
ARCHIVES AND HUMAN RIGHTS

News from the Section on Archives and Human Rights

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Commentary. Want to stop a conversation? Say two words: archives law. Although government archives are a public good, not much attention is paid to them until a crisis occurs and the information the archives holds is essential. Of course, there are laws and laws: out of date, limited, over-ridden by other laws, not enforced, and even sometimes good. Here are a few of the problems with current national archives laws.

For example: India's 1993 archives law says, "No public records bearing security classification shall be transferred to the National Archives of India or the Archives of the Union Territory." That means, of course, that no records of military, intelligence, foreign relations, or police (at minimum) can be transferred to the national archives until they are declassified. And, therefore, the easiest way to keep records from being available to researchers at the archives is simply not to declassify them. Efforts have been made to revise the law, but so far with no success.

For example: Honduras has no current archives law. The national archives was created in 1880. A decree on the "protection of the cultural patrimony of the nation" was issued in 1984, but it is oriented principally to anthropological concerns, with just a few articles on documents and libraries. It says that creating offices hold their records for 50 years before passing them to the national archives, a passive statement that permits transfer but does not require it. Consequently, when the Honduras truth commission finished its work, there was no requirement that it transfer its records to the national archives, and they have since disappeared into other offices.

For example: In Ireland, the National Archives Act was amended in 2018. It makes possible, under certain procedures, to transfer to the national archives records from departments that are 20 years old (regular transfers occur at 30). But there is no provision that allows the accession of records less than 20 years old. Consequently, when the Commission of Investigation into Mother and Baby Homes completed its work this year, with important, sensitive records, there was no possibility to transfer them to the national archives without special legislation—although the archives law specifically states that the records destined for the archives include those made by the "any body which is a committee, commission or tribunal of enquiry appointed from time to time by the Government, a member of the Government or the Attorney General." The Commission's archives were transferred to the Ministry of Children, not to the national archives that can provide professional preservation, access review, and reference service. (See *SAHR News* 2021-02 for background.)

The last international survey of archives legislation was published by the International Council on Archives in 1995; an update is sorely needed. In 2004 the Committee on Legal Matters of the International Council on Archives published "Principles for Archives and Records Legislation." It is the most current international statement of the desirable characteristics of national archival legislation, but also needs a review and possible updating. <https://www.ica.org/en/draft-principles-archives-and-record-legislation-2004>

Ensuring preservation of the records of temporary bodies, such as the truth commission of Honduras or the Baby Homes Commission of Ireland, requires both adequate coverage by an archives law but also a track of their disposition when the commission ends. The Section on Archives and Human Rights, in cooperation with swisspeace, is starting a project to create a central, online source of easily updatable information on the current location of the archives of closed truth commissions. We believe it will benefit

both archivists who may be accessioning the archives of a truth commission and want to be in contact with institutions that have already done so and persons seeking to do research in truth commission records for legal, humanitarian or academic purposes. A steering committee of 3-5 persons, representing both institutions, will establish the parameters of data to be collected, organize the collection of data, ensure the consistency of data collected, and ensure the entry of the data into the dataset. The steering committee will contact colleagues in the respective countries to obtain data. In some countries it may not be possible to locate the truth commission archives, but this also is important information for the potential user and will be documented.

So, at your post-COVID dinner party, when the conversation lags, do not say “archives law” but talk about the remarkable records like those of births and those of bombs, of truth commissions and military tribunals, that need to be preserved for us all.

SAHR News. After the recent call for volunteers, the Executive Committee of ICA-SAHR has now increased to 15 members and we are welcoming Vitor Fonseca of Brazil as the new Chair.

SAHR is pleased to announce the start of a series of talks on issues of archives and human rights. The First Tuesday Talks will be held on the first Tuesday, every second month, at 4 pm European time (3 pm GMT). Mariana Nazar will be the first speaker, on June 1, on archives for truth and justice in Argentina and the question of archival provenance (see Argentina below for information on the current controversy). The talk will be in Spanish and will not have translation. Future talks will be in other languages. To participate, the Zoom link is:

<https://us02web.zoom.us/j/84351842166?pwd=cm01c1lHUUhhHV25tSVNHRnNCWERnUT09>

Meeting ID: 843 5184 2166; Code 291420

ICA sent a comment to the Office of the Prosecutor, International Criminal Court, on its draft “Policy on Cultural Heritage,” which failed to explicitly mention archives and libraries as elements of cultural heritage. A copy is attached to this *News*.

SAHR notes with great sadness the death of former ICA Secretary-General Charles Kecskemeti. Himself once a Hungarian refugee, Dr. Kecskemeti closely followed the progress of SAHR and read every issue of the *News*, often sending a comment about it. His deep interest in human rights was evident, and we are grateful for his support and his distinguished work during his long archival career.

International news.

Organisation for the Prohibition of Chemical Weapons (OPCW). The Investigation and Identification Team of the Organization for the Prohibition of Chemical Weapons issued its second report, which set out “the findings of the investigations conducted in the period between April 2020 and March 2021, focusing on the incident that took place in Saraqib, the Syrian Arab Republic, on 3 February 2018.” It concluded that a military helicopter of the Syrian Air Force dropped a cylinder that “ruptured and released a toxic gas, chlorine, which dispersed over a large area affecting 12 named individuals” in the residential area. To come to this conclusion the team “reviewed thousands of files, amounting to more than 400 gigabytes, obtained 44 statements from more than 30 witnesses, and considered data related to 18 separate samples” and remnants collected from the town. The team “engaged specialists in geolocation, and a separate forensic institute for the extraction and analysis of metadata to assist in verifying the authenticity and reliability of electronic material obtained.” This work was completed despite the refusal of Syria’s government to allow the team access to the site of the incident. <https://www.opcw.org/sites/default/files/documents/2021/04/IIT%20Coordinator%27s%20Remarks%20on%20the%20Second%20Report%20by%20the%20IIT%2012%20April%202021.pdf>

United Nations. The United Nations Population Fund (UNFPA) released its annual *State of the World Population*, this year titled “My Body is My Own - Claiming the right to autonomy and self-determination.” *Thomson Reuters Foundation* summarized the report as, “Only about half of women and girls in developing countries are able to make decisions over their own bodies such as whether they want to have sex, seek healthcare and use contraception.” In technical notes, UNFPA said it “drew on nationally representative

household surveys . . . United Nations organizations estimates and inter-agency estimates” and the data “generally reflect information available as of January 2021.” <https://news.trust.org/item/20210414025525-hznip/>; for the report, see https://www.unfpa.org/sites/default/files/pub-pdf/SoWP2021_Report_-_EN_web.3.21_0.pdf

The Secretary-General released the annual report on conflict-related sexual violence, which showed that “although some progress has been made, impunity prevails.” It “focused on 18 countries for which information verified by the United Nations exists,” with non-State actors the “majority” of parties committing violence. <http://undocs.org/S/2021/312>

World/general news.

