
ARCHIVES AND HUMAN RIGHTS

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

Issue no. 138, June 2021

Written and compiled by Trudy Huskamp Peterson

Commentary.

What is informed consent? Many people, perhaps most of us, routinely click on “accept” when confronted with a website that requires acknowledgement of our user data to access the site. Similarly, we may not read all the information on a rental agreement for a car or the lease of an apartment, but we sign anyway. We consent, and the record shows that we were indeed informed.

The traditional understanding of informed consent was about medical practices. A patient would be asked to consent to a medical procedure only after being told about all the possible consequences of taking the drug or having the procedure and the informed consent would be recorded in the patient’s medical record. Today the application of the concept of informed consent has expanded mightily. Some examples:

*In its first global report on the use of artificial intelligence (AI) in health care, the World Health Organization issued 6 guiding principles, saying AI “holds great promise for improving the delivery of health care and medicine worldwide, but only if ethics and human rights are put at the heart of its design, deployment, and use.” The first principle says “patients must give valid informed consent through appropriate legal frameworks for data protection.” <https://www.who.int/news/item/28-06-2021-who-issues-first-global-report-on-ai-in-health-and-six-guiding-principles-for-its-design-and-use>

*The Inter-American Court of Human Rights ruled that Ecuador violated the rights of Eduardo Guachala Cimbo, “a person with a disability who suffered from epilepsy” who disappeared from a hospital in 2004. In a suit brought by his mother, who had signed his “committal authorization,” the Court found that he had not given informed consent to his treatment and further “that the use of the victim’s disability to argue that his informed consent was not necessary for his committal and medication, and the lack of access to the necessary medications, amounted to discrimination based on disability.” https://www.corteidh.or.cr/docs/comunicados/cp_36_2021_eng.pdf

*In December 2020 the High Court of England and Wales ruled that person under 16 years of age was unlikely to be able to consent meaningfully to taking puberty blocker hormone to promote development of the physical characteristics of the opposite sex. <https://www.economist.com/science-and-technology/2021/05/13/doubts-are-growing-about-therapy-for-gender-dysphoric-children>

*In just one of many cases in which a doctor used his own sperm to inseminate a woman having fertility treatments, a woman, told by her son that the sperm used was not her husband’s, said she “certainly never consented to anyone else’s material being used.” Through DNA testing the son’s sister found she had been conceived by the same process. The doctor’s family, who was of a different faith than the mother, did not welcome the half-siblings. <https://www.desmoinesregister.com/story/life/2021/05/14/iowa-fertility-doctor-used-own-sperm-donor-fraud-artificial-insemination/5075444001/>

*The UN High Commissioner for Refugees came under sharp criticism from Human Rights Watch, which said UNHCR “improperly collected and shared personal information from ethnic Rohingya refugees with Bangladesh, which shared it with Myanmar to verify people for possible repatriation.” UNHCR responded, explaining that during registration in Bangladesh, “refugees were

separately and expressly asked whether they gave their consent to have their data shared with the Government of Myanmar by the Government of Bangladesh. . . refugees were free to refuse the data sharing . . . Each family’s consent was confirmed at least twice and consent signatures were only obtained following this double-confirmation.” <https://www.hrw.org/news/2021/06/15/un-shared-rohingya-data-without-informed-consent#:> <https://www.unhcr.org/en-us/news/press/2021/6/60c85a7b4/news-comment-statement-refugee-registration-data-collection-bangladesh.html>

*YHRD is the world’s largest database containing Y-chromosome profiles from men across the world. Forensic scientists use it to compare DNA from human material collected at a crime scene with the profiles stored there. YHRD has come under fire from some geneticists, who believe “thousands of the profiles it holds were obtained from men who are unlikely to have given free, informed consent,” including “from minority ethnic populations such as the Uyghurs in China and the Roma in eastern Europe.” <https://www.nature.com/articles/d41586-021-01584-w>

So how do we think about the records of our informed consent when data about us can spread so widely without our understanding? Is it different if it is a one-on-one relationship, such as a patient with a doctor and the patient’s records stay with the medical facility where the patient is treated, from Y chromosome data in a database that is shared worldwide, making family links possible but also identifying possible perpetrators of crimes?

In all cases, it is essential to preserve the records of consent. Who is responsible? Medical facilities keep records of informed consent of patients, and patients should also be given a copy of the agreement. For self-submitted consent, such as for permission to access a website or to post information to social media or to lease a car, both the institutional host of the website and the person are responsible. It is more complicated when three parties are involved: the person, the entity that collected the original consent and the entity that now holds data that it did not originally collect. Should the third party, whether Bangladesh or the YHRD database managers, hold a copy of the record of informed consent or is that responsibility only with the information provider? Does it matter if that provider to a third party is a state (presumably China for Uyghur material) or a medical or other nongovernmental institution? We all need to understand who is responsible for the archives of our informed consent.

SAHR News. Graham Dominy, former archivist of South Africa, will give a First Tuesday Talk on 3 August at 16:00 Western Europe time. He will discuss “Competing Challenges: Competing Interests in the Archiving and Accessing of South Africa’s Truth and Reconciliation Commission Records.” On Zoom, in English only. To register: <https://tinyurl.com/yfzzjdvw>

The following First Tuesday Talk will be by Adel Maizi, who will discuss Tunisia’s Truth and Dignity Commission, on 5 October.

International news.

European Court of Justice. The Court ruled that Germany “systematically and persistently” exceeded the annual limits of nitrogen oxide in its large cities in 29% of German regions between 2010 and 2016, *EurActiv* reported. Germany’s Federal Environment Agency in May confirmed that its data show “the main source of nitrogen oxides in German cities is road traffic, especially diesel vehicles.” The European Commission, which brought the suit, estimated “that around 400,000 people die prematurely every year in the EU as a result of pollutants in the air.” https://www.eurasiareview.com/04062021-eu-court-convicts-germany-for-breaching-air-quality-law/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

Inter-American Commission on Human Rights (IACHR) and United Nations High Commissioner for Refugees (UNHCR). IACHR issued, in collaboration with UNHCR, a “practical guide on how to protect family unity and reunification more effectively in human mobility and mixed movement contexts during the ongoing COVID-19 pandemic.” Among the recommendations are: “Make resolving cases of prolonged family separation a priority, including the use of task forces and the cross-referencing of databases to promote family reunification;” “Promote the creation and strengthening of identification mechanisms in border areas, as well as local procedures for registering cases and

requesting guidance, in coordination with the oversight agencies;” “Create and maintain up-to-date national and regional databases to enable the rapid identification of children separated during migration, asylum, or protection procedures. Those databases must be subject to international data protection obligations and may not, under any circumstances, be used to initiate investigations against individuals in the context of mobility or as part of border security mechanisms or outsourced migration controls.” http://www.oas.org/en/iachr/reports/pdfs/guia_practica_migracion_ing.pdf

Inter-American Court of Human Rights. In what the *Guardian* called “a landmark ruling for transgender rights,” the Court ruled not only that the Honduras government was responsible for the 2009 murder of a transwoman, Vicky Hernandez, but also ruled “that the state must allow people to alter their gender identity on identification documents and public records.” <https://www.theguardian.com/global-development/2021/jun/29/honduran-state-responsible-for-trans-womans-court>; for the decision https://www.corteidh.or.cr/comunicados_prensa.cfm?lang=en&n=717

International Atomic Energy Agency (IAEA). In a “confidential document distributed to member countries and seen by *The Associated Press*,” IAEA said “has not had access to the data from its online enrichment monitors and electronic seals, or had access to the measurement recordings registered by its installed measurement devices” since February 23 “when the Islamic Republic started restricting international inspections of its facilities.” All the data are “important to monitoring Iran’s nuclear program.” https://apnews.com/article/united-nations-donald-trump-europe-middle-east-iran-e702e747ed9b21390103bebe51a0206f?utm_source=Sailthru&utm_medium=email&utm_campaign=June1_MorningWire&utm_term=Morning%20Wire%20Subscribers

