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Commentary

August in the northern hemisphere is the heart of summer. Activity slows down, and cities empty of all except tourists. Schools are on vacation, and families spend time together. News is usually slow.

Not this August. Major organizations, from the Indonesian Commission on Human Rights to Twitter, published reports. Courts handed down decisions, like the court in Turkey that sentenced 254 people at once in the biggest case in the country's history. The revelations of spying by U.S. agencies continued to roll out, affecting countries around the world.

A cluster of events in August involved records that concern identity: who is a citizen, who has a specific ethnicity, what is my sexual orientation. The most explosive story was from Russia, where a vigilante group is publishing videos of its attempts to "cure" by despicable means people they believe are homosexual. Here the videos are the record of the "identity." Next door, in the country of Georgia, prospective brides seek to confirm their identity as virgins by getting "virginity certificates" from the government.

Moving from sex to ethnicity, a newspaper in Turkey learned that the government's Population Directorate maintains a registry of minorities that identifies each family's ethnicity as determined in 1923: 1 for Greek, 2 for Armenian, 3 for Jews, 4 for Syriacs and 5 for "other." Exactly how the ethnicity was designated in the first place is not clear, but it has eerie echoes of other historical brandings. Also related to ethnicity but happier, the census in Bolivia showed many fewer people self-identifying with a specific ethnicity; in fact, the majority of the population registered as "mixed" ethnicity.

And then there are the records of citizenship. Cote d'Ivoire passed two new laws easing access to citizenship, one of the issues at the center of its political crisis since 2002. One law will allow foreigners to acquire citizenship upon marriage to a citizen and the other offers citizenship to foreign-born persons who were living in Cote d'Ivoire before it became independent in 1960 and to foreign nationals born in Cote d'Ivoire between 1961 and 1973 and their children. Finally, there is the identity that is linked to the right to vote; Guinea-Bissau decided to issue its citizens new voter registration cards that will be "extremely difficult to forge or replicate" to reduce the possibility of electoral fraud.

All in all, August was a busy month, demonstrating once again the centrality of archives—paper, electronic, or audiovisual--in the world in which we live.

International news.

United Nations Interim Administration Mission in Kosovo (UNMIK). UNMIK established the Human Rights Advisory Panel (HRAP) in 2006 to "examine complaints from any person or group

of individuals claiming to be the victim of a violation” of human rights by UNMIK. At the end of 2012, HRAP began investigating the 250 complaints submitted to it by the relatives of missing persons, and by the end of July 2013 HRAP had made public its opinions in 20 of 25 complaints involving abduction and/or murder. According to a report by Amnesty International, HRAP based its opinions on “the statements presented by the complainants and the evidence presented by UNMIK, largely based on the original investigative case files” of UNMIK. “With one exception . . . the panel concluded that UNMIK failed to conduct investigations into those crimes in line with the requirements” of Article 2 of the European Convention on Human Rights. Amnesty reported that HRAP found UNMIK’s records deficient: “Each case, while unique, shows similar patterns including: the failure to promptly gather evidence or incomplete documentation of evidence gathered, including the absence of records of statement by complainants or witnesses; the failure to maintain investigative files, and the failure to regularly review investigations--the majority of investigative files considered by the panel were never reviewed after 2005.”

<http://www.amnesty.org/en/library/asset/EUR70/009/2013/en/579d7730-4514-4a78-a719-8b6254ece22f/eur700092013en.pdf>

United Nations War Crimes Commission. The International Criminal Court and the United Nations Archives, funded by the European Union, Denmark, Finland and the Netherlands, digitized and put on the ICC’s online Legal Tools Database “virtually all of the unrestricted records of the United Nations War Crimes Commission” which operated from 1943 to 1948 and “played an important role in preparing the ground for war crimes trials in Nuremberg, Tokyo, and other locations following World War II.” The original records are held by the UN Archives. For an *Associated Press* report on the project, see

http://www.washingtonpost.com/world/europe/more-than-2200-documents-from-world-war-ii-war-crimes-archive-are-online-for-the-first-time/2013/08/03/50114e78-fbf2-11e2-89f7-8599e3f77a67_story.html; for the ICC press release

http://www.casematrixnetwork.org/uploads/media/130704_ICC_press_release_on_UNWCC_collection_in_ICC_Legal_Tools_Database.pdf; for the database <http://www.legal-tools.org/>

United Nations Special Rapporteur/Guatemala. The Washington Office on Latin America reported that during the night of 31 July a break-in occurred at the private office of the United Nations’ Special Rapportuer for Freedom of Opinion and Expression, Frank LaRue, and the offices of the Instituto Centroamericano de Estudios para la Democracia Social (DEMOS) in Guatemala. Computers and documents were stolen, as well as other equipment and valuables.

World/general news.

