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Commentary.

Hoa Lo prison in Hanoi, Vietnam, is now a museum. One wall displays an architectural drawing of the building as originally constructed by the French in the late 19th century, accompanied by a copy of a requisition for building materials. In the center of the room is a large model of the building as it existed at its greatest extent (it expanded several times). Hoa Lo is famous in Vietnam for holding Vietnamese political prisoners during the French colonial era; it is famous in the United States because it held U.S. prisoners captured during the war in the 1960s and 1970s (the prisoners nicknamed it the “Hanoi Hilton”). It is special site. Most of the prison, however, was torn down in the 1990s and in its place two high rise commercial towers were built. The original design of the prison lives on only in the archival record.

Many types of prisons exist: conventional prisons, military prisons, political prisons, concentration camps, psychiatric hospitals that hold criminally insane patients, juvenile “homes” or detention facilities (see the India item below), immigration detention centers that are essentially prisons (see the Australia item below). Prisons may be constructed for the purpose or may be sites or buildings such as a school or warehouse that—particularly during conflict—are used as temporary prisons. While governments operate the majority of prisons and government archives have the majority of extant prison records, governments may also contract with private industry to build and run prisons. The architectural records of these facilities would be records of whatever corporate body operates the facility; the contractor may or may not be required to send a copy of the architectural drawings to the government. Architectural records of temporary and seized facilities would be held by the owner of the facility.

When archivists consider whether to retain architectural records, the main criteria—as discussed in the ICA publication *A Guide to the Archival Care of Architectural Records, 19th-20th Centuries*--are the aesthetic and historical value of the records to document the creative process, the profession of architecture, the history of the built environment, and urban and social history generally. But the architecture of prisons also is important for understanding what happens within the prison: from overcrowding to access to air and light to the ability of one prisoner to see what happens to someone else. In prosecutions of prison guards and prison administrators, layouts of the prison facility can be important pieces of evidence. For some cases former prisoners have supplied drawings of the layout of the prison as they remember it; at the International Tribunal for the former Yugoslavia a scale model was created of the architecture of the Omarska prison camp.

Prison architecture is a particular concern for the organization Architects/Designers/Planners for Social Responsibility. Its website <http://www.adpsr.org/home/index> provides useful background information for archivists who appraise the architectural record of a place of incarceration, whether a conventional prison or a detention camp. When we look at these records, we need to think not only of the artistry of the architect but also the uses of the facility and the persons who were held there against their will. Institutions and archivists should prevent the destruction of archives that are likely to contain evidence of the violation of human rights, including those of the architecture of prisons.

International news.

International Criminal Court (ICC). Kenyan Deputy President William Ruto and journalist Joshua Sang are accused of planning and organizing crimes against humanity after Kenya’s 2007 presidential election

when over 1200 people were killed and 600,000 were displaced. The court admitted into evidence parts of the report of Kenya's Commission of Inquiry on Post Election Violence but rejected as evidence a gender-based violence report from the Commission, testimonies of people who appeared before it, a "status report on IDPs" [internally displaced persons], and a report of the Kenya National Commission on Human Rights about the post-election violence, reported *The Star*. <http://allafrica.com/stories/201502060282.html>

The judges in the Ruto and Sang case at least have some documents to consider. The *International Justice Tribune* reported that "in the ICC cases involving the Democratic Republic of Congo, the Central African Republic and Kenya, the prosecutor has had little by way of documents or video evidence." This forces the court to rely on witness testimony, and the problem then is how truthful the witnesses are. The case against Kenya's President Uhuru Kenyatta had the charges were withdrawn in December, largely because prosecutors were unable to obtain records from Kenya. However, while the case was live, Kenyatta's defense team was able to cast doubt on a prosecution witness by checking "telephone data to reveal that a key witness was lying." For background, see *HRWG News* 2014-12. www.justicetribune.com

In 2013 the ICC declined to bring a case against Abdullah al-Senussi, Libya's former spy chief, because the court believed Libya was "able and willing" to provide a fair trial for him. With the continuing violence in Libya, al-Senussi's attorneys and groups including Amnesty International and the United Nations Special Mission to Libya asked the Court to reconsider. The ICC Prosecutor, however, rejected the request that the Court be asked to review the decision. The *International Justice Tribune* noted that facts on the Senussi and related trials in Libya "are hard to come by, with militias controlling the city and the Tripoli court providing no written public record or list of charges" although journalists and relatives of the accused may attend court sessions. For background, see *HRWG News* 2014-04. www.justicetribune.com