International Criminal Court. The Office of the Prosecutor issued its final Policy on Cultural Heritage; archives are now included as a part of cultural heritage. In a public comment, a member of the Prosecutor’s staff said the Office received 57 messages protesting the omission of archives from the previous version. Many thanks to all who wrote to the Prosecutor. <https://www.icc-cpi.int/itemsDocuments/20210614-otp-policy-cultural-heritage-eng.pdf>

International Labor Organization (ILO). The ILO report *World Employment and Social Outlook: Trends 2021* said “relative to 2019, an additional 108 million workers worldwide are now moderately or extremely poor—meaning their families must survive on less than \$3.20 per person each day.” ILO’s director-general said in a statement, “Recovery from COVID-19 is not just a health issue. The serious damage to economies and societies needs to be overcome, too.” <https://www.commondreams.org/news/2021/06/02/un-labor-agency-finds-pandemic-pushed-over-100-million-workers-poverty?amp>; for the report https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_795453.pdf

International Labor Organization/UNICEF. In a joint statement, the agencies said “the number of child labourers has increased to 160 million from 152 million in 2016, with the greatest rise in Africa,” *Thomson Reuters Foundation* reported. The data was collected prior to the pandemic; UNICEF’s executive director said due to COVID-19’s “global lockdowns, school closures, economic disruptions and shrinking national budgets, families are forced to make heartbreaking choices.” <https://news.trust.org/item/20210609225119-q9two/>

International Residual Mechanism for Criminal Tribunals. The court, successor to the International Criminal Tribunal for the former Yugoslavia, issued two key findings. First, its appeals chamber confirmed the conviction of Ratko Mladic, the former military commander of the Bosnian Serb army. Second, the trial chamber convicted Jovica Stanisic, the former head of Serbia’s state security service, and his subordinate Franko “Frenki” Simatovic for aiding and abetting war crimes in the Bosnian town of Bosanski Samac but said there was “not sufficient evidence to convict them of other crimes in other towns and villages in Bosnia and Croatia,” *Al Jazeera* reported. This is the first time a Serbian official has been convicted by the court for crimes in the Balkan wars. Both sides have the right of appeal. Iva Vukusic, an historian at Utrecht University, told the *Guardian* about the Stanisic-Simatovic trial: “This is the longest legal saga in The Hague . . . It was also conducted, to a large extent, behind closed doors, presumably Serbia provided documents but on the condition they are not made public. Now the question remains will these records ever be public?” <https://www.theguardian.com/law/2021/jun/29/serbian-secret-police-chiefs-face-verdict-over-atrocities-in-croatia-and-bosnia> ; <https://www.aljazeera.com/news/2021/6/30/un-court-to-pass-judgment-in-retrial-of-milosevic-aides>

UNESCO. New Memory of the World Guidelines were adopted by UNESCO's Executive Board, with several important changes. They will be discussed at a Memory of the World Global Policy Forum on September 21-22, prior to final adoption by the Member States. For the guidelines, https://en.unesco.org/sites/default/files/mow_general_guidelines_en.pdf; to register for the Forum, which will be held with both on-site and virtual participation, <https://en.unesco.org/node/319553/done?sid=342252&token=198507335af882d7dd8edc1d8a0932ba>

United Nations. The Secretary-General's annual report to the Security Council on children and armed conflict "verified that 8,521 children were used as soldiers last year, while another 2,674 children were killed and 5,748 injured in various conflicts" and "violations" were committed on nearly 20,000 children in 21 conflicts, *Reuters* reported. It included a "blacklist intended to shame parties to conflicts in the hope of pushing them to implement measures to protect children." An "Eminent Persons Group convened by the Watchlist on Children and Armed Conflict" issued a response to the report, saying its members "are deeply troubled" that the list "has failed again to accurately reflect the very evidence documented by the United Nations," citing violations by Israeli security forces, the Saudi and Emirati-led coalition, groups in Colombia, and Afghan, Congolese, and U.S. forces. <https://www.reuters.com/world/more-than-8500-children-used-soldiers-2020-un-2021-06-21/>; <https://www.passblue.com/wp-content/uploads/2021/06/statement-of-the-eminent-persons-group-on-the-secretary-generals-2021-annual-report.pdf>

United Nations High Commissioner for Human Rights (OHCHR). The High Commissioner issued a strong report on racism headlined "Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers." It presented a 4-point "agenda towards transformative change for racial justice and equality," which included "Use of data to drive and assess responses to systemic racism and collect and make public comprehensive data disaggregated by race or ethnic origin, gender, age, and other factors, with strict safeguards and in accordance with international human rights law, aiming at analysing the effect of laws and policies on Africans and people of African descent," and "Regularly publish data, disaggregated by victims' race or ethnic origins, on deaths and serious injury by law enforcement officials and related prosecutions and convictions, as well as any disciplinary actions." In writing the report, OHCHR held consultations online with over 340 persons, reviewed publicly available material supplied by various sources, and "received information on over 250 incidents of deaths of Africans and people of African descent, at least 190 of which were at the hands of law enforcement officials," mostly in Europe and North and South America. <https://undocs.org/en/A/HRC/47/53>

United Nations High Commissioner for Refugees (UNHCR). The High Commissioner released a report on global forced displacement, saying UNHCR data showed "that arrivals of new refugees and asylum-seekers were sharply down in most regions—about 1.5 million fewer people than would have been expected in non-COVID circumstances, and reflecting how many of those seeking international protection in 2020 became stranded." Nevertheless, by "the end of 2020, the number of people forcibly displaced due to persecution, conflict, violence, human rights violations and events seriously disturbing public order had grown to 82.4 million, the highest number on record according to available data," nearing 1% of the global population and more than double a decade ago. Of that number, 26.4 million were refugees under UNHCR's mandate and 5.7 million Palestinian refugees registered with UNRWA. <https://www.unhcr.org/60b638e37/unhcr-global-trends-2020>

World/general news.

Business records. The Wintawari Guruma Aboriginal Corporation told Australia's federal parliamentary inquiry into Rio Tinto's destruction of Juukan Gorge that it had obtained documents showing that "materials salvaged from an 18,999-year-old rock shelter used by the Eastern Guruma were accidentally taken to the tip in Darwin in 1995," the *Guardian* reported. The company had been given the right to mine under several conditions, one of which was that it would protect burial sites "and salvage important materials, which would be sent interstate for collection and 'safekeeping'." At the end of the salvage project, the salvaged materials—"notes, papers, and records relating to all that had been salvaged"—were destroyed, from "at least 20 of the 28 sites that were salvaged." <https://www.theguardian.com/business/2021/jun/25/rio-tinto-accused-australian-indigenous-artefacts-dumped-rubbish>

The Business and Human Rights Resource Centre issued a report based on the dataset it maintains on “355 cases taken by business actors which bear the hallmarks of SLAPPs [strategic lawsuits against public participation] between 2015 and 2021.” Three-quarters of the cases were in the Global South and 65% are related to projects in four sectors: mining (108), agriculture & livestock (76), logging & lumber (20) and palm oil (20). https://www.business-humanrights.org/en/big-issues/human-rights-defenders-civic-freedoms/strategic-lawsuits-against-public-participation/?utm_source=wu&utm_medium=wuemail&utm_campaign=SLAPPs&utm_content=email

RFI reported that investigating magistrates in the French war crimes unit in Paris charged three executives at Nexa, a technology company, with “complicity in acts of torture and forced disappearances” for selling materials to the Egyptian regime of Abdel Fattah al-Sisi. The magistrates also charged the former chief of the technology company Amesys with selling equipment to Libya’s former autocrat Muammar Gaddafi that allowed Gaddafi’s government “to secretly intercept Internet messages” and permitted “real time message or call tracing.” <https://www.rfi.fr/en/france/20210622-french-executives-face-torture-charges-for-selling-spy-gear-to-libya-egypt-amesys-nexa-human-rights>