Cyberspying. Documents released to the press by Edward Snowden continued to make news in August. Among the thousands of articles, a good discussion of the U.S. National Security Agency’s “unauthorized surveillance of Americans and foreign intelligence targets in the United States” was published by the *Washington Post*: http://www.washingtonpost.com/world/national-security/nsa-broke-privacy-rules-thousands-of-times-per-year-audit-finds/2013/08/15/3310e554-05ca-11e3-a07f-49ddc7417125_story.html

Data mining (1). Twitter released its semiannual “transparency report” and said that the number of requests for Twitter user data from governments around the world grew 15 percent in the first half of 2013 compared to the last six months of 2012. Twitter received 1157 requests for data covering 1697 users and turned over some data in 55% of the cases. The report lists each country

from which it received a request; the U.S. made 902 requests; Japan was second with 87.
<https://transparency.twitter.com/information-requests/2013/jan-jun>

Data mining (2). *Secrecy News*, an electronic news service of the Federation of American Scientists' Project on Government Secrecy, published a document from the U.S. military's Special Operations Command (SOC) on a data-mining experiment SOC conducted in 2012 to find information on "counter-threat finance" (countering the financing activities of terrorists, insurgents, human traffickers, weapons proliferators and international organized crime). SOC identified "over 300 . . . traditional and non-traditional open sources," many of them public records, with "potential relevancy." For the news story (August 6, updated August 9) see <http://blogs.fas.org/secrecy/page/3/>; the report is at <http://www.fas.org/irp/eprint/quantum.pdf>

Data mining (3). The *New York Times* reported that the United Nations has a unit known as "Global Pulse" which is working to take "data from social networks, blogs, cellphones and online commerce to transform economic development and humanitarian aid." <http://www.nytimes.com/2013/08/08/technology/development-groups-tap-big-data-to-direct-humanitarian-aid.html?pagewanted=all&r=0>

Access to records of medical trials. Transparency is coming to the records of human medical trials, the *Chronicle of Higher Education* reported. "Medtronic just paid university scientists to review all records of its human testing of Infuse, a bone-growth protein. The pharmaceutical giant Roche has promised to release internal study data on its influenza drug Tamiflu. The pharmaceutical and biotechnology company GlaxoSmithKline is publicly posting more than a decade's worth of study records." <http://chronicle.com/article/Researchers-Get-Lessons-in/140573/>

Privacy, cells, and genomes. Henrietta Lacks' cancer cells have been used around the world for 62 years and are the subject of "more than 74,000 studies"—all without the permission of either Ms. Lacks or her family. This spring the European Molecular Biology Laboratory published the genome of "a line" of the Lacks cells, and the University of Washington was about to follow with another genome data study, which led the family to protest over the unrestricted use of the cells. Now the family and the U.S. National Institutes of Health have come to an agreement on the use of the cells; according to the *New York Times*, the case "draws attention to a lack of policies to balance the benefits of studying genomes with the risks to the privacy of people whose genomes are studied—as well as their relatives." For the National Institutes of Health press release, see <http://www.nih.gov/news/health/aug2013/nih-07.htm>; <http://www.nytimes.com/2013/08/08/science/after-decades-of-research-henrietta-lacks-family-is-asked-for-consent.html?pagewanted=all>.

Bilateral and multilateral news.

Bangladesh/India/Pakistan/United States. The 1947 Partition Archive, a project at the University of California, Berkeley, that is recording oral histories of the period when British India was dividing into India and Pakistan, was featured in a major story in the *New York Times*. The project website, with links to press coverage, is at <http://www.1947partitionarchive.org/>.

Cambodia/Myanmar. *The Cambodia Daily* reported that the Documentation Center of Cambodia (DC-Cam) is "collaborating with a network of Burmese groups seeking to create an archives of human rights abuses in Burma." The director of Network for Human Rights Documentation –

Burma, an NGO, said this “Unofficial Truth Project” to document ongoing human rights violations is an unofficial project “because many members of the current government are from the previous regime” and they would consider “truth-seeking” or “truth commission” as “threatening” words. <http://www.cambodiadaily.com/archive/dc-cam-to-help-burma-record-rights-abuses-38295/>

Hungary/Slovakia. The man arrested by Hungarian authorities and indicted for his role in the World War II deportation of Jews from Kosice, Slovakia, died in prison before the trial could be completed (for background, see *HRWG News* 2012-07 and 2013-06). <http://www.bbc.co.uk/news/world-europe-23664226>

Iran/Iraq/United States. An article published in *Foreign Affairs* says CIA documents declassified between 2007 and 2010 and transferred to the U.S. National Archives “reveal new details about the depth of the United States’ knowledge of how and when Iraq employed” chemical weapons during its war with Iran during the 1980s. According to the article, in late 1987 the U.S. Defense Intelligence Agency “was authorized to give the Iraqi intelligence services as much detailed information as was available about the deployments and movements of all Iranian combat units.” The next year Iraq’s nerve gas attack on the Kurdish village of Halabja and sarin gas attack on the Iranian troops on the Fao Peninsula occurred. The article, with links to the documents cited, had nearly 80,000 “likes” and more than 550 comments in the first five days after its publication. http://www.foreignpolicy.com/articles/2013/08/25/secret_cia_files_prove_america_helped_saddam_as_he_gassed_iran?page=0,1

Iran/United States. Responding to a Freedom of Information request from the National Security Archive, a U.S. NGO, the Central Intelligence Agency declassified records that verify the Agency’s role in the coup that overthrew Iranian Prime Minister Mosaddeq in 1953. The *Associated Press* reported a week after the *Tehran Times* published excerpts from the records, the Iranian parliament voted to take the United States “to international court” for interfering in Iranian domestic affairs. <http://touch.latimes.com/#section/-1/article/p2p-77179138/>