Business. Beginning in 2010 the NGO Sherpa entered into mediation before the French National Point of Contact with Socapalm, a Cameroonian palm oil company that is part of the French Bollore group of companies, over the “social, environmental and land issues affecting local communities and workers” in Cameroon. (National Points of Contact provide mediation to help resolve issues that arise with the implementation of the Organization for Economic Co-operation and Development’s Guidelines for Multinational Enterprises.) Although the two parties “agreed on the implementation of an action plan for the benefit of the victims,” it was not implemented. Sherpa and a number of other NGOs then sued Bollore. In January 2021 the “company claimed that the agreement resulting from the mediation was confidential and could not be produced in court,” but at the end of March the French judge “ruled that an agreement resulting from a mediation before the French National Point of Contact . . . is not covered by confidentiality when its forced execution is sought.” <https://www.asso-sherpa.org/bollore-socapalm-the-judge-rules-in-favor-of-the-ngos>

In 2021 the information from a USB stick with emails “detailing an intricate effort by Ikea executives in France to dig up information on employees, job applicants and even customers” was leaked to French news media. Now, a decade later, Ikea executives in France are on trial, French prosecutors charging them with “engineering a ‘system of espionage’ from 2009 to 2012,” the *New York Times* reported. “The alleged snooping was used to investigate employees and union organizers, check up on workers on medical leave and size up customers seeking refunds for botched orders.” “Some Ikea managers tapped police sources to gain access to government databases for job applicants at up to nine stores, seeking records on drug use, theft and other serious offenses.” For background, see *HRWG News* 2013-12. <https://retail.economictimes.indiatimes.com/news/home-and-decor/furniture-and-decor/a-system-of-espionage-reigned-at-ikea-a-french-prosecutor-charges/81961540>

Environment. Amazon Conservation, a U.S.-based NGO, issued a report showing that deforestation in the Amazon “rose by 17% last year, with wildfires, beef production and logging causing forested areas roughly the size of El Salvador to disappear.” The group uses satellite imagery to monitor the devastation. <https://www.reuters.com/article/latam-deforestation-climate-change/amazon-deforestation-rose-17-in-dire-2020-data-shows-idUSL8N2LZ56N>; for maps see <https://www.amazonconservation.org/monitoring-of-the-andean-project-maap/>

Medical records. In the U.S. the 9th Circuit Court of Appeals ordered the U.S. Environmental Protection Agency “to take actions that will likely force the neurotoxic pesticide chlorpyrifos off the market,” *The Intercept* reported. The case began in 2007 when two environmental NGOs petitioned the Environmental Protection Agency to ban the chemical. The court said, “Since 2007, the evidence of harm has continued to build, primarily through two kinds of studies: experimental studies on live mice and rats and epidemiological studies tracking humans who were exposed to chlorpyrifos in utero. Between 2007 and 2016, the EPA published several Human Health Risk Assessments regarding chlorpyrifos and convened its Scientific Advisory Panel (SAP) several times. Those assessments and SAP reviews increasingly recognized the persuasiveness of the studies showing chlorpyrifos’s risks. Nevertheless, the EPA declined to take final action on the 2007 Petition for more than a decade.” https://theintercept.com/2021/04/29/chlorpyrifos-epa-brain-damage-children/?utm_medium=email&utm_source=The%20Intercept%20Newsletter; for the decision <https://www.documentcloud.org/documents/20693912-chlorpyrifos-9th-circuit-4-29-21>

Migration. “Last year geographer Sam Chambers published an unusual map of the Sonoran Desert” in Mexico and the U.S. states of Arizona and California, *Undark* reported. Using mortality data from the Pima, Arizona, County Medical Examiner’s Office, information on migrant activity from NGOs No More Death and Humane Borders that “maintain meticulous records,” the maps “show the distance a young

male can walk in various regions of the desert before the high temperature and physical exertion put him at risk of dying from heat exposure or hyperthermia.” <https://undark.org/2021/03/31/mapping-migrant-deaths-sonoran-desert/>

Through its Missing and Deceased Migrant Program, the International Committee of the Red Cross (ICRC) from 2016 to 2018 undertook pilot projects in South Africa and Zimbabwe to register missing persons cases by conducting interviews with their families and collecting “information on the possible whereabouts of the missing person and personal data which could be used in identification.” According to *Australian Outlook*, of the 103 tracing requests registered, 21 people “were located with ICRC efforts and an additional nine people were located after having been registered.” ICRC also worked with “authorities to enhance forensic identification procedures” by providing training and “standardising forms and process.” To date, over 500 unidentified bodies have been examined and 97 were positively identified. https://www.internationalaffairs.org.au/australianoutlook/remembering-the-missing-in-southern-africa/?mc_phishing_protection_id=28047-c1gkv0adu8157d0outkmg

Human Rights First, a U.S. NGO, “has tracked at least 492 attacks and kidnappings suffered by asylum seekers turned away or stranded in Mexico since President Biden took office in January 2021” and reported that since February 2021 “the U.S. government has sent 27 airplanes with over 1,400 Haitian adults and children including asylum seekers, directly back to Haiti despite escalating political instability and violence.” Further, “in a survey conducted by Al Otro Lado from mid-February through early April 2021 in Baja California, 81% of LGBTQ asylum seekers reported that they were subjected to attack or an attempted attack in Mexico in the past month, including sexual assault by Mexican law enforcement and human trafficking.” The data is based on Human Rights First interviews in Mexico with more than 110 asylum seekers and an “electronic survey” by Al Otro Lado in February through early April of 1,200 asylum seekers in the Mexican state of Baja California, as well as “U.S. and Mexican government data, media, and human rights reports.” <https://www.humanrightsfirst.org/sites/default/files/FailuretoProtect.4.20.21.pdf>

In an investigative report on what it terms the “dirty campaign” to criminalize migration across the Mediterranean Sea into Europe, *The Intercept* reported on “previously unpublished internal documents” it obtained under Italy’s freedom of information law from Italy’s Direzione nazionale antimafia e antiterrorismo (DNAA). It wrote that the DNAA coordinated with the EU border agency Frontex and European military missions operating off the Libyan coast to handle “irregular migration to Europe like they had handled the mob.” The authorities “would arrest low-level operators [smugglers] and use coercion and plea deals to get them to flip on their superiors.” However, “documents of over a dozen trials reviewed by *The Intercept* show prosecutions built on hasty investigations and coercive interrogations.” Further, “the office coordinated a series of criminal investigations into the civilian rescue NGOs working to save lives in the Mediterranean, accusing them of hampering police work.” “The documents reveal in meticulous detail how the agency, alongside Italian and European officials, capitalized on [that] power to crack down on alleged smugglers, most of whom they knew to be desperate people fleeing poverty and violence with limited resources to defend themselves in court.” https://theintercept.com/2021/04/30/italy-anti-mafia-migrant-rescue-smuggling/?utm_medium=email&utm_source=The%20Intercept%20Newsletter