“According to leaked documents from Myanmar’s Ministry of Home Affairs and Ministry of Transport and Communications” that were provided to *The Intercept* by the NGO [nongovernmental organization] Justice for Myanmar, “the military and police sought to buy a collection of forensic and surveillance technology from American, Chinese, Russian and European companies between 2018 and 2021 that could extract data from smartphones, access phone conversations, and monitor people’s movements.” The Swedish company MASB “confirmed that it sold its forensic tools to Myanmar police in 2019,” but following the February 2021 coup it refused to sell more products to them. <https://theintercept.com/2021/06/14/myanmar-msab-eu-technology-regulation/>

The U.S. Supreme Court said the case against Nestle and Cargill for trafficking six children from Mali to Cote d’Ivoire to forcibly harvest cocoa under dangerous conditions did not meet the criteria for suit in the U.S. The Court said such cases must “touch and concern” the territory of the United States, which was not demonstrated in the claim, and sent the case back to the trial court for re-argument. For background, see *HRWG News* 2016-01. <http://iradvocates.org/press-release/nestle/us-supreme-court-dismisses-claims-against-nestle-c3-a9-and-cargill-and-remands-trial>

Two cases of workers’ rights were resolved. A judge in Brazil ruled that the mining company Vale must pay 1 million Brazilian reais to the families of each worker killed in the collapse of Vale’s Brumadinho dam, *Prime Time Zone* reported. For background, see *SAHR News* 2020-01. And in France, IKEA was found guilty of spying on its French staff, “improperly gathering and storing data on its employees” and even “having paid for access to police files,” and ordered to pay a 1 million euro fine, *Reuters* reported. For background, see *HRWG News* 2013-12. <https://primetimezone.com/world/justice-condemns-vale-to-pay-r-1-million-for-each-employee-killed-in-brumadinho-prime-time-zone/>; <https://www.reuters.com/business/retail-consumer/ikea-found-guilty-fined-12-mln-french-employee-spy-case-2021-06-15/>

The U.S. Supreme Court turned down Johnson & Johnson’s appeal of an award for \$2.1 billion to 22 women who claimed they developed ovarian cancer after using the company’s baby powder. *AP* reported that the company “has stopped selling its iconic talc-based Johnson’s Baby Powder in the U.S. and Canada, though it remains on the market elsewhere.” For background, see *SAHR News* 2020-05. <https://www.npr.org/2021/06/01/1002149828/supreme-court-johnson-johnson-talc-verdict-ovarian-cancer>

Medical records. Reporting in the *American Journal of Respiratory and Critical Care Medicine*, a research team said that children whose mothers had prenatal exposure to ultra-fine particle pollution, such as from car exhaust, industrial processes, burning wood or coal, and airplanes taking off and landing, were at an increased risk of being diagnosed with asthma. They used the health records of 376 women and their children in the U.S. Boston area and compared this with data from air particle monitors in the same location. https://www.statnews.com/2021/06/23/prenatal-exposure-to-ultra-fine-particles-increases-a-childs-risk-of-asthma-study-finds/?utm_source=STAT+Newsletters&utm_campaign=1f75a4c3ff-MR_COPY_02&utm_medium=email&utm_term=0_8cab1d7961-1f75a4c3ff-149736437

The U.S. Food and Drug Administration announced the recall of a COVID-19 “rapid antigen test” and accused the Innova Medical Group, which makes the tests, “of distributing them without regulatory approval and using falsified data that inflates their performance,” *STAT* reported. <https://www.statnews.com/2021/06/10/fda-accuses-company-of-distributing-unapproved-COVID-test-using-falsified->

[data/?utm_source=STAT+Newsletters&utm_campaign=12c638d914-MR_COPY_02&utm_medium=email&utm_term=0_8cab1d7961-12c638d914-149736437](https://www.statnews.com/2021/06/18/clinicians-open-their-notes-to-patients-in-a-grand-experiment-in-medical-care/?utm_source=STAT+Newsletters&utm_campaign=12c638d914-MR_COPY_02&utm_medium=email&utm_term=0_8cab1d7961-12c638d914-149736437)

As of April, under a provision of the U.S. 21st Century Cures Act, “health care providers are required to give all their patients electronic access to most kind of medical notes.” *STAT* reported on the rollout of the access law and the challenges medical institutions encountered. https://www.statnews.com/2021/06/18/clinicians-open-their-notes-to-patients-in-a-grand-experiment-in-medical-care/?utm_source=STAT+Newsletters&utm_campaign=267a930a28-Weekend_Reads_COPY_01&utm_medium=email&utm_term=0_8cab1d7961-267a930a28-149736437

Apple announced that with its smartphone iOS 15 update this fall, “some iPhone users will be able to send data directly from their Health app to their doctors’ electronic medical records systems,” *The Verge* reported. Initially the integration will work with six electronic medical records companies in the U.S. <https://www.theverge.com/2021/6/9/22526024/apple-health-app-data-medical-record-iphone-doctor-access>

Migration. As a result of a lawsuit, *Reveal* from the Center for Investigative Reporting obtained U.S. local and federal records of law enforcement and courts in cases where migrant children in government shelters were turned over to local law enforcement. After review of 266,000 records--“one for every child who’s made their way through the refugee agency’s system from late 2014 to late 2020”--plus four hours of body camera footage and “half a dozen” recordings of emergency phone calls, the investigators found that at least 84 children, ages 11 to 17, were turned over to local law enforcement; most were “processed for misdemeanors” and after release from police custody were shuttled from one shelter to another across the United States. <https://revealnews.org/article/im-going-to-tase-this-kid-government-shelters-are-turning-refugee-children-over-to-police/>

Reparation. The Centre International de Recherches sur la Esclavages et Post-Esclavages launched its database “REPAIRS,” providing basic information on indemnities and reparations for slavery around the world. Myriam Cottias, the project leader, told *justiceinfo.net* the team wanted “to create a database from unexplored archives and to see concretely which indemnity, for which amount, was paid to whom; to see how it was distributed and know more about the history of the indemnity.” [https://www.justiceinfo.net/en/79163-how-science-can-help-thinking-on-colonial-crimes-reparation.html?mc_cid=0c83f5bb2a&mc_eid=cae5f32aeb;for the database https://esclavages.cnrs.fr/cartographie/](https://www.justiceinfo.net/en/79163-how-science-can-help-thinking-on-colonial-crimes-reparation.html?mc_cid=0c83f5bb2a&mc_eid=cae5f32aeb;for%20the%20database%20https://esclavages.cnrs.fr/cartographie/)

World War II. Japan’s *Asahi Shimbun* reported that a researcher working at the U.S. National Archives found two declassified documents that state that the “cremated remains” of 7 Class-A war criminals, including former prime minister Hideki Tojo, were scattered over the Pacific Ocean east of Yokohama. The newspaper said the documents “clear up a decades-old mystery over final disposal of the remains.” <http://www.asahi.com/ajw/articles/14368165>

Bilateral and multilateral news.

Argentina/Chile. A Chilean man, Walther Klug Rivera, “wanted for dozens of murders committed during the dictatorship of Augusto Pinochet,” was arrested in Buenos Aires, *AFP* reported. He had been arrested first on 1 June at the airport for “irregularities in his passport” but was released because there was no international arrest warrant for him, although he had been convicted and sentenced in Chile to 10 years in prison. Interpol then issued a warrant for his arrest, and he was detained. <https://www.macaubusiness.com/argentina-detains-chile-dictatorship-fugitive/?emci=139c4244-0bcd-eb11-a7ad-501ac57b8fa7&emdi=8efd52d3-0ccd-eb11-a7ad-501ac57b8fa7&ceid=4606001>

Armenia/Azerbaijan. The NGOs International Partnership for Human Rights (IPHR) and Truth Hounds and Global Diligence LLP issued a joint report on violations of humanitarian and human rights law during the 2020 Nagorno-Karabakh war. The IPHR director said, “Our field investigator found evidence that Azerbaijani forces tortured and executed prisoners of war and captive Armenian civilians, and that Armenia/Nagorno-Karabakh forces tortured Azerbaijani prisoners of war, executed wounded combatants and mutilated the bodies of dead Azerbaijani soldiers.” The report has a fine section on the methodology and documentation used. https://www.iphronline.org/wp-content/uploads/2021/06/NK_final_report_2021.pdf