International Court of Justice. The International Court of Justice ruled that neither Croatia nor Serbia had committed genocide against each other's populations during the wars in the former Yugoslavia in the 1990s (for background, see *HRWG News* 2014-04). *BIRN* published a useful commentary on the verdict: http://www.balkaninsight.com/en/article/the-icj-verdict-the-genocide-case-that-wasn-t?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=c618ddf107-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-c618ddf107-311109073

International Criminal Tribunal for Rwanda. *The New Times* reviewed the "efforts both from Rwanda and [the] international community to have the archives [of the ICTR] housed in Rwanda as they would contribute [to] the tribunal's own set agenda of reconciliation." <http://www.spyghana.com/rwanda-strives-to-take-custody-of-genocide-ict-r-archives/>

NATO. The Polish Delegation to NATO "submitted a formal request to the NATO Archives in early 2014 for the declassification and public disclosure of NATO documents" related to the June 1989 elections held in Poland. The NATO archivists worked with representatives of the Archives of the Polish Ministry of Foreign Affairs to identify relevant "records of the North Atlantic Council (both formal and private), divisional correspondence, military assessments and the reports from national embassies in Poland submitted to NATO" during the period between 1987 and 1991; these were reviewed and are now open. http://www.nato.int/cps/en/natohq/news_117492.htm

United Nations. The UN Security Council adopted resolution 2199 that, among other things, calls for a ban on trade in cultural materials illegally removed from Syria after March 15, 2011, and reaffirms its 2003 resolution that called on UN Member States to prohibit the trade in cultural materials illegally removed from Iraq after 1990. Resolution 2199 specifically mentions archives. For an extract of the text, see Annex A; for the entire resolution see <http://www.un.org/press/en/2015/sc11775.doc.htm>

UNESCO. At a conference organized by UNESCO and partners in Mali on "Ancient Manuscripts Facing Modern Day Challenges," the participants concluded that "storage conditions of ancient manuscripts smuggled out of Timbuktu to Bamako in 2012 must be improved rapidly to avoid decay" and the two "particularly urgent priorities" are "the provision of appropriate boxes for the manuscripts, and the documents' digitization." http://www.unesco.org/new/en/media-services/single-view/news/bamako_heritage_conference_urges_emergency_action_to_ensure_safeguarding_of_ancient_manuscripts_of_mali#.VN6BDnK_wdU

United Nations High Commissioner for Human Rights. In its 9th report to the United Nations Human Rights Council, the Independent International Commission of Inquiry on the Syrian Arab Republic said, “The long-standing position of the Commission has been that its investigation methodology does not meet the normal requirements of due process, and consequently, alleged perpetrators of war crimes and crimes against humanity should not be named. After four years of intensive monitoring and the submission of four confidential lists of perpetrators, however, not to publish names at this juncture of the investigation would be to reinforce the impunity that the Commission was mandated to combat.” According to Lebanon’s *The Daily Star*, the Commission now has five lists of names of “military and security commanders, the heads of detention facilities, and commanders of non-state armed groups, including the so-called ‘emirs’ of radical groups.” For the report, see <http://www.ohchr.org/en/hrbodies/hrc/pages/hrcindex.aspx>; http://www.dailystar.com.lb/News/Middle-East/2015/Feb-20/288177-un-investigators-ready-to-release-syria-war-criminals-list.ashx?utm_content=bufferc9a5b&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer

World Bank. Using data from the Bangladesh Soil Research Development Institute and individual and household survey data from the Bangladesh Demographic and Health Surveys, the World Bank investigated “the impact of drinking water salinity on infant mortality in coastal Bangladesh.” Previous studies found that salty drinking water consumed during pregnancy is linked to “maternal hypertension, preeclampsia, and post-partum morbidity and mortality.” This study found “high significance for salinity exposure during the last month of pregnancy and no significance for exposure during the preceding months” and that the “estimated impact” in the last month on infant mortality “is comparable in magnitude to the estimated effects of traditionally-cited variables such as maternal age and education, gender of the household head, household wealth, toilet drinking water sources, and cooking fuels.” http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2015/02/24/000158349_20150224094004/Rendered/PDF/WPS7200.pdf

World/general news.