VICE World News reported that migration at the U.S.-Mexico border is a boon not only for human smugglers but also for kidnappers “and the American businesses that handle their money.” *VICE* “reviewed 40 ransom payments made through money transfers in 8 different kidnapping cases from 2014 through January of this year. Virtually all the money flowed through U.S. companies, mostly through Western Union and MoneyGram but also Walmart and lesser-known companies like Ria. By our rough estimate, criminal organizations in Mexico have made around \$800 million on migrant kidnappings alone over the past decade, and money-transfer companies received a cut on nearly every transaction through fees and exchange rates.” *VICE* reported “it doesn’t take much to investigate kidnapping rings: The paper trail is robust. Money transfers include not only a tracking number but also the names of the people receiving the money, where it was collected, and at exactly what time.” https://www.vice.com/en/article/n7bwdz/us-mexico-cartel-kidnapping-migrant-money?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=210420

Refugees. Pakistan, with the assistance of the UN High Commissioner for Refugees, launched a nationwide drive to verify and update the data of around 1.4 million registered Afghan refugees in the country and issue them “smart identity cards,” reported *Anadolu Agency*. Another 1.5 million Afghans are believed to be in the country but unregistered. <https://www.dawn.com/news/1618401>

Technology. *The Intercept* obtained a 25 February contract between the legal research and data brokerage firm LexisNexis and the U.S. Immigration and Customs Enforcement agency. It gives government agents access to what LexisNexis claims are “283 million distinct individual dossiers of 99.99% accuracy tied to Lex IDs, unique identification codes.” The dossiers contain “personal data aggregated from a wide array of public and private sources, including credit history, bankruptcy records, license plate images, and cellular subscriber information. The company will also provide analytical tools that can help police connect these vast stores of data to the right person,” which in the case of ICE likely means to undocumented immigrants or persons who lied on their asylum applications. https://theintercept.com/2021/04/02/ice-database-surveillance-lexisnexis/?utm_medium=email&utm_source=The%20Intercept%20Newsletter

World War II. Franz Josef Huber, “a top commander in Hitler’s secret police, responsible for deporting tens of thousands of Jews, was shielded by U.S. and German authorities after World War II and later joined West Germany’s foreign intelligence service, which knew about his wartime role,” the *New York Times* wrote. “The German public broadcaster *ARD* obtained the records” of U.S. and German intelligence from the post-war years about Huber and shared them with the *Times*. “There are no available records about his interactions with U.S. military intelligence over the two years he was in custody, but in May 1947, despite plentiful contradictory evidence, a U.S. investigator wrote that Huber was ‘a fair, factual impartial police officer who carried out the police functions without party bias or racial and political prejudice’.” Huber was released from U.S. custody in March 1948 and joined German intelligence in December 1955. <https://bdnews24.com/world/2021/04/06/he-led-hitlers-secret-police-in-austria.-then-he-spied-for-the-west>

The “Ringelblum Archive” is the name given to some 30,000 documents gathered by Jewish historian Emanuel Ringelblum and his helpers in the WWII Warsaw ghetto and in 1942 buried for safekeeping in three locations. A monument to the Archive was unveiled on 19 April, the 78th anniversary of the start of the 1943 Warsaw ghetto uprising, set over the spot where one of the troves of documents was hidden, the *Times of Israel* reported. <https://www.timesofisrael.com/monument-unveiled-to-remember-warsaw-ghettos-buried-archive-of-anguish/>

The *Boletín Oficial del Estado*, the official newspaper of the Spanish government, published a list of names of more than 4,000 Spaniards who died in Nazi concentration camps, adding 695 names not previously registered. *ElDiario.es* reported that the added names were “contained in death certificates sent by the French government in the early 1950s and were ‘cornered’ [withheld] by the Franco dictatorship to prevent the victims’ relatives from making claims to Germany.” The measure is part of the initiatives taken under the Historical Memory Law; the listing will allow the relatives of the victims to officially register them as deceased. Thanks to Antonio Gonzalez Quintana for the link. https://www.eldiario.es/sociedad/boe-publica-espanoles-fallecidos-concentracion_1_1406011.amp.html?twitter_impression=true&s=09

Bilateral and multilateral news.

Balkan wars. In 2019 Bosnia’s Republika Srpska National Assembly established a Commission for Investigating the Sufferings of Serbs in Sarajevo to examine “existing facts” and find new facts about Sarajevo during the 1992-95 war. Its report, now published, claimed Serbs were “subjected to “a systematic campaign of ethnic cleansing, which culminated in exodus of Serbs from Sarajevo after the Dayton Peace Accord.” *BIRN* reported that the Commission said “around 800 Serbs were reported missing in Sarajevo during the war and 260 of them have not yet been found” and that “nearly all the perpetrators of war crimes against Serbs have evaded justice with active support from Bosniak-run state institutions.” *BIRN* subsequently published a fact-check review of several of the most controversial claims. https://balkaninsight.com/2021/04/13/controversial-report-highlights-serb-victims-in-wartime-sarajevo/?utm_source=Balkan+Insight+Newsletters&utm_campaign=6e73930c25-BI_DAILY&utm_medium=email&utm_term=0_4027db42dc-6e73930c25-319725265; <https://balkaninsight.com/2021/04/22/birn-fact-check-is-the-bosnian-serb-report-on-the-sarajevo-siege-accurate/>; for the report <https://www.incomfis-sarajevo.org/>

Three NGOs issued a report on the “efficiency of the mechanisms of the institutions of Serbia and Kosovo in finding missing persons from the war in Kosovo in the period from 2016 to 2020,” recommending that the two states “must take a more proactive approach to the missing persons issue and open up all possible archives that could contain data about those who disappeared,” *BIRN* reported. <https://balkaninsight.com/2021/04/27/serbia-kosovo-must-make-missing-persons-a-priority-report/>

Bolivia/United States. In 2018 a jury in a U.S. Federal court found Bolivia’s former president, Gonzalo Sanchez de Lozada, and former defense minister, Jose Carlos Sanchez Berzain, guilty of planning and ordering the massacre of unarmed Indigenous people in 2003 and awarded the plaintiffs, family members of eight people killed during the massacre, \$10 million in damages. After a series of appeals and arguments on “insufficient evidence,” in April the trial court upheld the jury verdict and the damages award. A further trial on related “wrongful death claims is pending.” For background see *HRWG News* 2018-04. <https://yubanet.com/world/court-upholds-10-million-judgment-against-bolivian-leaders-for-2003-massacre/>

Canada/United States. The Sinixt are an Indigenous people whose territory once spanned today’s Canada and the United States but currently are in the U.S. state of Washington as some 4,000 members of the Colville Confederated Tribes. “In 1955 after the Sinixt were pushed down into Washington state, the Canadian government declared them extinct,” the *Guardian* reported. In 2010 Rick Desautel, a Sinixt, “crossed into British Columbia without a permit to hunt elk, arguing he had longstanding treaty rights to [do] so,” but was fined by the Canadian government. After a long legal battle, Canada’s supreme court ruled that he and the other members of the Colville are successors to the Sinixt “and as a result, that they enjoy constitutionally protected indigenous rights to hunt their traditional lands in Canada.” <https://www.theguardian.com/world/2021/apr/25/indigenous-people-canada-sinixt-us-border-hunting-rights>