Azerbaijan’s Ministry of Foreign Affairs announced, “[I]n exchange for providing Azerbaijan with maps of 97,000 anti-tank and anti-personnel mines in the Aghdan region, 15 detained Armenians were handed over to Armenia on the Azerbaijani-Georgian border,” *Eurasianet* reported. <https://eurasianet.org/armenia-and-azerbaijan-exchange-detainees-for-mine-maps>

Australia/Timor-Leste. A former Australian intelligence officer (known as “Witness K”), who told lawyer Bernard Collaery about Australia’s spying on Timor-Leste during oil and gas treaty negotiations, pleaded guilty and was given a three-month suspended sentence for “conspiring to reveal classified information.” According to *ABC News*, evidence against Witness K included his letter and 2 affidavits from 2012 for use in Timor-Leste’s suit against Australia in the Permanent Court of Arbitration. For background, see *SAHR News* 2020-09. <https://www.abc.net.au/news/2021-06-18/act-witness-k-sentencing-hearing/100226438>; <https://www.theguardian.com/australia-news/2021/jun/18/witness-k-should-be-shown-judicial-mercy-not-used-to-deter-others-court-told>; <https://www.theguardian.com/global/commentisfree/2021/jun/18/australia-has-prosecuted-a-brave-individual-people-who-speak-up-keep-getting-arrested>

Balkan wars. *BIRN* launched a “comprehensive, interactive database of mass graves from the 1990s wars in the former Yugoslavia, giving an unprecedented insight into the largest operations to cover up war crimes in Europe since World War II.” Called “Bitter Land,” it used as sources “forensic reports from the International Criminal Tribunal for the former Yugoslavia . . . court testimony statements and archive satellite footage, as well as documents, research papers, testimonies and news archive footage from different sources.” <https://balkaninsight.com/2021/06/03/birn-launches-database-of-mass-graves-from-yugoslav-wars/>

Central African Republic/Chad. After border clashes in May that left 6 Chadian soldiers dead, the foreign ministers of the countries met and agreed to set up an “independent international commission of inquiry” with the UN, the African Union and the Economic Community of Central African States to clarify “the circumstances in which this attack took place,” *AFP* reported. The partners must decide who will preserve the official records of the commission. <https://north-africa.com/2021/06/sahel-six-chad-soldiers-killed-at-border-with-central-african-republic/>

Chile/Sweden. Seven UN special rapporteurs said they were “deeply concerned by the continuous devastating impact” on the residents of Arica, Chile, of a dump of toxic waste created by the Swedish company Boliden Mineral AB which paid a Chilean company, Promel Ltda., to receive the waste in 1984-85. They noted that “at the time of the first shipment, the import application received by Chilean authorities falsely read that the waste was not toxic,” when in fact it contained a high content of arsenic, mercury, cadmium and lead, posing a major health and security risk. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27147&LangID=E>

Dominican Republic/Haiti. Fairtrade International, the global organization of farmers and workers advocating for fairer prices, created a “roadmap” to enable Haitian migrant workers in “Fairtrade certified organizations to obtain legal status and access the same rights as enjoyed by their Dominican colleagues.” Bananas are the Dominican Republic’s primary export, and Haitians regularly cross the border to work in the banana plantations. Dominican “regularization” of migrant workers requires presenting a birth certificate, identity card and passport, and work permits are valid for only one year. Fairtrade is “gathering and analysing data to get an accurate, up-to-date picture of the existing banana workforce” and working with both countries for “faster and more accessible regularization and documentation” including support for workers to complete their “regularization processes.” https://files.fairtrade.net/publications/2021-05_Dom-Rep-migrant-workers-factsheet-v_FINAL.pdf

France/Mali. A joint investigation by *The New Humanitarian* and *Der Spiegel* confirmed that “at least 25 more civilians have been killed by French forces in Mali since 2013 than publicly admitted, based on eyewitness accounts and leaked documents.” For background, see *SAHR News* 2021-04. https://www.thenewhumanitarian.org/investigations/2021/6/16/uncovering-the-civilian-toll-of-france-anti-jihadist-war-in-Mali?utm_source=The+New+Humanitarian&utm_campaign=77196ac0ff-EMAIL_CAMPAIGN_2021_06_18_Weekly&utm_medium=email&utm_term=0_d842d98289-77196ac0ff-75545741

Japan/South Korea. The Seoul Central District Court said 85 South Koreans who were forced laborers in Japan during the period of Japanese colonial rule of Korea cannot “claim individual legal rights to damages from Japan,” *Yonhap* reported. The suit was against 16 Japanese companies, including Nippon Steel, Nissan Chemical Corporation and Mitsubishi; this contrasts with the Korean Supreme Court’s 2018 ruling that Nippon Steel had to pay 4 Korean plaintiffs compensation for wartime forced labor. For background, see *HRWG News* 2018-10. <https://en.yna.co.kr/view/AEN20210607005500315>

Latin America. Americas Society/Council of the Americas and the NGO Control Risks published the third edition of the Capacity to Combat Corruption Index. Uruguay had the highest score and Venezuela the lowest. The scores are based on publicly available data from institutions such as Freedom House and the World Bank and a survey undertaken by Control Risks; the data is judged against 14 variables. https://americasquarterly.org/wp-content/uploads/2021/06/CCC_Report_2021.pdf

Liberia/Switzerland. Switzerland's Federal Criminal Court convicted Liberian Alieu Kosiah of 8 counts of war crimes, sentenced him to 20 years in prison and ordered him to pay 50,000 Swiss francs to the 7 plaintiffs. Civitas Maxima, an NGO that pursued the case, said, "Notably, Kosiah was found guilty of rape, which is the first time that an individual has been directly convicted for sexual violence committed during the Liberian Civil Wars," when it was widespread. For background, see *HRWG News* 2019-04. <https://civitas-maxima.org/2021/06/18/liberian-plaintiffs-make-swiss-and-liberian-legal-history/>

Mexico/United States. Following a meeting between Mexican President Andres Manuel Lopez Obrador and U.S. Vice President Kamala Harris, Harris announced that the U.S. Department of State, Agency for International Development and Department of Justice will "support Mexico's National Search Commission to collect, maintain and analyze missing persons registries across the country. As a next step, the Federal Bureau of Investigation will train genetics experts on a new system to track forensic information and improve capacity." <https://www.whitehouse.gov/briefing-room/statements-releases/2021/06/08/fact-sheet-u-s-mexico-bilateral-cooperation-2/>

Mideast wars. The U.S. Defense Department released a report saying it had killed 23 civilians in Afghanistan, Iraq and Somalia during 2020, *The Intercept* reported. This contrasts with the data of Airwars, a U.K.-based airstrike monitoring group, which counts 102 noncombatant deaths from U.S. attacks in those three countries plus Syria and Yemen. The chairperson of the Yemeni NGO Mwatana for Human Rights said simply the U.S. "records cannot be trusted." https://theintercept.com/2021/06/03/pentagon-civilian-casualties-report/?utm_medium=email&utm_source=The%20Intercept%20Newsletter

Moldova/Russia. Moldova commemorated 80 years since the first massive wave of deportations ordered by Soviet authorities occurred. "According to official papers and documents, 18,392 Moldovans were sent to Siberian gulags by train. However, the unofficial numbers could rise to 30,000 people, according to some historical sources," *BIRN* wrote. Before the 13 June 1941 deportation "the local Soviet NKVD made up lists of people allegedly working with the Romanian authorities and plotting against the Soviet regime." The deportations, in three waves between 1941 and 1953, ultimately moved over 100,000 Moldovans. <https://balkaninsight.com/2021/06/14/moldova-commemorates-80-years-since-soviet-deportations/>

Mozambique/Tanzania. A spokesperson for the UN High Commissioner for Refugees (UNHCR) said some 70,000 people left the Mozambiquan city of Palma, some moving internally and some across the border into Tanzania. According to "Mozambican border authorities, more than 9,600 of them have been forcibly returned" from Tanzania since January, with 900 pushed back into Mozambique from 7 to 9 June. UNHCR said, "Those pushed back from Tanzania end up in a dire situation at the border and are exposed to gender-based violence and health risks." <https://www.unhcr.org/en-us/news/briefing/2021/6/60e312e94/insecurity-northern-mozambique-continues-forcibly-displace-thousands.html>

Saudi Arabia/Yemen. Bellingcat, the investigative journalists, and NGOs Forensic Architecture, Yemeni Archive and the European Center for Constitutional and Human Rights released an interactive mapping platform which plots dozens of Saudi/UAE-led coalition airstrikes that took place in Yemen since March 2015, causing grave civilian harm. <https://yemen.forensic-architecture.org/>

United States/Vietnam. Writing in the *New York Times* on the 50th anniversary of the release of the Pentagon Papers, the internal U.S. study of the prosecution of the war in Vietnam, professor Lien-Hang Nguyen commented, "While historians could assess the paper trail out of Washington, the Vietnamese equivalent in the historical records remains under lock and key to this day. . . . So, in an historical irony, because the Hanoi government will not declassify its own narrative of the war, the official American narrative is much better known." <https://historynewsnetwork.org/article/180567>

National news.