Google and right to be forgotten. The panel of experts appointed by Google to advise it on the implementation of the European Court of Justice’s ruling on the “right to be forgotten” issued its report. The panel concluded that “removal from nationally directed versions of Google’s search services within the EU is the appropriate means to implement the Ruling at this stage.” It suggested four “primary criteria” to use when deciding on “delisting requests”: the data subject’s role in public life, the nature of the information, the source of the information, and the time (the current relevance of the information). In the discussion of the nature of the information, the panel wrote, “Where content relates to a historical figure or historical events, the public has a particularly strong interest in accessing it online easily via a name-based search, and it will weigh against delisting. The strongest instances include links to information regarding crimes against humanity.” A footnote says that a lawyer from a Polish NGO “suggested that there is a special (Eastern) European dimension to the importance of being able to access information, which relates to the Communist past. Because of the fact that information is not always credible . . . being able to access more information from a variety of sources is important.”

<https://drive.google.com/a/google.com/file/d/0B1UgZshetMd4cEI3SjlvV0hNbDA/view?pli=1>

ISIS and women’s roles. A researcher at the Quilliam Foundation in London translated a 10,000-word document titled “Women in the Islamic State: Manifesto and Case Study,” which had been posted in Arabic on “popular jihadist forums” by the all-female Al-Khanssaa Brigade’s media wing. It describes the role of women in the Islamic State and “heavily” criticizes Western women and human rights concepts of gender equality, reported *The Independent*. http://www.independent.co.uk/news/world/middle-east/life-as-a-woman-under-isis-document-reveals-for-the-first-time-what-group-really-expects-from-female-recruits-living-in-syria-and-iraq-10025143.html?mkt_tok=3RkMMJWWfF9wsRonuqzLde%2FhmjTEU5z17u0kUKCg38431UFwdcjKPmjr1YIFTcVII%2BSLDwEYGJlv6SgFSLHMMa12z7gLXx1%3D Women’s treatment by ISIS is the subject of two new short films produced by Angelina Jolie, the actress and special envoy for the United Nations High Commissioner for Refugees. The films, made in a Kurdish refugee camp, and an accompanying story are on *The Guardian*’s website. <http://www.theguardian.com/uk-news/2015/feb/10/angelina-jolie-opens-london-centre-to-combat-warzone-violence-against-women>

Violence against African children. In 2006 the United Nations issued a *World Report on Violence against Children*; one of its recommendations was to “strengthen data and research on violence against children.” Now the African Child Policy forum has issued a report on the situation in eight countries in Africa, based

on major quantitative and qualitative research outlined in the report's section on methodology. It found that "violence is widespread in Africa," and argued that birth registration is a "cornerstone of child protection," pointing to the responsibility of states to obtain and protect of the records of births. http://www.africanchildinfo.net/index.php?option=com_k2&view=item&id=6935%3Aglobal-launch-11th-feb-2015-at-the-un-headquarters&Itemid=118&lang=en; for the report, see <https://app.box.com/s/iclv9c70sigmceyl30ym>

Police body cameras. Police body cameras made the news in both Canada and the United States. In Canada the federal Privacy Commissioner and ombudspersons and commissioners in all province and territories issued a guidance document "to help law enforcement agencies develop policies and procedures governing the use of body-worn cameras." It notes that "a Privacy Impact Assessment, which can help identify and mitigate the potential risks to privacy and personal information, is a highly recommended best practice before launching a body-worn camera program" and urges law enforcement agencies to consult with data protection experts. It stresses the need for training in "the handling of individual's requests for access to recordings." <http://www.cbc.ca/news/technology/police-body-cameras-flagged-by-privacy-commissioners-1.2962041>

Gcn.com, which reports on public sector technology issues, published an article titled "Arresting the storage challenges of body cameras," writing, "In order for body cameras to deliver on their full potential . . . local law enforcement agencies must grapple with a substantial increase in the amount of video footage that needs to be processed, stored and accessed for both international and external use." The article fails to mention the impact on archives appraisal and storage. <http://gcn.com/articles/2015/02/25/body-cam-video-storage.aspx>

In 2013 the American Civil Liberties Union (ACLU) urged that all police interactions with the public be recorded. An article in *The Daily Beast* titled "Privacy Activists Fight Police Bodycams" quoted an ACLU official saying, "Some of the state's record laws threw a monkey wrench in that vision." The Los Angeles Police Department "takes the position that footage is evidence and therefore exempt from California public records law," while in Houston, Texas, the police department is refusing to release even their body cam guidelines. <http://www.thedailybeast.com/articles/2015/02/23/privacy-activists-fight-police-bodycams.html>