Dominican Republic/Venezuela. The Dominican Republic set up a registration system for Venezuelans “who reside irregularly” in the country. In just 48 hours, 17,000 Venezuelans attempted to register on the “platform,” which accommodated 12,000 applicants. The applicants are to provide a passport, birth certificate, statement that there are no outstanding “legal problems,” two photographs and a work contract or certificate of university admittance, *HOY Digital* reported. <https://hoy.com.do/en-48-horas-17-mil-venezolanos-solicitan-normalizar-estatus/>

Egypt/ISIS. “On April 5, 2021, ISIS released photos documenting the execution of a fighter of a tribal militia that collaborates with the Egyptian army in the Sinai Peninsula. The fighter was abducted by ISIS in Al-Barth, south of Rafah. According to the photos, he was shot to death,” *Spotlight on Global Jihad* reported. Then on 17 April Sinai Province, “an armed group loyal to ISIS,” released a 13-minute video showing the killing of a Coptic Christian man and two tribesmen in a “desert landscape,” *Al Jazeera* reported. ““As for you Christians of Egypt, this is the price you are paying for supporting the Egyptian army,” the man who executes the Copt says in the video.” Egypt’s army said “some 970 suspected armed group members have been killed in the ongoing security campaign.” <https://www.terrorism-info.org.il/en/spotlight-on-global-jihad-march-25-april-7-2021/>; <https://www.aljazeera.com/news/2021/4/19/isis-linked-group-in-egypt-claims-execution-of-copt-2-others>

El Salvador/United States. In testimony during a pretrial hearing in El Salvador in the case of the December 1981 massacre at El Mozote, Professor Terry Karl of Stanford University said that a U.S. military advisor, Sergeant Major Allen Bruce Hazelwood, was in the El Mozote region at the time with the commander of the battalion responsible for the massacre, *El Faro* reported. Among the documents presented by Karl was the interview Hazelwood gave to El Salvador’s truth commission in 1992. The judge in the case is Jorge Guzman, who has tried to gain access to the archives of El Salvador’s Army, but the Army “on at least five occasions, refused to carry out a judicial order to allow him to inspect their offices and archives.” For background see *SAHR News* 2020-11. https://elfaro.net/en/202104/el_salvador/25441/US-Government-Hid-Presence-of-US-Advisor-in-Mozote-Massacre-Expert-Says.htm?utm_source=DB+El+Faro+English&utm_campaign=78ffe39a45-EMAIL_CAMPAIGN_2020_04_22_01_08_COPY_01&utm_medium=email&utm_term=0_3ec9190c89-78ffe39a45-363082696

Eritrea/Ethiopia. Mark Lowcock, the head of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), told the Security Council that it had received a report in mid-April that 150 people had died from hunger in Tigray, Ethiopia, during the current conflict and warned that “starvation as a weapon of war is a violation.” He also said, “Neither the U.N. nor any of the humanitarian agencies we work with have seen proof of Eritrean withdrawal.” Commenting on a *Reuters* report that the top public health official in Tigray said “at least 829 cases of sexual assault had been reported at five hospitals since the conflict began,” Lowcock said, “Nearly a quarter of reports received by one agency involve gang rape, with multiple men assaulting the victim; in some cases, women have been repeatedly raped over a period of days. Girls as young as eight are being targeted.” <https://news.trust.org/item/20210415194149-aafnv/>

In March five videos were posted on the EthiopiaMap Telegram channel that showed soldiers executing a group of 25 to 30 people. *Bellingcat*, with *Newsy* and *BBC Africa Eye*, used “visual analysis and satellite imagery, 3D topographic information and social media” to locate the scene of the crime. In a long posting, *Bellingcat* described the process of the analysis, which concluded that the massacre took place near the town of Mahbere Dego in the Tigray Region and the killers were Amharic-speaking soldiers, either Ethiopian military or its allies. <https://www.bellingcat.com/news/2021/04/01/mahbere-dego-clues-to-a-cliff-top-massacre-in-ethiopia/>

France/Liberia. France announced it will try Kunti K., former Liberian commander of the United Liberation Movement of Liberia for Democracy (ULIMO) for crimes “allegedly committed during the First Liberian Civil War (1989-1996),” *Front Page Africa* reported. Civitas Maxima, a Swiss-based NGO, filed the complaint, with evidence, that led to his arrest in 2018. Liberia’s Truth and Reconciliation Commission documented 11,500 atrocities ULIMO committed, beginning in Lofa County where it first launched the insurgency. <https://frontpageafricaonline.com/liberia-war-crimes-trial/ulimo-commander-kunti-k-will-face-trial-in-france-for-crimes-against-humanity/>

France/Mali. The UN peacekeeping mission in Mali (MINUSMA) released a 36-page report confirming that “French forces struck a wedding on January 3, where 100 people were celebrating, killing 22 people,” *Passblue* reported. The investigators conducted individual interviews with 115 people and group interviews with another 200 persons and “analyzed no less than 150 publications, official communiques and official declaration and photographic evidence.” For background, see report of the UN Commission of Inquiry on Mali, *SAHR News* 2020-12. <https://www.passblue.com/wp-content/uploads/2021/03/Rapport-Final-Bounty-Bounty9.pdf>

France/Rwanda. On the 27th anniversary of the start of the Rwanda genocide, France ordered “the opening up of significant state archives,” including diplomatic telegrams and confidential notes from 1990 to 1994 from the offices of the president and prime minister, *AFP* reported. Less than two weeks later Rwanda issued a 600-page report saying France “did nothing to stop” the massacres and “in the years after the genocide tried to cover up its role and even offered protection to some perpetrators,” *AP* reported. The Rwandan report, commissioned in 2017 from the Washington law firm of Levy Firestone Muse, is based on a wide range of documentary sources from governments, nongovernmental organizations and academics including diplomatic cables, documentaries, videos and news articles” and interviews with more than 250 witnesses. <https://www.rfi.fr/en/france-opens-archives-on-rwanda-genocide>; <https://apnews.com/article/paris-genocides-france-africa-emmanuel-macron-9e9ec82a54c49ae16da99caec687dc0f1>

Iraq/ISIS/Turkey/United States. Omar Ameen is an Iraqi refugee living in the U.S. who was arrested in August 2018 “as part of an extradition request from the Iraqi government” which believes “Ameen was a high-ranking ISIS commander responsible for the 2014 murder of a police officer in Rawah, Anbar Province, Iraq.” *VICE News* obtained Ameen’s cellphone records, which show that at the time of the murder his phone was “geolocated” to a neighborhood in Mersin, Turkey, where he was living with his family. The judge decided against extradition, based on the cellphone records. However, freed of the murder charge, he was transferred to U.S. Immigration and Customs Enforcement (ICE) custody; in a statement ICE said Ameen lied on his application to come to the United States as a refugee and should be deported. https://www.vice.com/en/article/v7egab/an-iraqi-refugee-falsely-accused-of-being-an-isis-killer-can-stay-in-the-us-for-now?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=210422; <https://www.msn.com/en-us/news/crime/federal-immigration-officials-moving-to-deport-omar-ameen-back-to-iraq/ar-BB1gowBo>