Afghanistan. South Asia Terrorism Portal data showed at least 10 medical staff and vaccinators have been killed between 1 April and 20 June, *South Asia Intelligence Review* reported. This confirms the annual report of the United Nations Assistance Mission in Afghanistan, which said Afghanistan “has recorded 615 incidents of attacks on health facilities and personnel” between 2011 and 31 March 2021. “The Taliban has been opposing the polio vaccination drive since 2018, accusing health teams of acting as spies,” making polio eradication difficult and COVID-19 vaccination uncertain as the Taliban rapidly increases the territory it controls. <https://www.satp.org/south-asia-intelligence-review-Volume-19-No-52#assessment1>

Algeria. *Crisiswatch* reported that the NGO National Committee for the Liberation of Detainees (CNLD) recorded 261 “prisoners of conscience” as of 21 June, up from around 200 in late May and 66 in mid-April. <https://www.crisisgroup.org/crisiswatch>

Argentina. Federal Oral Court 4 handed down life sentences to five former members of the army’s intelligence service for acts committed over 40 years ago during Argentina’s military dictatorship, reported *El Cohete a la Luna*. After 12 years of investigations and a trial that lasted 2 years with more than 250 witnesses, the judges found the defendants guilty of kidnappings, torture, disappearances and murders. According to the prosecutor, the “historical reconstruction” of the events “was a fundamental probative tool. And it could be done not only through the testimonies but also documents of the military themselves. The intelligence reports of the case are creepy [espeluznantes].” Thanks to Mariana Nazar for the link. https://www.elcohetealaluna.com/un-nuevo-paradigma/?fbclid=IwAR3ObT00kdzJc7n3eG2_a5A6SVnnZMLNZg2VfGMTHAdtfw2vKUCI6-02eXY

Australia. The Yoo-rook Justice Commission, formally established on 14 May 2021, is the first truth-telling body in Australia. Independent of both government and the First Peoples’ Assembly of Victoria, the Commission is to “establish an official record of the impact of colonisation on First Peoples in Victoria using First Peoples’ stories” and “make detailed recommendations about practical actions and reforms needed in Victoria.” The Commission’s first report is expected by June 2022, with a final report by June 2024. <https://www.firstpeoplesvic.org/our-work/truth-telling/yoo-rook-justice-commission/>

The Healing Foundation, in collaboration with the Australian Society of Archivists, has an online education package, *Better Access to Stolen Generations Records*, that highlights the vital importance of access to records for Stolen Generations survivors and their descendants who have been affected by forced removal policies. <https://healingfoundation.org.au/2021/05/25/archivists-training-package/>

Canada. Canada continues to reel from the discoveries of more unmarked graves at the sites of former residential schools for children of First Nations peoples. The Cowessess First Nation said it had discovered “hundreds of unmarked graves” at the site of the former Marieval Indian Residential School in Saskatchewan and the Lower Kootenay Band said it confirmed 182 unmarked graves at the former St. Eugene’s Mission School in British Columbia. Canada’s prime minister Justin Trudeau urged the Catholic Church to open all documents related to residential schools; the Archbishop of Toronto called the prime minister’s remarks “unhelpful” and said the church records have been made available. However, a priest speaking for the Missionary Oblates of Mary Immaculate told *CBC News* that while he “has committed to handing over the congregation’s records” the names of former residential school staff will not be listed. For background, see *SAHR News* 2021-05. https://www.vice.com/en/article/akgjxz/182-unmarked-graves-confirmed-at-another-former-catholic-residential-school-in-canada?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=210630; <https://www.cbc.ca/news/canada/saskatchewan/cowessess-graves-unmarked-residential-school-marieval-1.6077797>; https://www.vice.com/en/article/m7eb8n/catholic-church-calls-justin-trudeau-uninformed-amid-demands-it-release-residential-school-records?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=210607

Colombia. Former president Juan Manuel Santos, in public testimony before the truth commission on the “false positives scandal” in which soldiers murdered civilians and registered them as guerrilla fighters killed in combat, apologized, saying he asked “forgiveness from all the mothers and their families, victims of this horror, from the depths of my soul,” *Reuters* reported. Colombia’s Special Court of Justice said “at least 6,402 people were killed and falsely presented as rebels between 2002 and 2008.” For background see *SAHR News* 2021-02. <https://kfgo.com/2021/06/11/colombia-ex-president-asks-forgiveness-for-armys-extrajudicial-killings/>

Human Rights Watch said, “Members of the Colombian National Police have committed egregious abuses against mostly peaceful demonstrators in protests that began in April 2021.” It received “credible reports of 68 deaths occurring since the protests began” (34 confirmed so far) and cases of mass detentions, sexual violence, beatings, and 419 people reported missing (“the Attorney General’s Office said that it had found 304 of them”). HRW came to its conclusions after interviewing more than 150 people, reviewing “police and medical records, necropsy reports and photos of the victims, publications by local rights groups, and media reports,” corroborating “more than 50 videos posted on social media,” and obtaining “information about the government’s response to past police abuses from the Ombudsperson’s Office, the Inspector General’s Office, and the Defense and Interior Ministries.” By 21 June, the Attorney General’s Office said 84 people remain unaccounted for, but the *Washington Post* said “human rights groups say they have recorded up to 700 cases, with some difficulty,” relying on social media for evidence. On 29 June the Institute of Studies for Development and Peace (INDEPAZ) and the NGO Temblores issued “Figures of Violence” report, saying “state terrorism and paramilitary actions have caused 75 deaths since the National Strike began on 28 April,” *teleSur* reported. It blamed members of the Anti-Riot Mobile Squad (ESMAD) for 44 of the murders. It also said “Colombian NGOs registered 3,486 cases of police violence” during the Strike and 1,832 people arbitrarily detained, of which 1,468 reported physical abuse. <https://www.hrw.org/news/2021/06/09/colombia-egregious-police-abuses-against-protesters#>; <https://www.washingtonpost.com/world/2021/06/21/colombia-protests-missing-disappeared/>; https://www.telesurenglish.net/news/Colombia-Police-Brutality-Leaves-75-Citizens-Killed-so-Far-20210629-0002.html?utm_source=planisys&utm_medium=NewsletterIngles&utm_campaign=NewsletterIngles&utm_content=12

Democratic Republic of Congo. The UN Group of Experts on the Democratic Republic of Congo sent a report to the Security Council. It makes heavy reading: almost any kind of economic, human rights, or humanitarian law violation is described. The Group said that after reviewing 45 social media videos, it did not find “conclusive evidence” that the Islamic State exercised “command and control” over the operations of the armed group Allied Democratic Forces. “Given the nature of the conflict in the Democratic Republic of the Congo, few documents provide definitive proof of arms transfers, recruitment, command responsibility for grave human rights abuses and the illegal exploitation of natural resources. The Group has therefore relied on eyewitness testimony from members of local communities, former and current combatants of armed groups. The Group has also considered expert testimony by government officials and military officers of countries in the Great Lakes region and other countries, as well as by United Nations sources. The Group corroborated information using at least three independent and reliable sources.” This lack of documentation makes the records of the Group vitally important for any future accountability mechanism. <https://digitallibrary.un.org/record/3929117?ln=en#record-files-collapse-header>