Iraq/United States. The U.S. National Archives announced the October opening of an exhibit of Iraqi Jewish materials that it has held since they were found by U.S. troops in Baghdad in 2003 and brought to the United States for conservation. According to an article in the *Washington Post*, the exhibit is in anticipation of the materials’ “return to Iraq next year,” and Saad Eskander, the Director General of the Iraqi National Library and Archives (INLA), confirmed in an open email, writing, “The two parties, Iraq and US, agreed lately that the Iraqi Jewish Archives (IJA) will be sent to the INLA by mid-2014. There will be a second exhibition for IJA, to which many more items will be added. It will be the first of its kind since the creation of the Iraqi state following the WWI.” In response to the news of the planned return, a number of commentators expressed dismay; an article in *jpupdates.com* told the story of the recovery of the archives and then asked about the proposed return, “How did the Jewish Iraqi community . . . lose, find, and lose again its patrimony?”. http://www.washingtonpost.com/local/archives-readies-a-schoolgirls-records-and-a-trove-of-jewish-treasures-for-return-to-iraq/2013/08/13/8b23c7a0-f9ec-11e2-8752-b41d7ed1f685_story.html ; <http://jpupdates.com/2013/08/26/outrage-u-s-returning-artifacts-looted-from-iraqi-jews-to-iraq-instead-of-lawful-owners/>. For background, see also http://www.al-monitor.com/pulse/originals/2013/08/iraqi-jews-reestablish-contacts.html?utm_source=&utm_medium=email&utm_campaign=8001

Israel/Jordan/Palestine. The Israeli high court is hearing a petition by families of 15 Palestinians killed years ago “whose bodies have been kept by the Israelis since.” Palestine’s National

Campaign for the Retrieval of Palestinian and Arab War Victims' Bodies and the Disclosure of the Fate of Those Missing is working to document the missing individuals, *Al-Monitor* reported. On August 5 *Al-Majid* published the names of 23 missing Jordanians. <http://www.al-monitor.com/pulse/originals/2013/08/p>

Japan/South Korea. A diary found in a secondhand bookstore in Korea provides details of the Korean women forced by the Japanese Army to serve as sex workers ("comfort women") during World War II. The diary was written by a man who worked as a clerk in the brothels; according to the *Japan Times*, these diaries are "the first ever found that were written by someone who worked at a "comfort station." The diarist says he submitted daily reports to the logistics command, an important clue for finding official records relating to the "comfort stations."
<http://www.japantimes.co.jp/news/2013/08/13/national/koreans-war-brothel-diaries-offer-new-details/>

Japan/South Korea/United States. *Asahi Simbun* reported that South Korean survivors of the 1945 U.S. bombings of Hiroshima and Nagasaki "are planning a group lawsuit that demands the South Korean government put pressure on Japan to provide compensation." Korea was a colony of Japan during the war and thousands of Koreans were working in Japan at the time of the bombings. The Japanese government provides special allowances only to its atomic bomb victims. Japan and South Korea normalized diplomatic relations in 1965; Japan says that all war-related compensation issues were settled at that time. South Korea disagrees and has disclosed "all documents on the normalization talks between Tokyo and Seoul."
http://ajw.asahi.com/article/behind_news/social_affairs/AJ201308070075

Japan/United States. Japanese scholars are searching "for photos, records of medical treatment and other materials mainly from the 1940s to 1970s in the United States and Japan" as part of a four year project to create a "public digital archive" on the "radiation effects from U.S. atomic bombings of Hiroshima and Nagasaki," reported *United Press International*.
http://www.upi.com/Science_News/2013/08/05/Japan-looks-to-create-historical-archive-of-WWII-atom-bomb-effects/UPI-54111375736888/

Poland/Russia. Poland officially asked Russia to "hand over to Warsaw archives relating to the so-called roundup that resulted in some 600 Polish anticommunists becoming missing in the summer of 1945," *RIA Novosti* said, quoting the *Polish Press Agency*. The Polish Foreign Ministry said releasing of "the full list of Augustow roundup victims and the site of their burial would be a humanitarian act, especially in regard to the victims' close ones that would make it possible for them to gain access to information on their relatives' fate and honor their memory."
<http://en.ria.ru/politics/20130809/182664834/Poland-Asks-Russia-for-Archives-on-Augustow-Roundup---Report.html>

South Africa/United States. The U.S. Second Circuit Court of Appeals dismissed the case of *Balintulo v. Daimler AG*, known as the "South Africa apartheid lawsuit." The plaintiffs sought damages from "corporations with significant US-based operations for their direct support of the apartheid security agencies," according to a press release by the NGO Khulumani Support Group. But the court decided that the Alien Tort Statute, under which the case was brought, "does not reach the extraterritorial conduct in this case," which means U.S.-based companies may not be held accountable for human rights violations that did not take place within the United States.
<http://pressoffice.mg.co.za/khulumanisupportgroup/PressRelease.php?StoryID=242251>
For the case decision, see http://www.ca2.uscourts.gov/decisions/isysquery/751866d1-2b45-4b53-a311-933413280fc5/1/doc/09-2778_opn.pdf Business responsibility for human rights is the focus

of the UN “Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework” adopted in 2011; see <http://www.business-humanrights.org/UNGuidingPrinciplesPortal/TextUNGuidingPrinciples>

United Kingdom/Northern Ireland/United States. Just when it appeared that the fight over access to the Boston College oral history interviews with participants in Northern Ireland’s “Troubles” was at an end, two further developments occurred: (1) the U.S. Government appealed the court decision to “quash” (that is, to suppress) part of the subpoena (the court approved access to only 11 of the 85 interview transcripts that were subpoenaed) and Boston College opposed <http://bostoncollegesubpoena.wordpress.com/2013/08/04/governments-request-for-modification/>, and (2) the College faculty sent a letter to the College president asking that an “independent committee” be appointed “to examine the circumstances surrounding the creation and conduct of the oral history collection known as the Belfast Project,” reported *Inside Higher Education*. <http://www.insidehighered.com/quicktakes/2013/08/23/boston-college-faculty-demand-answers-about-belfast-project>. And the family of Jean McConville, whose murder is the central issue in the oral history case, announced it is suing the British government for failure to “hold a prompt and efficient investigation” of her 1972 abduction and murder, reported the *BBC*. <http://www.bbc.co.uk/news/uk-northern-ireland-23850887?>

National news.