Bank and criminal activities. Documents obtained by the International Consortium of Investigative Journalists "via the French newspaper *Le Monde*" show that HSBC's Swiss private banking arm dealt with "many clients engaged in a spectrum of illegal behavior." The leaked files relate to accounts holding more than \$100 billion and show persons engaging in tax fraud and dealing in arms and "blood diamonds." The "disclosures shine a light on the intersection of international crime and legitimate business," the Consortium journalists wrote. <http://www.irishtimes.com/business/financial-services/banking-giant-hsbc-sheltered-cash-linked-to-dictators-and-arms-dealers-1.2095966>

Arms sales. The National Security Archive, a nongovernmental organization in Washington, DC, obtained declassified records showing the U.S. government's relationship with Sarkis Soghanalian, the Cold War's largest arms dealer, who was nicknamed the "Merchant of Death" for arming so many conflicts, including Saddam Hussein's regime at the outset of the Iran-Iraq war and groups in Lebanon, Libya, Mauritania, and Peru from the 1970s to the 2000s. <http://www.nsarchive.org/NSAEBB/NSAEBB502/>

Bilateral and multilateral news.

Algeria/France. Algeria's Minister of Moudjahidine announced that a conference will be held in May on the theme of colonialism and the "suffering of the people of Algeria during the colonial period." He noted that Algerian archives show the damages inflicted during the revolution but that France is not "ready" to give Algeria the archives of the colonial period that it holds, reported *Le Matin*. May 8 is the 70th anniversary of the clashes with police that marked the beginning of Algeria's final struggle for independence from France. <http://www.lematindz.net/news/16601-la-france-nest-pas-prete-a-restituer-les-archives.html>

Al-Qaeda/Saudi Arabia/United States. Some families of persons killed in the September 11, 2001, attacks on U.S. buildings filed a civil lawsuit seeking damages from "the Saudi government and other defendants, including charities and banks," reported the *Associated Press*. Their lawyer took a deposition from

Zacharias Moussaoui, a former al-Qaeda member now convicted of conspiracy to commit terrorist acts, who said that members of the Saudi royal family funded Osama bin Laden and al-Qaeda. The U.S. Congressional commission that investigated the attacks withheld 28 pages relating to Saudi Arabia from its public report “on the orders of President George W. Bush, who said they could divulge intelligence sources and methods.” Two members of the House of Representatives have now sponsored a resolution asking the government to declassify the pages; “We owe the families a full accounting,” said Representative Stephen Lynch. The White House “has asked intelligence agencies to review the pages with an eye toward potential declassification,” a White House spokesman said, “but there is no timetable.”

http://www.huffingtonpost.com/2015/02/07/saudi-arabia-911_n_6635758.html

Armenia/Turkey. Ara Sarafian, the director of the Gomidas Institute in London, writing in Canada’s *Horizon Armenian Weekly*, commented on Turkish President Erdogan’s statement that there need to be “critical debates” on the issue of the Armenian genocide. Sarafian wrote that in 2007 he requested access to the Ottoman archives related to the deportation of Armenians from the Kharpet region but was told that the records did not exist. Sarafian wrote, “We do not need official commissions to examine the Armenian Genocide. All we need is for the Turkish government, which is in charge of crucial evidence, to produce the deportation and any resettlement records which, according to the deportation decrees, had to be filed in local and central archives during the period in question.” <http://www.horizonweekly.ca/news/details/60770>

Egypt/Libya. An armed group pledging allegiance to the Islamic State (ISIS) released a video documenting its beheading of 21 Egyptian Coptic Christians in Sirte, Libya. Human Rights Watch (HRW) termed this a war crime, listed the names of all those killed, and urged both the International Criminal Court and the United Nations to investigate “war crimes and crimes against humanity in Libya, with view towards prosecution.” The video would be important evidence if the perpetrators are ever brought to justice; a copy should be in the archives of Egyptian authorities and the archives of nongovernmental organizations such as HRW. <http://www.hrw.org/news/2015/02/16/libyaegypt-murder-egyptians-war-crime>

Ireland/United Kingdom/Northern Ireland. A man accused of being involved in the Omagh bombing in 1998, the single biggest massacre during Northern Ireland’s period of “Troubles,” will be tried. The government’s lawyer told the court “a substantial amount of evidence connected to mobile phone activity had been requested from the authorities in the Irish Republic” and would be available in six weeks, reported *The Guardian*. The lawyer said “other more complex material” might also be available.