Ecuador. The “University of the Armed Forces (ESPE) and Aldea Foundation presented a study showing that 1,095 children were orphaned” as a result of the 840 femicides that occurred in Ecuador between 2014 and 2020, *teleSUR* reported. The authors said, “These data are the ones that could be collected from the alliance for the mapping of feminicides in Ecuador and we know that it is incomplete information, especially for the years 2014, 2015 and 2016.” https://www.telesurenglish.net/news/Victims-of-Femicides-Left-1095-Orphan-Children-in-Ecuador-20210607-0004.html?utm_source=planisys&utm_medium=NewsletterIngles&utm_campaign=NewsletterIngles&utm_content=12

El Salvador. The Supreme Court ordered the attorney general to “launch a criminal investigation of the forced disappearance” of three people by the police and armed forces during the 1980-1992 civil war and to “determine the material situation of the victims and to charge, judge and punish those who are responsible,” *AFP* reported. The records of El Salvador’s truth commission, now held in the UN archives, could be useful. <https://www.france24.com/en/live-news/20210622-el-salvador-orders-probe-into-people-who-disappeared-in-civil-war?emci=ac2dba37-53d3-eb11-a7ad-501ac57b8fa7&emdi=fa091d50-54d3-eb11-a7ad-501ac57b8fa7&ceid=4606001>

On 4 June El Salvador terminated its 2019 cooperation agreement with the Organization of American States (OAS) to support an International Commission against Impunity in El Salvador (CICIES). The NGOs Washington Office on Latin America, the Latin America Working Group, and the Due Process of Law Foundation called on the OAS to “make the Commission’s investigations public so that citizens can make use of the information and existing mechanisms to defend their rights violated by the corrupt.”

No information was given on where the records of CICIES are or will be preserved.

<https://www.wola.org/2021/06/el-salvador-cicies-oas/>

According to data from the Attorney General's office, "more than three people disappeared each day on average during the first four months" of 2021, which is "more than double the number of disappearances during the same time period in 2020," *The Intercept* reported. A report by the Salvadoran NGO Foundation for Studies of Application of Law (FESPAD) estimated that 20,000 Salvadorans have been reported missing since 2014, "although the country doesn't have an official database of disappeared people." For background, see *SAHR News* 2021-04.

https://theintercept.com/2021/06/13/el-salvador-missing-people-disappearances/?utm_medium=email&utm_source=The%20Intercept%20Newsletter

Communities of Faith Organizing in Action (COFOA) "has mounted a struggle for land rights, representing hundreds of thousands of disenfranchised Salvadorans who bought land lots from developers but have not been awarded legal ownership, sometimes decades after paying the balance due," the NGO Waging Nonviolence reported. COFOA's director said "real estate developers who accept lot payments and make promises to transfer titles have for decades evaded or simply defied a national system of property registry—known as the National Center of Registry—which is responsible for assigning those rights." Without title, residents "can't access basic services like water and electricity because access is granted to owners." <https://wagingnonviolence.org/2021/06/el-salvador-land-rights-renacer-cofoa/>

Ethiopia. *VICE News* reported, "Videos and images taken in May at the Shere Hospital . . . in northwestern Tigray show emaciated young children, including babies, lying on hospital beds, as they receive treatment for severe malnutrition. The photos, verified with multiple sources from the hospital, paint a grim picture of the situation on the ground." *VICE* did not publish the complete images "due to their distressing nature and because the children are all identifiable."

https://www.vice.com/en/article/m7e78p/ethiopia-denies-theres-a-famine-in-tigray-we-obtained-photos-of-starving-children?utm_source=email&utm_medium=editorial&utm_content=news&utm_campaign=210619

The African Commission on Human and Peoples' Rights announced that the Commission of Inquiry on Tigray began work on 17 June. The Inquiry is to "investigate allegations of violations of international human rights law and international humanitarian law and to gather all relevant information so as to determine whether the allegations constitute serious and massive violations of human rights."

<https://www.achpr.org/pressrelease/detail?id=583>

Guatemala. Judge Miguel Angel Galvez in High Risk Court B ordered six ex-military officers to stand trial for their roles in the abductions, disappearances, and deaths of 183 people between 1983 and 1985 that were recorded in the Death Squad Diary (Diario Militar). *Al Jazeera* said the "charges relate to 20 individual victims, based on witness testimonies and documentation gathered over the span of more than two decades." For background, see *SAHR News* 2021-05. <https://www.prensalibre.com/guatemala/justicia/caso-diario-militar-ligan-a-proceso-a-6-militares-en-retiro-sindicados-por-desapariciones-forzadas-durante-el-conflicto-armado-breaking/>

<https://www.aljazeera.com/news/2021/6/13/guatemala-relatives-of-civil-war-disappeared-hopeful-for-justice?emci=762af178-ddcd-eb11-a7ad-501ac57b8fa7&emdi=01d1e2e4-dfed-eb11-a7ad-501ac57b8fa7&ceid=4606001>

India. "Tech firm Microsoft will run a pilot for the agriculture ministry's AgriStack in 100 villages in 6 Indian states to 'develop (a) farmer interface for smart and well-organised agriculture' aimed at improving efficiency and reducing waste. Each farmer will have a unique digital identification that contains personal details, information about the land they farm, as well as production and financial details. Each ID will be linked to the individual's digital national ID Aadhaar," *Thomson Reuters Foundation* reported. NGOs complained that "the project is being rolled out without consultations with farmers, and with no legal framework to protect their personal data." Also, the Aadhaar rollout has been troubled, and pastoral communities, lower caste Dalits and indigenous people are "still not part of data systems and they are not recognized as farmers," which would exclude them from any benefits the pilot system may provide, said the NGO Alliance for Sustainable and Holistic Agriculture.

<https://news.trust.org/item/20210624135448-3ffq/>

Iran. Javed Rehman, the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, "called for an independent inquiry into allegations of state-ordered executions of thousands of political prisoners in 1988 and the role played by President-elect Ebrahim Raisi as Tehran

deputy prosecutor,” *Reuters* reported. He said “over the years his office has gathered testimonies and evidence” about the 1988 killings and is “concerned at reports that some ‘mass graves’ are being destroyed as part of a continuing cover-up.” <https://www.reuters.com/world/middle-east/exclusive-un-expert-backs-probe-into-irans-1988-killings-raisis-role-2021-06-29/>

Israel. Israel’s military said it is “planning to curb the number of highly controversial night raids on Palestinian homes,” *Middle East Monitor* reported. The raids, said to be for “intelligence purposes,” had soldiers entering homes in the middle of the night to “document the dimensions and inhabitants of homes in the occupied Palestinian territories,” a practice called “intelligence mapping.” The NGO B’Tselem told *Haaretz* that in 2020 Israeli forces carried out “at least” 3,000 night raids and entered “at least” 2,480 homes “and that was a relatively quiet year.” Assuming the reports of raids are kept in the intelligence service archives, in the future this would be useful documentation on the state of Palestinian housing. <https://www.middleeastmonitor.com/20210617-israel-to-curb-controversial-night-raids-on-palestinian-homes/>

Mali. Following the UN Secretary-General’s report to the Security Council on 1 June stating that during the past 3 months there was “a significant deterioration in the human rights situation, mainly owing to a increase in violence against civilians,” the Security Council extended the UN mission in Mali (MINUSMA) for another year and explicitly instructed it to “improve efforts to monitor, document, conduct fact-finding missions, help investigate and report publicly and regularly to the Security Council, on violations of international humanitarian law and on violations and abuses of human rights, including all forms of sexual and gender-based violence, trafficking in persons, and violations and abuses committed against women and children throughout Mali and to contribute to efforts to prevent such violations and abuses including by liaising with relevant partners, as appropriate.” The report noted that MINUSMA continues to support Mali’s Truth, Justice and Reconciliation Commission which, as of 11 May, had “registered” 20,451 depositions, “half of which were made by women.” Managing the sizeable records of the Commission is an important task.