Algeria. *Algeria-focus* reported yet another fire in an archives in Algeria, this time destroying three “metal cabinets” in the archives of the Customs agency. Recent fires were in the court archives at Hassi Messaoud, Algiers, and Oran. The newspaper asked if all these fires were just a coincidence. <http://www.algerie-focus.com/blog/2013/08/apres-celles-des-tribunaux-les-salles-darchives-des-douanes-brulent/>

Australia. On the *Australian Broadcasting Corporation*’s program “Lateline,” a consultant to the National Committee for Professional Standards in the late ‘90s claimed a senior official from Catholic Church Insurance (CCI) said that he had destroyed boxes of personnel records. According to *ABC News*, CCI “played a central role on the church’s professional standards committee and dictated church policy as it developed its Towards Healing protocol, designed to help abuse victims.” CCI denied that it improperly destroyed records; however, the head of the Church’s Truth, Justice and Healing Council, set up in January “to prepare documents and legal submissions for the royal commission” looking into child sexual abuse, recommended that CCI investigate the charge. <http://www.abc.net.au/news/2013-08-09/calls-for-probe-claims-catholic-insurance-destroyed-documents/4875248> For background on the Council, see <http://www.theguardian.com/world/2013/aug/28/independent-church-body-abuse-inquiry>

The federal police commissioner denied that U.S. surveillance programs were linked to his proposed “mandatory data retention regime, which would force telecommunications companies . . . to hold subscriber metadata--such as call records and billing information--for use in criminal investigations,” reported *Australian Financial Review*.

http://www.afr.com/p/technology/police_chief_denies_prism_links_tXQAQ8MdJKhvN6stldqjUI

Bangladesh. The chief of the war crimes investigation agency launched an investigation of Jamaat-e-Islami, the largest Islamist political party in Bangladesh, which opposed the separation of Bangladesh from Pakistan in 1971. The *Daily Star* quoted the chief as saying “collecting and analyzing documents will be the focus of the probe,” which will “start from the very birth of

Jamaat to its present activities, not to mention its role in 1971.” At the beginning of August the supreme court declared Jamaat’s registration with the Election Commission invalid, making it ineligible to participate in elections for parliament seats that are to be held later this year, *bdnews24.com* wrote. <http://www.thedailystar.net/beta2/news/jamaats-role-under-probe/>; <http://bdnews24.com/bangladesh/2013/08/01/jamaat-registration-cancelled>

Human Rights Watch published a report on the use of excessive force during protests in February and early May 2013, based on 95 interviews, “official statements and fact-finding reports prepared by Bangladeshi human rights organizations,” and “television and video footage.” HRW urges the Bangladeshi government to “establish an impartial, transparent, and independent commission to investigate the large numbers of deaths and injuries.” http://www.hrw.org/sites/default/files/reports/bangladesh0813_ForUpload_1.pdf

Bolivia. The results of the 2012 population census were published, showing that the majority of the population calls itself mestizo (mixed race) as opposed to indigenous; the number of people identifying themselves as indigenous is 18% less than in the 2001 census, reported the *International Business Times*. Because the numbers are surprising and somewhat controversial and because the census results determine both allocation of seats in the legislature and aid to provinces, it is important that the archives of the census are carefully protected. <http://www.ibtimes.com/bolivian-census-highlights-how-changes-bolivian-demographics-might-affect-president-evo-morales>

Bosnia. Public meetings were held in four cities to discuss the Bosnian court’s decision in 2012 “to make verdicts anonymous and not issue complete audio and video recordings from trials,” *BIRN* reported. It quoted attendees as saying that unless the names of the perpetrators are made public “the truth would be hidden from history.” http://www.balkaninsight.com/en/article/bosnian-victims-want-the-names-of-perpetrators?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=0459277a11-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-0459277a11-311109073

Canada. *CBC News* reported that a “small team” employed by the Truth and Reconciliation Commission of Canada began researching photographs and documents from Health Canada, in the wake of the disclosure that medicines were tested on students at residential schools (for background, see *HRWG News* 2013-07). <http://www.cbc.ca/news/canada/north/story/2013/08/06/north-trc-explores-federal-archives.html>

Chad. Reed Brody, legal counsel for Human Rights Watch, was interviewed about the discovery of the secret police archives in Chad, which will be used in the trial of Chad’s former dictator, Hissene Habre. The African Union and Senegal signed an agreement on the procedures to be used by the special tribunal hearing the case, reported *BBC News*. <https://www.hrw.org/news/2013/08/07/trap-dictator-chad-s-hissene-habre>; <http://www.bbc.co.uk/news/world-africa-19351938>

Chile. Like its neighbor Bolivia, Chile conducted a census in 2012. However, in Chile an independent commission of experts found that the census data was seriously flawed and should be thrown out, reported the *Associated Press* and others. Again, protecting the census results and the records of census preparation and census taking is an important archival task. <http://www.startribune.com/politics/national/218724981.html>

Cote d'Ivoire. *Reuters* reported that Cote d'Ivoire's parliament passed two important new laws, one widening citizenship and the other codifying land ownership. Both laws require the use of archives. In a comment filed following the story, the importance of records was apparent: the person wrote, "What are the cost and documentations required for landholders to prove their legal claim to their properties? How are those in rural areas whose lands have been passed down to them with no form of documentations prove that they are the rightful landholders?"