Iraq/Kuwait. Kuwait received eight tons of documents and other items taken during the 1990 Iraq invasion, *AFP* reported. This is the third shipment of seized materials Kuwait has received since 2019; this one contained “archives from Kuwait University, the information ministry and other institutions.” <https://www.france24.com/en/live-news/20210328-kuwait-receives-tonnes-of-national-archives-from-iraq>

Israel/Palestinian territories. “In 2020, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) documented 771 incidents of settler violence causing injury to 133 Palestinians and damaging 9,646 trees and 184 vehicles mostly in the areas of Hebron, Jerusalem, Nablus and Ramallah,” said a report by the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967, the Special Rapporteur on adequate housing and right to non-discrimination, and an

independent expert. However, in the “first three months of 2021, more than 210 settler violent incidents were recorded, including one Palestinian death,” a substantial increase in violence from 2020. <https://www.aljazeera.com/news/2021/4/14/un-experts-highlight-rise-in-israeli-settler-against-palestinians>

In a 213-page report, Human Rights Watch said Israel is committing apartheid against the Palestinian population of Israel, the West Bank and Gaza. It explained the resources it relied upon: “We examined Israeli policies and practices towards Palestinians in the OPT [Occupied Palestinian Territories] and Israel and compared them to the treatment of Jewish Israelis living in the same area. The report draws on years of research and documentation by Human Rights Watch and other rights organizations, including fieldwork conducted for this report. Human Rights Watch also reviewed Israeli laws, government planning documents, statements by officials, and land records. We then analyzed this evidence under the legal standards for the crimes of apartheid and persecution. Human Rights Watch also wrote to the Israeli government in July 2020, soliciting its perspectives on the issues covered but, as of publication, had not received a response.” <https://www.hrw.org/news/2021/04/27/qa-threshold-crossed#>

Japan/South Korea. “A South Korean court dismissed a lawsuit against Japan” seeking compensation for “comfort women” forced to work in Japan’s World War II-era military brothels, *Bloomberg News* reported. The court said that Japan “had sovereign immunity” and was not liable to pay compensation. Japan argued that all claims were “settled completely and finally” under a 1965 agreement; the court noted that a 2015 bilateral agreement between the two countries in which Japan agreed to set up a compensation fund for the women was “still in effect.” <https://www.newsmax.com/newsfront/south-korea-japan-comfort-women-lawsuit/2021/04/21/id/1018427/>

Mexico/United States. Global Exchange, a U.S.-based NGO that works to stop U.S. arms flowing to Mexico, obtained via a public records request to Mexico’s Defense Secretariat (SEDENA), documents showing “end user certificates for firearms exported by U.S. companies and sold to police in Tamaulipas [Mexico] . . . falsely show the end user as the Mexican military. In fact, every single end user certificate for more than 147,000 firearms exported from the United States to Mexico for use by police from 2008 through 2019 declares the army as the end user. Yet more than 8,200 receipts . . . show that the Army sold U.S. -exported weapons to police, including state and local police in Tamaulipas, Guerrero, Chihuahua, and other states with extensive documented records of state violence and corruption.” <https://nacla.org/news/2021/03/29/mexican-police-massacre-guns-tamaulipas?emci=bd8bab0-f492-eb11-85aa-00155d43c992&emdi=fd47fad4-f492-eb11-85aa-00155d43c992&ceid=4606001>

Rwanda/United States. A Rwandan woman, Beatrice Munyenyezi, who was convicted of lying about her role in the 1994 Rwandan genocide in documents filed to obtain to obtain U.S. citizenship and served a 10-year sentence in U.S. prison, was deported by the U.S. to Rwanda, *AP* reported. In Rwanda she was “detained” and “accused of seven crimes connected to the genocide, including murder and complicity to rape.” <https://apnews.com/article/genocides-general-news-rwandan-genocide-rwanda-africa-3d1e4073ec80cb6c061bc672e277584c>

Sweden/Syria. Four NGOs--the Syrian Centre for Media and Freedom of Expression, Civil Rights Defenders, Syrian Archive, and the Open Society Justice Initiative--filed a criminal complaint with the Swedish police’s specialized war crimes unit, accusing Syrian officials, including President Bashar al-Assad, of “chemical attacks using sarin gas, in Khan Sheikhoun in Idlib province in 2017 and Ghouta near the capital Damascus in 2013,” *Al Jazeera* reported. For background, see *HRWG News* 2014-09 and 2017-10. <https://www.aljazeera.com/news/2021/4/20/victims-of-syrian-govt-chemical-attacks-file-case-in-sweden>

Syria/Turkey. Syrians for Truth and Justice (STJ) published a report on the “violations of property rights during and after Turkey’s Operation Peace Spring,” a cross-border military operation by Turkish military and the Syrian National Army that established a 30-km wide border “safe zone” in northeastern Syria. At least 175,000 people were forcibly displaced from their homes (estimates range up to 300,000), with armed groups seizing property from those they believed belonged to opposing forces or “from owners who did not have official property papers, neglecting to recognize that sales in the area are often based on oral contracts and trust between the buyer and the seller.” Some persons were “forced to sign papers and contracts stating that they surrendered their property to those who unlawfully seized it.” Among STJ’s recommendations are: “Any transitional governing entity that will be formed in the future must issue a law or a decree to consider all title transfers of real property in occupied territories null” and there must

be “awareness and education campaigns for victims to impress the need to document the violations of their properties, shedding light on the importance to resort to courts and property departments to obtain documents confirming their ownership, and to submit reports at police stations—if necessary—on what occurred.”

https://stj-sy.org/en/nothing-is-left-of-my-home-except-keys/?utm_source=SJAC+Weekly+Update&utm_campaign=9642998006-EMAIL_CAMPAIGN_2019_01_10_02_56_COPY_01&utm_medium=email&utm_term=0_0a7405c641-9642998006-90540617

National news.

Albania. A judge at the Special Court Against Corruption and Organised Crime (SPAK) ordered the seizure of “any computer, mobile phone or other electronic equipment belonging to the online publication *Lapsi.al*,” *BIRN* reported. The publication had “revealed the existence of a massive database purportedly belonging to the ruling Socialist Party containing information on each voter, including background, voting history, family links or employment status. Prosecutors ordered *Lapsi.al* to hand over the database but the editors refused, saying that could expose their source or sources.” <https://balkaninsight.com/2021/04/21/seizure-order-for-lapsi-al-is-a-serious-thread-to-the-freedom-of-the-media/>

Argentina. In 2000 the legislature of the province of Buenos Aires passed Law 12498 that created a “single Registry of Truth” on the crimes against humanity committed in the province during the military dictatorship (1976-1983). Two decades later, a decree in January 2020 established a Provincial Archives of Memory to hold the registry/archives, the inauguration of which was delayed by the pandemic. Now, reported *Pagina 12*, a director has been appointed and plans are underway to begin transferring to the new archives relevant materials from existing archival institutions. The Association of Argentine Archivists in Public Institutions (AFPA) publicly expressed its concern, opposing the dismembering of archives by subject and preserving them out of context in another archives. <https://www.pagina12.com.ar/332412-los-bonaerenses-tienen-su-archivo-provincial-de-la-memoria>; <https://bit.ly/3twJ71u>

