.” The state continues to investigate crimes related to the Flint water crisis. For background see *HRWG News* 2016-01. <https://www.mlive.com/news/flint/2020/04/judge-says-former-gov-snyder-must-face-lawsuit-from-flint-legionnaires-victim.html>; https://www.vice.com/en_us/article/z3bdp9/michigans-ex-gov-rick-snyder-knew-about-flints-toxic-waterand-lied-about-it

Uzbekistan. A law came into effect in April allowing an estimated 50,000 people to acquire citizenship and “many others are expected to benefit when simplified naturalization procedures are introduced in September,” *Thomson Reuters Foundation* reported. The country had more than 97,000 stateless people, “one of the largest stateless populations in the world.” <https://news.trust.org/item/20200430130306-9jmx7/>

Yemen. Yemen’s government accused the Houthi rebel group of “tampering with old manuscripts, seizing databases, dismissing employees qualified to preserve antiquities and replacing them with non-specialists and loyalists to the group,” *Asharq Al-Awsat* reported. The Ministry of Culture said it “hopes that UNESCO will supervise and pressure the Houthi authorities to maintain the safety of the manuscripts.” <https://aawsat.com/english/home/article/2215896/houthis-tamper-yemeni-manuscripts-govt-calls-unesco-interfere>

Good reads.

Julia Crawford, *justiceinfo.net*: “Security of transitional justice archives? Call Switzerland”: <https://www.justiceinfo.net/fr/m%C3%A9moire/44053-securite-archives-justice-transitionnelle-appalez-la-suisse.html>

GovLab and UNICEF case study series “to provide insights on promising practice as well as barriers to realizing responsible data for children”: <https://rd4c.org/case-studies.html>

American Association for the Advancement of Science: “Collecting & sharing geo-located data in crisis situations”: <https://www.aaas.org/sites/default/files/2019-04/updated%20April%2019%20-%20AAAS%20Decision%20Trees%5B2%5D.pdf>

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