<http://www.reuters.com/article/2013/08/23/us-ivorycoast-laws-idUSBRE97M0Y120130823>

Czech Republic. The Catholic Church filed more than 11,000 claims with the government for the return of confiscated property, the *Prague Post* reported, under a law passed in November 2012 that pledged to hand 134 billion Czech crowns "in property and compensation" to 16 religious organizations. Institutions seeking compensation "are expected to show proof of ownership in pre-communist times, although incomplete record keeping and the extensive damage to records from floods in 2002 mean this will be difficult in many instances."

<http://www.praguepost.com/news/16901-catholic-church-makes-more-than-11-000-restitution-requests.html>

El Salvador. *Al Jazeera's* "People and Power" program ran a feature on El Salvador 20 years after the end of the civil war and "how evidence of atrocities committed by government forces during the civil war sparked efforts to overturn amnesty laws." It focused on a military document called "the Libro Amarillo, the 'Yellow Book'—a 254-page book produced by the Intelligence Department of the Estado Mayor Conjunto, El Salvador's military high command during the civil war" that contains a "list of human targets assembled by the military high command during the war." The book, with documents dating between 1978 and 1987, "contains photographs of nearly 2,000 civilians that it identifies as 'delinquent-terrorists' and details their known or suspected leftist political affiliations." A human rights activist who has been researching the authenticity of the book since 2010 says that it provides "evidence that the Salvadoran state violated human rights systematically."

<http://www.aljazeera.com/programmes/peopleandpower/2013/08/201381310843483272.html>

Georgia. Georgia's *Imedi* television aired a news story that the National Forensics Bureau "was performing as many as 200 'virginity inspections' a year" to issue "virginity certificates" to prospective brides. A women's group protested outside the Bureau, which denied it was doing virginity tests except "in the case of court-ordered rape and abuse allegations," reported *Radio Free Europe/Radio Liberty*. <http://www.rferl.org/content/georgia-protest-virginity-inspections/25062703.html>

Germany. The parliamentary committee looking into prejudices among personnel in the police and security services and the impunity enjoyed by the right wing National Socialist Underground issued its report. It severely criticized the actions and inactions of the police security services; subsequently the Turkish community in Germany issued its assessment of the report; both were given substantive coverage by *Speigel Online*. For background and the involvement of archives in the controversy, see *HRWG News* 2012-08, 2012-09, 2012-10; 2012-11.

<http://www.spiegel.de/international/germany/turkish-community-alleges-institutional-racism-in-murder-probe-a-919056.html> <http://www.spiegel.de/international/germany/turkish-community-alleges-institutional-racism-in-murder-probe-a-919056.html>

Guinea-Bissau. Election officials announced that they will not to pursue biometric voting cards but instead to use "a manually-generated voter election card," reported *Africa Review* (for background, see *HRWG News* 2013-07).

<http://www.africareview.com/News/Guinea+Bissau+opts+for+manual+voter+listing/-/979180/1936842/-/e3t49e/-/index.html>

Honduras. In November 2011 the Congress created the Directorate for the Investigation and Evaluation of the Police Career (DIECP) to “investigate crimes and misconduct committed by police officers, as well as to continuously evaluate police personnel to weed out corrupt officers.” According to a release by the Washington Office on Latin America, DIECP was to give personnel “confidence tests,” including economic, toxicological and psychological tests and a polygraph. DIECP admitted in March that only 1200 officers out of roughly 11,000 have been vetted, and 230 of those who failed the tests are still on the force. The records of DIECP and the sorry situation need to be carefully preserved.

http://www.wola.org/commentary/police_reform_in_honduras_stalled_efforts_and_the_need_to_weed_out_corruption

India. Eleven of the 25 departments of the West Bengal state government are relocating, and according to *The Times of India*, staff members are worried that their service records, which are the fundamental documentation for benefits and pensions, will be lost. “Many are now planning to obtain duplicate copies of their service books in advance. So if their service book gets lost they can use the duplicate one.” *The Times* also worried that records of land, cabinet decisions, reports of commissions, and classified records “can get lost during the shifting” and that some records will be destroyed in the process. An official was quoted saying that offices “would be placing the files in gunny bags and maintain a registrar with the file numbers.”

http://articles.timesofindia.indiatimes.com/2013-08-09/kolkata/41237286_1_service-files-service-records-classified-files

The Supreme Court appointed a Special Investigation Team (SIT) on the 2002 riots in Gujarat in which over 1000 people were killed. In May 2012 SIT reported, finding that the government and the Gujarat chief minister took “all possible steps” to control the rioting. A riot victim filed a petition against the SIT report, and her lawyer argued in court in August that the SIT had “overlooked as well as ignored the tampering and destruction of 2002 post-Godha riot-related sensitive records and documents by the Gujarat government which would have established our accusations of conspiracy, aiding and abetment of riots by the accused,” reported *Firstpost*.