The DNA bank with blood samples from the relatives of persons who went missing during the military dictatorship will be preserved by the National Archive of Memory of Argentina. The bank will be shared with the EAAF (Argentinian Team of Forensic Anthropology). Thanks to Antonio Gonzalez Quintana for the link. <https://www.argentina.gob.ar/noticias/el-archivo-nacional-de-la-memoria-entrego-muestras-de-sangre-de-familiares-de-personas?s=09>

A total of 62 women were killed in Argentina in the first three months of 2021, the equivalent of a femicide every 35 hours, according to data compiled by Mujeres de la Matria Latinoamericana (Mumalá), *EFE* reported. With other feminist organizations, they called for a declaration of national emergency on gender violence. <https://www.efe.com/efe/america/portada/argentina-sufrio-un-feminicidio-cada-35-horas-en-el-primer-trimestre-del-ano/20000064-4501718>

Brazil. The Supreme Court ordered the Senate to investigate national and state government actions and omissions in managing the COVID-19 pandemic, *BBC News* reported. The Senate established an 18-member commission to carry out the investigation; among the actions to be reviewed is whether “‘genocide’ was committed against indigenous communities in the Amazon, which were ravaged by a deadly variant that was left uncontrolled.” The findings can be “submitted to authorities with the ability to prosecute.” Given the sensitivity of the inquiry, the commission will need robust records management. <https://www.bbc.com/news/world-latin-america-56899177>

Burkina Faso. In Ouagadougou the military court indicted former president Compaore for complicity in the 1987 assassination of former president Thomas Sankara. According to *Crisis Watch*, the national reconciliation minister said in March that justice in the Sankara case would be a “step toward national reconciliation.” For background, see *SAHR News* 2020-10. <https://www.france24.com/en/tv-shows/eye-on-africa/20210413-burkina-ex-president-compaor%C3%A9-to-be-tried-for-thomas-sankara-s-murder-eye-on-africa>; <https://www.crisisgroup.org/crisiswatch#overview>

Colombia. The investigative unit of the Special Jurisdiction for Peace (JEP) tribunal said that “between April 14 and 21, seven former fighters [FARC guerrillas] were killed, or roughly one every 24 hours,” *Reuters* reported. Comunes, the political party formed by demobilized FARC members, said “so far 271

former fighters have been killed since the peace deal was signed” in 2016. <https://www.reuters.com/world/americas/killings-colombia-ex-rebels-could-reach-1600-by-end-2024-court-2021-04-28/>

El Salvador. “Using data from the Attorney General’s Office and the National Police, investigators examined some 20,000 disappearances from 2014 to 2019, according to the report published . . . by the Foundation of Studies for the Application of Law,” *InSight Crime* reported. In 2012 the country’s three main gangs agreed to a “truce” with the government to reduce violence in exchange for benefits for imprisoned gang leaders. Counterintuitively, “the truce coincided with an abrupt increase in reports of disappearances;” the investigators presume the victims were “killed in the context of the negotiation between the government and the gangs.” They also suggested that “disappearances can stand in when public killings are not possible, helping to maintain gang order and cohesion.” <https://insightcrime.org/news/political-pacts-gangs-fuel-forced-disappearances-el-salvador/?emci=594d9597-84a6-eb11-85aa-0050f237abef&emdi=99d075f2-85a6-eb11-85aa-0050f237abef&ceid=4606001> ; for the report https://drive.google.com/file/d/1U6d8M8h0RgZmZ0jx4gdhnAeu-pn_o3CN/view

Guatemala. The U.S.-based NGO Guatemala Human Rights Commission reported that the “offices of the indigenous Peoples’ Law Firm (BI) were broken into and robbed over the weekend of March 20-21.” The director of the firm said the raid destroyed “tools fundamental to their work,” but they will continue, although “all of the computers and security camera recordings were stolen, legal files on current cases were damaged, and the sign labelling the . . . offices was destroyed.” <https://ghrcusa.wordpress.com/2021/04/16/constitutional-court-and-human-rights-update-3-20-4-16/>

Haiti. “A wave of kidnappings is sweeping Haiti,” *Reuters* reported. The United Nations said its data showed 234 kidnappings in 2020, triple the number in 2019; however, the NGO Center for Human Rights Analysis and Research in Port-au-Prince said it recorded 796 kidnappings in 2020. Gang violence is also resurging. A report by the International Human Rights Clinic at Harvard Law School alleged “high-level government involvement in the planning, execution and cover-up” of three “gang-led attacks on poor neighborhoods between 2018 and 2020 that left at least 240 civilians dead.” The report was based “on the extensive fact-finding conducted by Haitian human rights organizations, the UN, and other international actors.” <https://www.usnews.com/news/world/articles/2021-04-26/descent-into-hell-kidnapping-explosion-terrorizes-haiti?emci=594d9597-84a6-eb11-85aa-0050f237abef&emdi=99d075f2-85a6-eb11-85aa-0050f237abef&ceid=4606001>; http://hrp.law.harvard.edu/wp-content/uploads/2021/04/Killing_With_Impunity-1.pdf

India. The soaring COVID-19 cases in India are tragic. The problem is compounded, reported *Thomson Reuters Foundation*, by the government’s linkage of the Aadhaar identification system with registration for the vaccine. An official at the Internet Freedom Foundation in Delhi said “a requirement to register for appointments on a mobile app using Aadhaar is excluding millions of people who do not have an Aadhaar ID” and “using Aadhaar-based facial recognition for authentication compounds the problem, as it is riddled with inaccuracies.” Aadhaar is the world’s largest biometric identity system, but many people were left out when it was developed. <https://news.trust.org/item/20210415085022-ja5wq/>

Girls married before the legal age of 18 have been omitted from the latest survey of domestic violence by the national health survey because the survey has an ethical protocol that requires keeping its information confidential, which “was at odds with India’s child protection law of 2012, which demands that all cases of child sex abuse must [be] reported to the police,” *Thomson Reuters Foundation* explained. As a result, “14 of 20 states whose survey reports were published have shown a decline in domestic violence cases” because the under-18-year-olds were excluded. The founder of a women’s rights NGO in Rajasthan said, “Dropping this data on them is a mistake. These girls have no voice.” <https://news.trust.org/item/20210426225346-qkt03/>

Libya. Amnesty International issued a statement saying “military courts have convicted hundreds of civilians in eastern Libya in secret and grossly unfair military trials, aimed at punishing real or perceived opponents and critics of the Libyan Arab Armed Forces (LAAF) and affiliated armed groups.” A journalist was imprisoned for “content found on his phone,” and at least 22 people “were sentenced to death and hundreds of others to imprisonment between 2018 and 2021. Many defendants were subjected to torture and other ill-treatment in pre-trial detention.” Amnesty interviewed 11 individuals, including former defendants, human rights defenders and lawyers; among their complaints were “barring lawyers from examining case files and “in several cases, defendants were not told of the exact charges against them

until trial, were tried in closed hearings, and were not granted access to the casefiles or evidence against them, or to reasoned judgements once convicted.”