<http://www.theguardian.com/uk-news/2015/feb/17/omagh-bombing-trial-suspect-seamus-daly-go-ahead>

Marshall Islands/United States. A Federal judge in California dismissed the lawsuit brought by the Marshall Islands against the U.S. for “failing to begin negotiations for nuclear disarmament as required in the 1968 Nuclear Non-Proliferation Treaty,” reported *Inter Press Service*. Dismissal of the case rested on a number of factors, said the judge: “the harm caused by the U.S. flouting the NPT was ‘speculative’,” the Marshall Islands “lacked standing to bring the case,” and the “question was a political one, not a legal one.” The Islands’ lawyer said he plans to appeal. For background, see *HRWG News* 2014-04.

[http://www.eurasiareview.com/14022015-marshall-islands-lawsuit-us-throw-](http://www.eurasiareview.com/14022015-marshall-islands-lawsuit-us-throw-court/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29)

[court/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29](http://www.eurasiareview.com/14022015-marshall-islands-lawsuit-us-throw-court/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29)

Syria/Turkey. Three ISIS militants are on trial in Turkey for attacking Turkish forces at a checkpoint in the Turkish province of Nigde in March 2014. During the trial “court files revealed that Turkey, beyond supplying opposition forces with weapons and ammunition, had also given artillery support to the opposition groups that captured Kassab,” a town in northwest Syria. “The prosecutor obtained striking admissions by tapping the defendants’ phone,” according to *al-Monitor*, and “the wiretapping transcripts reveal that the opposition forces at Kassab inform people in Turkey of the coordinates of Syrian army positions around Kassab and then Turkey shells those locations.”

[http://www.al-monitor.com/pulse/originals/2015/02/turkey-syria-weapons-civil-war-kassab-armenian.html?utm_source=Al-](http://www.al-monitor.com/pulse/originals/2015/02/turkey-syria-weapons-civil-war-kassab-armenian.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=b5e78f709c-February_19_2015&utm_medium=email&utm_term=0_28264b27a0-b5e78f709c-93088897#)

[Monitor+Newsletter+%5BEnglish%5D&utm_campaign=b5e78f709c-February_19_2015&utm_medium=email&utm_term=0_28264b27a0-b5e78f709c-93088897#](http://www.al-monitor.com/pulse/originals/2015/02/turkey-syria-weapons-civil-war-kassab-armenian.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=b5e78f709c-February_19_2015&utm_medium=email&utm_term=0_28264b27a0-b5e78f709c-93088897#)

United Kingdom/United States. In a case brought by Privacy International and other advocacy groups, the United Kingdom’s Investigatory Powers Tribunal ruled that “electronic mass surveillance of cellphone and other online communications data had been conducted unlawfully” by the U.K.’s Government

Communications Headquarters (GCHQ) when it retrieved information “gathered from American surveillance programs before the end of 2014,” reported the *New York Times*. The court said GCHQ “had broken European human rights law because there was not enough oversight regarding the way in which the information had been collected from American agencies.” Privacy International then set up an electronic platform “to allow anyone in the world to request whether Britain’s intelligence agency GCHQ has illegally spied on them.” http://www.nytimes.com/2015/02/07/world/europe/electronic-surveillance-by-spy-agencies-was-illegal-british-court-says.html?_r=0; <https://www.privacyinternational.org/?q=press-release>

The Northern Ireland police are seeking access to the tapes of Winston Rea’s oral history recorded by Boston College in the United States. The tapes were brought to Belfast and stored in the Royal Courts of Justice “until Rea’s final legal options” to bar police access to the tapes are exhausted, reported the *Belfast Telegraph*. Rea is believed to have been a Red Hand Commando leader during the Northern Ireland’s “Troubles” period, and the police argue that the tapes may have information that would assist them in investigating “serious crimes stretching from the seventies to the late nineties” including “murder, directing terrorism, membership of a proscribed organization and robbery.” For background, see *HRWG News* 2014-05. <http://www.belfasttelegraph.co.uk/news/northern-ireland/boston-college-psni-win-access-to-winston-reas-interviews-but-tapes-still-to-remain-under-lock-and-key-31026939.html>; <http://www.bbc.com/news/uk-northern-ireland-31469480>

National news.