http://www.firstpost.com/india/sit-overlooked-how-modi-govt-destroyed-records-says-zakias-lawyer-1065097.html?utm_source=hp-footer

Indonesia. The National Commission on Human Rights published a briefing, “No Peace without Justice,” on the 1989-2005 military operations in Aceh during which between 10,000 and 30,000 people were killed, according to the *Jakarta Globe*. After investigating five important cases, the Commission found that the military was responsible for “gross human rights violations” against the Free Aceh movement and the people of Aceh. The government, in the peace agreement at the end of the conflict, promised to set up a human rights court and a truth and reconciliation commission for Aceh, but neither has been established. The records of the Human Rights Commission need careful, immediate archival protection.

<http://www.thejakartaglobe.com/news/komnas-ham-alleges-human-rights-violations-in-aceh-conflict/>

Japan. “Long-lost medical records detailing the sharply deteriorating health of the world’s first recognized radiation sickness patient have been recovered 68 years after the victim died within weeks of being exposed to the atomic bomb in Hiroshima,” *Asahi Shimbun* announced. Apparently the records were taken home by an employee of the University of Tokyo hospital

where she was treated, because the press reports that “family members of those who were involved in her treatment, who have passed away, discovered the documents,” which have been authenticated by the university. They show the results of blood tests, body temperature, treatments, and diagnosis.

http://ajw.asahi.com/article/behind_news/social_affairs/AJ201308040020

Kosovo. The horrific case of organ trafficking (see *HRWG News* 2013-02, 2013-04, 2013-05) is now the subject of a documentary, “Tales from the Organ Trade,” by a Canadian film-maker.

http://www.balkaninsight.com/en/article/film-tackles-kosovo-organ-trafficking-scandal-1?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=592468f061-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-592468f061-311109073

Liberia. Human Rights Watch (HRW) published a report on police corruption and abuse in Liberia, titled “No Money, No Justice.” Based on interviews with 220 individuals in four counties of Liberia, HRW described “police extortion at every stage of a case investigation—from registration of a complaint to transportation to the crime scene, to release from police detention.” They urged the Independent National Commission on Human Rights to “more actively investigate and document alleged human rights abuses, including those abuses involving the police, and publicize that information,” and recommended that the United Nations and donor governments require better tracking systems for all assistance given to the police.

http://www.hrw.org/sites/default/files/reports/liberia0813_forUpload_0.pdf

Norway. After public broadcaster *NRK* and the newspaper *Dagbladet* reported that the Norwegian Intelligence Service has files on over 400 Norwegian citizens, including sensitive information (“psychological profiles, disease history, welfare information and information [on] sources’ spouses and children”), parliament’s oversight body made an “unannounced inspection” visit to the military intelligence archives. <http://www.norwaypost.no/index.php/news/latest-news/28918-secret-military-archive-under-investigation>; <http://www.tnp.no/norway/panorama/3933-eos-committee-examines-secret-intelligence-archives-of-norway>

Palestine. Hamas and Fatah, the two largest Palestinian political factions, are rivals. In July Hamas detained a Fatah General Intelligence officer who was returning from the United Arab Emirates and seized his computer “wherein large amounts of original documents and correspondence were found,” reported *Al-Monitor*. Hamas says the documents show Fatah working to “‘demonize’ Hamas in the eyes of Egyptians and generate criminal accusations and reports against its members.” Fatah denied both the claims and the authenticity of the documents, which it says Hamas falsified. Hamas “called for setting up an investigative committee . . . from both factions to prove the authenticity of the documents.” <http://www.al-monitor.com/pulse/originals/2013/08/hamas-fatah-leaked-documents-egypt.html>

Al-Monitor reported that “the Hamas government’s Internal Security Agency has formed a special unit to monitor social media, read the articles and comments that get published there, measure ‘incitement’ against the movement and follow up on various youth activities.” It quoted a man “summoned for interrogation five times” who was confronted with printouts from his Facebook postings. http://www.al-monitor.com/pulse/originals/2013/08/hamas-facebook-social-media-activists.html?utm_source=&utm_medium=email&utm_campaign=7986

Russia. Occupy Pedophilia, an anti-homosexual group in Russia, lures “purported or potential” homosexuals to meetings, harasses them severely (some might call it torture), films the “cure”

sessions and posts the video on its website. A man interviewed by *Radio Free Europe/Radio Liberty* sent “70 appeals to various local, regional and federal offices” but none took action against the group, so he sent photos and videos to the Spectrum Human Rights Alliance. It is important that Spectrum or another organization preserve the videos as evidence.

<http://www.rferl.org/content/russia-videotaped-bullying-gays/25062657.html>;

<http://yekaterinburgnews.com/daily-news/anti-gay-group-occupy-pedophilia-claims-responsibility-for-murder-of-uzbek-lgbt-activist/5802/>

Tanzania. “At least 75 percent of all court records including exhibits and transcripts at the Masasi primary court . . . were burnt down and crucial evidence needed in various ongoing cases destroyed leaving inmates and their families stricken with concerns and fear that their cases will be postponed indefinitely or mistried,” *This Day* reported.