<https://www.amnesty.org/en/latest/news/2021/04/libya-military-courts-sentence-hundreds-of-civilians-in-sham-torture-tainted-trials/>

Mali. Two Malian women’s rights organizations filed a case at the Economic Community of West African States (ECOWAS) Court of Justice “to challenge Mali’s failure to prohibit Female Genital Mutilation (FGM) by adopting a legal and police framework that would criminalize the practice.” The director of international NGO Equality Now’s Africa Office, which supports the case, pointed out that the government’s National Statistics Institute conducted a demographic and health survey in 2018 that found “at least 89% of girls and women in Mali between the ages of 15 and 49 have been subjected to FGM, with 73% of Malian girls undergoing the cut before their 15th birthday.” <https://www.ihrda.org/wp-content/uploads/2021/04/Communique-Filing-of-Mali-FGM-case-ECOWAS-Court-April-2021-En-1.pdf>

Mexico. The government issued a report on the searches for people who disappeared between the start of 2006 and 7 April 2021. It said the number of disappeared now stands at 85,006, *AP* reported.

<https://apnews.com/article/latin-america-mexico-3bb0154d03a75df2728aa6b9652234bc?emci=2a9615e4-3e99-eb11-85aa-0050f237abef&emdi=dd31fc27-4099-eb11-85aa-0050f237abef&ceid=4606001>

AP also reported that the government passed legislation “to require cellphone companies to gather customers’ identification and biometric data, like fingerprints or eye scans” within two years and make it available to the government. Morena, the party of Mexico’s president, argued the requirement “is needed to fight crimes like extortion and kidnapping that frequently involve the use of cellphones,” while opponents were “concerned about the information being leaked or sold, saying it could actually help thieves, extortionists and kidnappers,” noting that a similar registry was attempted between 2008 and 2011 but was abandoned after user data was leaked.

https://www.washingtonpost.com/world/the_americas/mexico-moves-to-require-biometric-data-from-cellphone-users/2021/04/14/111dfb5e-9d74-11eb-b2f5-7d2f0182750d_story.html?emci=014e0adc-f89d-eb11-85aa-0050f237abef&emdi=fa34c2eb-f99d-eb11-85aa-0050f237abef&ceid=4606001

Myanmar. The military “broadcast images of six young detainees bearing severe signs of abuse,” *Al Jazeera* reported. The Assistance Association for Political Prisoners (AAPP) said on 18 April that its tracking shows “security forces have killed 737 people since the February 1 coup and rounded up 3,229 others across the country.” The AAPP records need strong protection.

<https://www.aljazeera.com/news/2021/4/19/outcry-in-myanmar-as-military-airs-images-of-tortured-detainees>

Nicaragua. On the third anniversary of the rebellion against the government, the police raided homes of politicians and seized cell phones and laptops, *Confidencial* reported, and arrested other opponents of the regime. The Inter-American Commission on Human Rights issued a statement, saying, “Since its visit on May 17, 2018 to date, the IACHR has documented the perpetration of serious human rights violations committed in the context of the violent repression of social protests that began in April of that same year. According to the information registered through the Special Follow-up Mechanism for Nicaragua (MESENI), to date, the human rights crisis in Nicaragua has resulted in at least 328 deaths and some 2,000 injuries, as a result of the action [by] state agents or civilians acting with their acquiescence and tolerance; complaints about the widespread and systematic practice of ill-treatment, several of which could reach the threshold of torture. Likewise, the reports have determined that at least 1,614 people have been victims of arbitrary deprivation of their liberty in retaliation for having participated in acts of protest or opposition to the government. Both the monitoring and follow-up work of the IACHR, as well as the public information provided by UNHCR, indicate that more than 100,000 people have migrated from Nicaragua, presumably to protect their life, integrity, and personal freedom.”

<https://www.confidencial.com.ni/nacion/allanamientos-y-abusos-policiales-en-tercer-aniversario-de-la-rebelion-de-abril/>

<https://www.oas.org/en/IACHR/jsForm/?File=/es/cidh/prensa/comunicados/2021/093.asp>

South Sudan. “A black market appeared for COVID-19 tests that were supposed to be free. An inflated contract was awarded to a company to renovate a hospital that still sits empty. And the government authorized one small outfit to produce hand sanitizer—while banning imports of the product as people scrambled to find supplies. *The New Humanitarian* found these and other examples after interviewing nearly 30 government officials, business owners, and aid workers, as well as reviewing documents, emails and text messages as part of an investigation with *Al Jazeera*.”

<https://www.thenewhumanitarian.org/2021/4/7/corruption-claims-amid-rising-covid-19-cases-in-south-sudan>

United States. Three UN Special Rapporteurs sent a letter to the U.S. government, dated 29 January but released only during the week of 4 April, on the impacts of the U.S.'s "increased military presence in Guam and the failure to protect the indigenous Chamorro people from the loss of their traditional lands, territories, and resources; serious adverse environmental impacts; the loss of cultural artifacts and human remains; as well as the denial of the right to free, prior and informed consent and self-determination." They asked for information on all those points; I have been unable to find a response. <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25885>

An article in *Paediatric and Perinatal Epidemiology* reported on research that found "exposure to fatal police violence may play a role" in risk for preterm births in California. The researchers used "both death records and the Fatal Encounters database to identify incidents of fatal police violence," sorting them to census tracts and records of preterm deliveries in California from 2007 to 2015. They found that "exposure to an incident of fatal police violence was associated with a small increase in the hazard of preterm birth" late and moderate (between 32 and 36 weeks) but not earlier than that. Importantly, "larger relative hazards of moderate . . . and late preterm delivery . . . were observed among Black birth parents with female births." https://theconversation.com/fatal-police-violence-may-be-linked-to-preterm-births-in-neighborhoods-nearby-153858?utm_medium=email&utm_campaign=Daily%20Newsletter%20%20April%2016%202021%20-%201919718773&utm_content=Daily%20Newsletter%20%20April%2016%202021%20-%201919718773+CID_7116b37b734853892adfbfd81f33d86a&utm_source=campaign_monitor_us&utm_term=Fatal%20police%20violence%20may%20be%20linked%20to%20preterm%20births%20in%20neighborhoods%20nearby

Publishing in *Science Advances*, researchers from five universities reported that "Black people are exposed to 21% more fine-particle pollution compared to average Americans, while exposure was 18% greater for Asian Americans and 11% more for Hispanics. White Americans, by contrast, have 8% less pollution exposure than the average." An annex to the study shows they used the U.S. Census 2012-2016 American Community Survey for population data by "race-ethnicity" and income statistics, plus historical maps "digitized by the Mapping Inequality project," and U.S. Environmental Protection Agency data on types of emissions. A separate study, reported the *Washington Post*, "found that 92% of low-income communities have less tree cover than wealthier ones," and a third study, this one by the NGO Environmental Integrity Project, "shows that Americans of color face elevated exposure to benzene, a toxic air pollutant linked to cancer"—they represent "almost 60% of the nearly 530,00 people who live within 3 miles of the 13 [oil and gas] refineries that reported harmful levels of benzene last year." [https://www.washingtonpost.com/climate-environment/2021/04/28/environmental-justice-pollution/;](https://www.washingtonpost.com/climate-environment/2021/04/28/environmental-justice-pollution/) for the study <https://advances.sciencemag.org/content/7/18/eabf4491>