https://minusma.unmissions.org/sites/default/files/s_2021_519_e.pdf
https://minusma.unmissions.org/sites/default/files/resolution_2584_2021.pdf

Mexico. The Supreme Court of Justice heard the case of Victor Alvarez Damian who “forcibly disappeared on December 11, 2013, in Veracruz’s port.” His mother, not trusting the efforts of Mexican authorities to find him, applied to the UN Committee on Enforced Disappearance (CED) for an Urgent Action, which is “a request from the Committee to the State party to immediately take all necessary measures to search and locate a disappeared person and investigate his or her disappearance,” which the Committee then issued. Veracruz’s prosecutor and district court refused to recognize the UN instruction, and the mother appealed to the Supreme Court for enforcement. The Court said state compliance with an Urgent Action is “mandatory.” According to the public law firm IDHEAS, which brought the suit, the decision “sets a precedent” to force Mexico “to comply with more than 450 cases of Urgent Actions of missing persons” ordered by the CED to Mexico. <https://www.idheas.org.mx/english-version/in-a-historic-decision-mexican-supreme-court-of-justice-recognized-that-urgent-actions-issued-by-the-un-are-binding-and-mandatory-for-all-state-authorities-responsible-of-searching-and-investigating-m/>

An article by a staff attorney for the NGO Centro Prodh described Mexico’s “abusive preventative detention system” with gender-based violence against women detained, raped, and forced to sign false confessions. Centro Prodh “has documented more than 30 cases in which public security agents have used sexual torture to carry out arrests against women and coerce them into participating in criminal investigations.” <https://www.opensocietyfoundations.org/voices/challenging-mexico-s-abusive-preventative-detention-system>

Mozambique. “By analyzing data from the crisis mapping organization Armed Conflict Location & Event Data Project (ACLED)” the NGO Save the Children “identified at least 51 confirmed cases of child abductions over the last year,” *Thomson Reuters Foundation* reported. Additionally, the International Committee of the Red Cross said it had “registered more than 2,600 appeals . . . between September 2020 and April 2021 from people who lost track of family members, most of whom are young adults and children.” <https://news.trust.org/item/20210608215139-frkxj/>

Nicaragua. Human Rights Watch released a report on harassment and detention of opponents, rights defenders and journalists ahead of elections in the country. It interviewed 53 people in Nicaragua, “reviewed photos and videos taken during arrests, as well as media reports and publications by local and

international human rights organizations” and reported that between 2 and 20 June authorities “detained and opened seemingly politically motivated criminal investigations against 5 leading opposition presidential candidates and at least 9 prominent government critics.” Human rights NGOs reported 124 people “perceived as critics remained arbitrarily detained as of June 2021.”

<https://www.hrw.org/news/2021/06/22/nicaragua-crackdown-critics-ahead-election#>

Pakistan. “According to partial data compiled by the South Asia Terrorism Portal . . . at least 66 journalists have been killed and another 27 injured” between 6 March 2020 and 6 June 2021 by both government and non-government personnel, *South Asia Intelligence Review* said. “Atrocities meted out to Baloch journalists require a special mention,” with violence occurring both in Pakistan and in Europe; a Baloch journalist who fled Pakistan and found political asylum in Sweden was killed there in 2020.

<https://www.satp.org/south-asia-intelligence-review-Volume-19-No-50>

Paraguay. The Health Ministry maintains a public database of all persons who have been vaccinated for COVID-19, listing the name, the place of vaccination, type of vaccine and number of doses, *Bloomberg* reported. People can “request not to be included on the public list, but so far no one has asked to be anonymous,” said a deputy health minister, calling the database “a tool for public oversight” to make sure that only those eligible for the vaccine get the shots. <https://www.aljazeera.com/economy/2021/6/11/paraguay-publishes-names-of-the-vaccinated-to-stop-COVID-cheaters?emci=762af178-ddcd-eb11-a7ad-501ac57b8fa7&emdi=01d1e2e4-dfcd-eb11-a7ad-501ac57b8fa7&ceid=4606001>

Philippines. The Prosecutor of the International Criminal Court announced that she had “requested judicial authority to proceed with an investigation” into the Philippine government’s “war on drugs” between 1 July 2016 and 16 March 2019, saying “there is a reasonable basis to believe that the crime against humanity of murder has been committed” by members of the Philippine National Police “and others acting in concert with them.” The Office has “a large amount of publicly available information,” the Prosecutor said, and it has been “taking a number of measures to collect and preserve evidence, in anticipation of a possible investigation.” <https://www.icc-cpi.int/Pages/item.aspx?name=210614-prosecutor-statement-philippines>

Russia. The International Federation for Human Rights (FIDH) published “Russia: ‘Crimes against History’.” It is an important overview of the “human rights situation of historians, NGOs, activists, journalists, and other history producers working on historical memory of the Soviet past in Russia.” Based on interviews in Russia, “analysis of primary and secondary legal sources, public reports, articles, and audio-visual archives,” FIDH reported criminalization of speech, censorship, denial of access to archives, restrictions on public events, persecution of civil society actors, state propaganda, destruction of memorials, and failure to remedy Soviet-era crimes, and said crimes were committed against freedom of expression, association and assembly, rights to work, liberty, fair trial, to be free from torture and other forms of ill-treatment, privacy and effective remedy. The section on denial of access to archives opens with the declaration, “Democratization of power structures is impossible without a public discussion, and a discussion is not possible without access to archives.” Among the recommendations is: “Declassify all archives of Soviet security services and ensure full public access to them.”

<https://www.fidh.org/en/region/europe-central-asia/russia/russia-history-producers-attacked-as-regime-attempts-to-control>

Bellingcat, *The Insider Russia* and *Der Spiegel* released a report on the apparent poisoning in April 2019 of Russian writer and critic of the Russian government Dmitry Bykov by the same methods as the poisoning of Alexey Navalny. Using sources ranging from airplane flight records, hotel records, medical records (with Bykov’s permission), phone call records, and the travel histories of three FSB (Russian security service) agents, the research partners found significant correlations between the travels of members of the FSB squad and the previously unexplained poisoning of Bykov. For background, see *SAHR News* 2021-01 and 02. <https://www.bellingcat.com/news/2021/06/09/russian-poet-dmitry-bykov-targeted-by-navalny-poisoners/>

Syria. The Day After, an NGO, issued 4 research papers on the state of housing, property, and land rights in Syria. The first two papers focus on real estate records and “illustrate how real estate records do not fully reflect the state of properties.” A former Minister of Housing said “there is more than a 40% discrepancy in some regions between registered land/property and actual land/property owned by citizens.” The first paper explained, “The institution that formally oversaw real estate documentation,

the General Directorate of Real Estate Interests, worked with hardcopy records, and distributed them to various sub-directorates, and subsidiary offices in the Syrian provinces. Consequently, when the regions began to fall to the opposition, and outside the regime's control, the central database of real estate properties in the country was dispersed among the various military forces that controlled those territories." An eye-opening look at the future problems of establishing title to property. <https://tda-sy.org/2021/04/15/the-state-of-housing-property-and-land-rights-in-syria/>

In order to "assess whether documentation can help people come to a shared understanding" of a conflict and "if so, what types of documentation would be most effective toward that end," the NGOs Syria Justice and Accountability Centre and Syrians for Truth and Justice partnered in a survey in northwest Syria in the area outside government control. They concluded, "Documentation, which can serve . . . multiple purposes, should seek to register as both neutral and authoritative, on the one hand, and participatory and informed by community and individual experiences on the other." The report of the project helpfully includes the survey questions. https://syriaaccountability.org/wp-content/uploads/FOR-WEB-ENG_SJAC-Truth-Report_final.pdf

Uganda. "Since 2015, the government has issued more than 25,000 Certificates of Customary Ownership . . . giving customary landholders documentary evidence of their tenure with the aim of reducing land conflicts and improving the financial security of rural families," *Thomson Reuters Foundation* reported. But community leaders say the "titles go against traditional concepts of ownership," a serious problem in a country where more than 75% of the land is under customary tenure. A "land rights campaigner" who "worries that documentation will result in customary land being individualized, converted to freehold and sold off" said, "The state systems and the customary system are really very different. It's like trying the change a mango into an orange." <https://news.trust.org/item/20210601112117-udjzv/>