<http://www.ippmedia.com/frontend/index.php?l=57869>

Turkey. A woman of Armenian ancestry who converted from Islam to Christianity tried to enroll her child at an Armenian school but was required to get certification that in the Population Directorate’s registry of minorities, maintained since the 1923 Treaty of Lausanne (which settled the Turkish state borders), her “ancestry code” was listed as 2 for Armenian. *Radikal* researched the story and concluded that while officials say the codes “are only for regulating who will be allowed to enroll in educational institutions of minorities,” their claim was false. A Turkish human rights lawyer, writing in *Al-Monitor*, argued that in light of the coding “a fresh review of a number of events in Turkish history” should be undertaken: “For example, was the 1946 Wealth Tax, essentially aimed at non-Muslims, enabled by coding ancestry? Did the coding play a part in the 1934 pogroms against Jews in Thrace and in 1955 when homes and residence of ethnic Greek citizens were ransacked?” <http://www.al-monitor.com/pulse/originals/2013/08/turkish-ancestry-codes.html>

The Ergenekon trial ended with heavy prison sentences for 254 persons who were convicted of conspiracy to overthrow the government. According to *Al-Monitor*, this trial, which started in 2007 and was “probably the most complicated in Turkish legal history,” created massive records: the indictment was over 5000 pages in length and more than a million documents were entered into evidence. http://www.al-monitor.com/pulse/originals/2013/08/ergenekon-trial-secrecy-verdicts.html?utm_source=&utm_medium=email&utm_campaign=7941

United Kingdom. The *Mail Online* reported that a poll for the charity MacMillan Cancer Support found that doctors and nurses lose 18,000 hospital records of cancer patients each year (about 11% of the patients), “prompting fears about the level of care for those concerned.”

<http://www.dailymail.co.uk/health/article-2387032/18-000-cancer-patients-medical-files-lost-year-suffer-humiliation-nurses-poll-finds.html>

The Guardian reported that the Serious Fraud Office accidentally sent “to the wrong person” 32,000 pages of confidential documents, 81 audio tapes and computer files from a six-year investigation into corruption at Britain’s biggest arms firm, BAE. The items “had originally been given to the SFO by 59 sources that helped the agency;” one of the whistleblowers told the newspaper that he was concerned about “who got this information and whether it has been copied” before being recovered by the SFO, which says it has recovered 98% of the material.

http://www.theguardian.com/law/2013/aug/08/serious-fraud-office-bae-documents?CMP=EMCNEWEML6619I2&et_cid=44683&et_rid=4225361&Linkid=http://www.theguardian.com/law/2013/aug/08/serious-fraud-office-bae-documents

The Information Commissioner's Office fined Islington Borough Council £70,000 after “highly sensitive information” on the housing needs of 2375 residents, including such information as whether the person had a history of mental illness or suffered domestic abuse, was published in a response to a Freedom of Information request. <http://www.information-age.com/it-management/risk-and-compliance/123457297/islington-council-fined---70k-over-sensitive-data-in-foi-response>

United Kingdom/Northern Ireland. Relatives for Justice (RfJ), an NGO supporting the families of the victims of the “Troubles” in Northern Ireland, requested copies of the inquest records on three people killed during the Troubles. The ministry responsible for public records delivered copies to RfJ and a law firm, but the next day the Northern Ireland Secretary of State and the Chief Constable obtained a court injunction “in order to stop the papers being circulated,” *rte.ie* reported. The injunction blocked the minister “from allowing families to see inquest documents relating to the killing of their loved ones”; the families sued to overturn the injunction, then agreed to negotiate. <http://www.rte.ie/news/2013/0815/468339-troubles-document-court/>

United Kingdom/Scotland. The collection of Emma Budge, “a noted Jewish philanthropist whose prized artifacts were sold under duress in Berlin between 27-29 September, 1937,” was “very well documented, we have descriptions for every single piece, and for most of the items we even have photos,” the lawyer for Budge’s heirs told *The Scotsman*. Now a tapestry once owned by Budge has been found in the Burrell Collection in Glasgow, which had published an image of it on the web where it was found by “a simple Google search.” The heirs’ claim to the tapestry is now before the Scottish Spoliation Advisory Panel. <http://www.scotsman.com/lifestyle/arts/visual-arts/burrell-tapestry-looted-nazi-art-found-on-google-1-3061934>

United States. The records-keeping practices of several Federal agencies were once again under scrutiny in August. The National Employment Law Project, a research and advocacy group, looked at the use of F.B.I. criminal background checks by prospective employers. The findings showed the system is terribly flawed: “FBI records routinely fail to report important information on the outcome of arrests, information that is often beneficial to workers subject to these records,” with information on the final disposition of a case missing in about 50% of the files. “Given the massive proliferation of FBI background checks for employment--roughly 17 million were conducted last year--these inaccuracies have a devastating impact on workers, especially workers of color who are disproportionately impacted by the criminal justice system,” the Project writes. <http://www.nelp.org/page/-/SCLP/2013/Report-Wanted-Accurate-FBI-Background-Checks-Employment.pdf?nocdn=1>

However, responding to a request for information on Noam Chomsky, a famous dissident, the FBI could find a document showing that a CIA file on Chomsky once existed (which the CIA has always denied) but apparently has been destroyed, reported an article in *Foreign Policy*. http://thecable.foreignpolicy.com/posts/2013/08/13/after_multiple_denials_cia_admits_to_snooping_on_noam_chomsky