United States/Georgia. In an "urban renewal" project in the 1960s, Athens-Clarke County seized and demolished the property of 298 families, 176 of them families of color, *The Intercept* reported. The city-county government in February both adopted a resolution that apologized "specifically for the county's role in destroying Linnentown, the Black, middle-class community" and pledged "to erect an on-site memorial honoring the legacy of Linnentown and create a new center on slavery, Jim Crow laws, and the future of Athens' Black communities," and to "calculate the total amount of intergenerational wealth lost through urban renewal and use that number to inform annual participatory budgeting on projects for redress—in other words, public funding for reparations." The actions were spurred by research of a University of Georgia employee, Joseph Carter, who found in the university library's Special Collections "many documents about urban renewal, including early 20th-century fire insurance maps that showed the Linnentown homes." https://theintercept.com/2021/04/09/reparations-georgia-athens-uga-linnentown/?utm_medium=email&utm_source=The%20Intercept%20Newsletter

Venezuela. Human Rights Watch (HRW) said "security forces have committed egregious abuses against local residents during a weeks-long operation against armed groups on the border with Colombia." The statement was based on HRW's interviews with 68 people (displaced and others) and HRW's review of "information from Colombian and Venezuelan authorities, and other evidence such as photographs, videos, and audio recordings of attacks, lootings, and people crossing the river to Colombia." On 26 March Venezuela's attorney general appointed two human rights prosecutors to investigate events in Apure state on the Colombian border and a 12-member commission to investigate the killing of four persons from the area of El Ripial who, a family member said, were taken from their house by members of the Special Action Force of the Bolivarian National Police (FAES). <https://www.hrw.org/news/2021/04/26/venezuela-security-force-abuses-colombia-border#>

Good reads.

Amnesty International report 2020/21 *The State of the World's Human Rights*: <https://www.amnesty.org/en/latest/news/2021/04/annual-report-covid19-decades-of-oppression-inequality-abuse/>

Freedom House annual report *Democracy Under Siege*: <https://freedomhouse.org/report/freedom-world/2021/democracy-under-siege>

World Economic Forum *Global Gender Gap Report 2021*: http://www3.weforum.org/docs/WEF_GGGR_2021.pdf

Six articles on data and displacement of missing migrants, pp. 46-53, *Forced Migration Review*: www.fmreview.org/issue66

Keren Weitzberg, Margie Cheesman, Aaron Martin, Emrys Schoemaker, “Between surveillance and recognition: Rethinking digital identity in aid,” *Big Data and Society*: <https://journals.sagepub.com/doi/10.1177/20539517211006744>

“Genocide Studies and the Climate Emergency: A Statement from Fellow Scholars”: https://www.clarku.edu/centers/holocaust-and-genocide-studies/wp-content/blogs.dir/7/files/sites/180/2021/04/Genocide_Scholars_Climate_Statement_7_April_2021-converted1.pdf

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To the Prosecutor of the International Criminal Court The Hague

The International Council on Archives (ICA), an international association created in 1948 to promote the development of archives, with advisory status to UNESCO in the field of archives and documentary heritage, welcomes the draft prepared by the Prosecutor Office with the title *Policy on Cultural Heritage*. We commend this initiative to formulate recommendations for the acknowledgement as Human rights violations of attacks against cultural heritage, in all its forms, as war crimes or crimes against Humanity, and to include them among the scope of the ICC actions.

Supporting this initiative, the International Council on Archives, in particular informed by the work of its Section on Archives and Human Rights, would like to call your attention to the omission of archives in this draft published for comments. We are pleased to submit suggested amendments that would address this, and incorporate archives within the scope of the proposed Policy.

We are motivated by the critical role that records and archives play in the fight against impunity and the dangers that both face regarding their good preservation and accessibility. Seizure, destruction or concealment are often present amongst actions against cultural heritage, not only in this case to destroy the collective memory of communities, social groups or countries, but also to use records against persons considered political enemies.

We also see as quite important differences in the understanding of what could be considered as cultural property, according to point 16 of the draft, and the definition of cultural heritage made in the Hague Convention of 1954, mentioned as a main reference in the exposure draft of the Prosecutor's Office:

Article 1 – Definition of cultural property

For the purposes of the present Convention, the term 'cultural property' shall cover, irrespective of origin or ownership:

(a) movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above;

(b) buildings whose main and effective purpose is to preserve or exhibit the movable cultural property defined in sub-paragraph (a) such as museums, large libraries and depositories of archives, and refuges intended to shelter, in the event of armed conflict, the movable cultural property defined in sub-paragraph (a);

(c) centers containing a large amount of cultural property as defined in sub-paragraphs (a) and (b), to be known as 'centers containing monuments'.

We would like to propose for consideration the two following amendments we suggest to be included in the draft, in points 16 and 28 respectively:

Amendments proposed by ICA (proposed additions are underlined and in blue):

16. In particular, therefore, the Office will understand cultural heritage potentially to include monuments (such as architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings, and other combinations of features of cultural value); buildings or groups of buildings (which, because of their architecture, homogeneity or place in the landscape, or because of their content, in the case of museums, archives or libraries, are of cultural value); sites (human works), moveable objects (such as works of art,

sculpture, collections, [manuscripts, books, records](#), or other moveable property of cultural value), intangible cultural heritage (such as the practices, representations, expressions, knowledge, and skills that communities, groups, and in some cases individuals, recognise as part of their cultural heritage, together with the instruments, objects, artefacts, and cultural spaces associated therewith); and natural heritage (natural sites of cultural value, including certain landscapes or physical, biological, or geological formations).

28. The Office considers that attacks on cultural heritage may violate human rights. They destroy conditions that allow people — irrespective of association with national, ethnical, racial, or religious groups, without discrimination, to access, participate in and contribute to cultural life. In recent times, both during armed conflict and in peacetime, objects of cultural value have been damaged, desecrated, repurposed, or stolen, frequently with the aim of harming the people to whom they are intrinsically linked. The protection of both tangible and intangible cultural heritage therefore finds its reflection in international human rights norms and protections of human rights related to cultural heritage,¹⁶ in particular, the right of access to and enjoyment of all forms of cultural heritage, including the right to take part in cultural life, the right of minorities to enjoy their own culture and the right of indigenous peoples to self-determination and cultural heritage.¹⁷ The associated rights affected include freedom of expression, freedom of thought, conscience and religion, the right to education, economic rights, and the right to development. [Archives and records, in particular, may be also considered as main tools for the right to know and right to truth formulated by the UN Human Rights Council.](#)

The International Council on Archives would be pleased to provide any further comment or explanation on our recommendations above.

Our contact for this purpose is Antonio González Quintana at agquintana@gmail.com.

David Fricker
President of the International Council on Archives