Researchers from New York University and the NGOs Unwanted Witness and the Initiative for Social and Economic Rights issued a report on Uganda's national digital ID system, Ndagamu, 6 years after it was initiated, *Thomson Reuters Foundation* reported. Using official statistics, the researchers estimated that as many as one third of Ugandan adults do not have a digital ID card, with "many others facing errors on their card or being unable to replace lost or stolen IDs." The digital ID "is now mandatory to access government and private services" such as health care, social benefits, voting, or opening a bank account; pregnant women have been turned away from health centers and elderly persons denied welfare payments, all for the want of a card. <https://news.trust.org/item/20210608164054-imkqe/>; <https://chrgj.org/wp-content/uploads/2021/06/CHRGJ-Report-Chased-Away-and-Left-to-Die.pdf>

United Kingdom. The government's Department for Digital, Culture, Media and Sport (DCMS) said, "Instant messaging (through Google Workspace) may be used in preference to email for routine communications where there is no need to retain a record of the communication," the *Guardian* reported. "Transparency campaigners have expressed alarm" at the use of self-destructing messages, saying "information that could be useful to a public inquiry, or otherwise fall within the scope of an FOI request, may be lost as a result." The National Archives is part of DCMS. Thanks to Giulia Barrera for the link. https://www.theguardian.com/politics/2021/jun/13/uk-government-admits-ministers-can-use-self-deleting-messages?CMP=Share_AndroidApp_Other

The Bureau of Investigative Journalism published a report on the abuse by police officers of their domestic partners. According to responses to FOI requests, "police officers and staff across the UK were reported for alleged domestic abuse almost 700 times in the three years up to April 2019 . . . more than 4 times a week on average." In England and Wales, just 3.9% of the cases ended in a conviction "compared with 6.2% among the general population." And less than a quarter of reports resulted in "any sort of professional discipline." <https://www.thebureauinvestigates.com/stories/2021-06-15/years-of-living-in-fear-police-still-failing-partners-of-violent-officers>

The government released a review of the way rape cases of adult victims (84% are women) are handled. It "revealed that prosecutions and convictions for adult rape have fallen by 59% and 47% respectively since 2015-2016, with the number of reported rapes almost doubling since then, from around 24,000 to approximately 43,000 in 2019-2020," *Axios* reported. The report also "estimated that less than 20% of

rape victims report their assaults to the police, adding that there's likely around 128,000 victims every year.” <https://www.axios.com/uk-government-apology-rape-victims-statistics-937c20ef-49d0-40c3-869c-665b1231d9ef.html>

United States. *AP* investigated missing U.S. military guns that subsequently were used in violent crimes. It found that “at least 1,900 U.S. military firearms were lost or stolen during the 2010s,” but because the “Army and Air Force couldn’t readily tell *AP* how many weapons were lost or stolen” during the 2010s, “*AP* built its own database, using extensive federal Freedom of Information Act requests to review hundreds of military criminal case files or property loss reports, as well as internal military analysis and data from registries of small arms.” The Navy did have data showing 211 firearms were reported lost or stolen with 63 recovered, and the Marines said 204 firearms were lost or stolen and 14 recovered. “To account for missing weapons, the Pentagon relies on incident reports from the services, which it keeps for only three years.” The FBI’s Criminal Justice Information Services “said 22 guns issued by the U.S. military were used in a felony during the 2010s,” but *AP* found at least one case that was not in the FBI records. https://apnews.com/article/government-and-politics-business-gun-politics-crime-6caba27108d05a8b7c1860959d1ae130?utm_source=Sailthru&utm_medium=email&utm_campaign=June15_MorningWire&utm_term=Morning%20Wire%20Subscribers; <https://apnews.com/article/al-state-wire-business-gun-politics-army-government-and-politics-9b85eb5aa443564f5a2bbedd1530dbfe>

A team from 5 U.S. universities researched the impact on adolescents of nearby deadly gun violence. They “linked national data on deadly gun violence incidents from the Gun Violence Archives to the age-15 wave of the Fragile Families and Child Wellbeing Study,” a cohort of children born during 1998-2000 in large U.S. cities, and found that 21% of adolescents lived or attended school within 500 meters of a deadly gun violence incident during the previous year, they reported in *Health Affairs*. Only 4% of the white children were within that range, but 36% of Black and 29% of Hispanic adolescents were. “Because exposure to violence is detrimental to health,” both physical and psychological, reducing armed violence would improve wellbeing.

https://www.healthaffairs.org/doi/full/10.1377/hlthaff.2020.02295?utm_source=STAT+Newsletters&utm_campaign=d27493aa0d-MR_COPY_02&utm_medium=email&utm_term=0_8cab1d7961-d27493aa0d-149736437

“Missing deeds and weak laws mean Black and Native American burial sites around the country have been neglected, forgotten or targeted by developers,” *Thomson Reuters Foundation* reported. In Florida, the state created a task force to study the issue. And the discovery of the mass graves at former schools for First Nations children in Canada led the U.S. Department of Interior (which had oversight of similar U.S. schools) to announce the “Federal Indian Boarding School Initiative” to identify the sites where there may have been student burials, using the department’s records in “National Archives and the American Indian Records Repository, as well as records maintained by non-governmental organizations operating Indian residential boarding schools.” A final report is due 1 April 2022.

<https://news.trust.org/item/20210619085941-ch2tn/>; <https://www.doi.gov/sites/doi.gov/files/secint-memo-esb46-01914-federal-indian-boarding-school-truth-initiative-2021-06-22-final508-1.pdf>

The State Department announced that it will “add a third gender option on U.S. passports for people who do not define as male or female” and that persons “would no longer need to provide medical certification if they wanted to change the gender on their passport,” *Thomson Reuters Foundation* reported. <https://news.trust.org/item/20210630164621-0atow/>

Good reads.

Humanitarian Law Center, Belgrade, “Policy Paper: Awarding restitution claims for victims of sexual violence in war crimes proceedings before Serbian courts”: https://hlc-rdc.org/wp-content/uploads/2021/06/Policy_Paper_-_ENG.pdf

International Federation for Human Rights (FIDH), updated “Corporate Accountability for Human Rights Abuses: A Guide for Victims and NGOs on Recourse Mechanisms”: <https://corporateaccountability.fidh.org/>

Pro-Busqueda and Dejusticia, multimedia “Search Paths for the Disappeared. A Guided Tour Through Hope”: <https://www.swisspeace.ch/news/virtual-guided-tour-los-caminos-de-la-busqueda>

Janet H. Anderson, “Karim Khan takes over as ICC prosecutor,” *justiceinfo.net*:
<https://www.justiceinfo.net/en/78612-karim-khan-takes-over-as-icc-prosecutor.html>

Moustafa Ayad, Amarnath Amarasingam, Audrey Alexander, “The Cloud Caliphate: Archiving the Islamic State in Real Times”: <https://ctc.usma.edu/the-cloud-caliphate-archiving-the-islamic-state-in-real-time/>

Elizabeth Barnert and others, “Using DNA to reunify separated migrant families,” *Science*, June 11:
sciencemag.org

Rina Chandran, “Songs, stories, pottery: Refugees preserve their heritage in digital archives,” *Thomson Reuters Foundation*: <https://news.trust.org/item/20210618154528-v0mne/>

Please share news with us! trudy@trudypeterson.com To view previous issues, see <https://www.ica.org/en/sahr-newsletters>

The Section on Archives and Human Rights is grateful to the online Italian archival magazine *Il Mondo degli Archivi* for handling the distribution of *SAHR News*. To subscribe to the *News*, enter the required information on the form that you will find here: <https://anai.us13.list-manage.com/subscribe?u=5942a8a83f3023c6a5a63139e&id=324882c3f7>

This Newsletter is published under a Creative Commons license. Feel free to further circulate it and reuse it for non-commercial purposes.