The Veterans’ Administration was once again in the news when an official told reporters that 98% of its data breaches involve “physical paper” not electronic data breaches, wrote *FCW.com*. (For background on the troubled VA records system, see *HRWG News* 2012-09 and 2013-05.) <http://fcw.com/articles/2013/08/08/va-data-breaches.aspx>

The Department of Health and Human Services settled a data breach data case against Affinity Health Plan, Inc., for a fine of \$1,215,780. CBS Evening News had purchased a photocopier

previously leased by Affinity, which had failed to scrub the photocopier before returning it, leaving confidential medical information for nearly 350,000 individuals on the hard drive. The settlement and corrective action plan is available at <http://www.hhs.gov/news/press/2013pres/08/20130814a.html>

CBSSports.com reported that during its investigation of unauthorized drug use by players, Major League Baseball “employed about 30 people on a full-time basis to gather information” and “used some high-tech tools to recover electronic evidence, which they then used to persuade a dozen players to accept 50-game suspensions.” They examined Facebook pages, hired a data recovery company to obtain cell phone records from a cooperative source, and obtained instant message transcripts, text message records and emails. <http://www.cbssports.com/mlb/blog/eye-on-baseball/23054492/facebook-and-other-electronic-records-used-during-biogenesis-investigation>

The current lawsuit *Main Street Legal Services, Inc. v. National Security Council* began as a Freedom of Information request for “copies of all NSC records relating to drone killings of U.S. citizens and foreign nationals.” The NSC rejected the request, saying NSC records are Presidential records and therefore not reachable under the Act. The Legal Services group sued. In a column in *Jurist*, the plaintiffs report that in a recent court filing the NSC argued “the President makes the ultimate decision whether to dispose of presidential records, and neither the Archivist, nor congress, or the courts may veto that decision.” This means, the authors point out, that the records of “US officials debating whether to kill people, including US citizens, outside of recognized battlefields and without judicial process, are categorically immune from the Freedom of Information Act and that the president has unfettered discretion to destroy any such records.” <http://jurist.org/forum/2013/08/cox-kassem-NSC-accountability.php>

United States/California. In September 2010 a pipeline explosion in San Bruno killed 8 people and destroyed 38 homes, and the investigation that followed showed that the utility’s flawed records were a major factor leading to the explosion. Now state regulators have found that the utility, Pacific Gas and Electric Co., used flawed documents to improperly declare two natural-gas pipelines safe. This raises “questions about whether the company has fixed record-keeping issues that contributed to the 2010 San Bruno disaster,” *sfgate.com* wrote. For background, see *HRWG News* 2012-02 and 2012-05. <http://www.sfgate.com/news/article/PG-amp-E-records-raise-concerns-about-pipeline-4748239.php>

The trustee overseeing the bankruptcy of AIM Medical Associates said patient files and financial records were “willfully destroyed,” reported *newswire.xbiz.com*. “All of the testing clinic’s records, stored at a Public Storage locker in Sherman Oaks, Calif., were destroyed in March,” in violation of the trustee’s order that they were not to be destroyed because of pending litigation. AIM, which stands for Adult Industry Medical, tested pornographic actors for sexual diseases. Its patient database, containing the real names and personal and medical information on over 12,000 actors, was leaked in 2011 and posted on the website Porn Wikileaks. The current litigation resulted from the data breach. <http://newswire.xbiz.com/view.php?id=167781>

United States/New York. In settling a lawsuit brought by the New York Civil Liberties Union, New York City agreed to “remove hundreds of thousands of names from a database of information . . . collected during police stops,” reported the *New York Times*. <http://www.nytimes.com/2013/08/08/nyregion/city-to-trim-a-database-on-police-stops.html?partner=rss&emc=rss&r=0>

Zimbabwe. The result of Zimbabwe's presidential election was initially challenged by the main opposition party, the Movement for Democratic Change, but then the challenge was withdrawn. A party official explained the withdrawal: "The trial process would have entailed the summoning of key witnesses and election material to prove the veracity of our well founded claims. As you may know, our lawyers have been denied the opportunity to inspect the voting and election material. In addition, no oral evidence would be submitted for the case. With the aforementioned circumstances, participating in such a hopeless and futile case would have been fatal and would be to allow ourselves to be dragged into the washer."

<http://zimbabweelection.com/2013/08/18/chamisa-explains-mdc-t-decision-to-withdraw-election-petition/>

Publications, conferences.

The Gay, Lesbian, Bisexual, Transgender Historical Society announced that it completed a project, "Hidden from History: Accessing the GLBT Past." It surveyed over 500 manuscript collections, processed over 500 linear feet of materials covering more than 75 years, updated nearly 600 catalog records, and added 81 new finding aids to the Historical Society website.

<http://www.oac.cdlib.org/institutions/Gay,+Lesbian,+Bisexual,+Transgender+Historical+Society>

The University of Victoria, Canada, will hold a Transgender Archives Symposium March 21-23, 2014. For further information, contact Aaron Devor (<http://web.uvic.ca/~ahdevor/>), University of Victoria Transgender Archives, or see the website www.transgenderarchives.uvic.ca.

The Historian's Office of the U.S. Department of State released the documentary edition *Foreign Relations of the United States, 1977-1980, Volume II, Human Rights and Humanitarian Affairs*. The volume contains documents showing the efforts made during the Jimmy Carter presidency "to define and implement a broad-based human rights policy" and is available at

<http://history.state.gov/historicaldocuments/frus1977-80v02>

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