Argentina. In January Alberto Nisman, the prosecutor who had been investigating the 1994 bombing of a Jewish center in Buenos Aires, was found dead in his apartment, a bullet wound to his head. He had accused President Cristina Fernandez de Kirchner of trying to shield Iranian officials from responsibility as the intellectual authors of the bombing and had presented to the court a massive criminal complaint against her. In his apartment was a 26 page draft of a request to the court to order the arrest of the President and the Argentine Foreign Minister. After Nisman’s death, a judge dismissed the complaint saying it “does not provide enough evidence to open an investigation of the president,” reported *Jurist*; Nisman’s successor said she will appeal. For background, see *HRWG News* 2014-01. For an overview and links to the criminal complaint, see <http://jurist.org/paperchase/2015/02/judge-dismisses-criminal-allegations-against-argentine-president.php>

Australia. The Australian Human Rights Commission issued a report “The Forgotten Children: National Inquiry into Children in Immigration Detention.” The “purpose of the Inquiry was to investigate the ways in which life in immigration detention affects the health, wellbeing and development of children,” and the Commission found that “mandatory and prolonged detention of children breaches Australia’s obligation under article 24(1) of the *Convention on the Rights of the Child* because of the impact of prolonged detention on the mental health of people detained.” During the Inquiry, the Commission functioned much like a truth commission: taking submissions, holding hearings, and compelling government departments to produce records. <https://www.humanrights.gov.au/publications/forgotten-children-national-inquiry-children-immigration-detention-2014/1-introduction> For a commentary urging archivists to obtain and preserve records relating to “forgotten children as evidence,” see <http://www.mikejonesonline.com/contextjunky/2015/02/12/preserving-records-for-forgotten-children/>

The Royal Commission into Institutional Responses to Child Sexual Abuse began work in 2013 in the wake of child abuse scandals. While investigating the Knox Grammar School where five teachers were arrested for abusing children, the Commission was given “a series of emails” written by school employees in 2009 saying the school’s solicitor advised the school “to destroy documents relating to child sexual abuse while at the same time preparing an apology to victims,” reported the *Sydney Morning Herald*. The Commission “previously heard evidence that a number of student and staff files are missing or incomplete.” This points to the need for good archives practices in educational institutions which would eliminate the need for ad hoc decisions in crisis situations. <http://www.smh.com.au/national/knox-grammar-told-to-destroy-sex-abuse-files-royal-commission-20150227-13qv9r.html>

Bosnia. The first child in Bosnia has now been registered with the nationality “Bosnian,” *BIRN* reported. When the parents went to register the birth with the municipality, they were told “Bosnian” was not acceptable and he must be “Bosniak, Croat, Serb or Other,” but at the end of January the municipality

“decided there were no legal restrictions preventing anyone from being registered as a Bosnian.” Now the parents and the other children plan to reregister a Bosnians “to fight a system that is based on ethnic divisions,” the father said. <http://www.balkaninsight.com/en/article/bosnian-baby-beats-ethnically-divided-system>

Burundi. Human Rights Watch (HRW) reported that security forces and the youth wing of the ruling party committed at least 47 extrajudicial executions between December 30 and January 3 in Cibitoke province. HRW interviewed more than 50 people including 32 witnesses to the killing. The deputy spokesman for the national police told HRW that he had been in Cibitoke at the time of the fighting; when HRW told him of reports of executions by the police, he responded: “We have internal security reports every morning. I did not see anything like that in these reports and I can only speak about what is in these reports.” <http://www.hrw.org/news/2015/02/12/burundi-summary-executions-army-police>

Colombia. A commission of 12 Colombian historians issued their study of the “origins, causes, aggravators and consequences of Colombia’s 50-year long armed conflict.” For a link to the report, see <http://colombiareports.co/historic-commission-releases-report-causes-colombia-conflict/>

A court in Medellin ordered an investigation of former Colombian President Alvaro Uribe for his “alleged involvement in a 1997 massacre” in the village of El Aro when he was governor of the province where it is located. The members of the AUC paramilitary group carried out the murders. The court has been sentencing AUC paramilitary commanders; the evidence against Uribe comes from “corroborated statements made by former members of the AUC and a local human rights worker who was assassinated months after the massacre,” wrote *Colombia Reports*. <http://colombiareports.co/uribe-complicit-1998-paramilitary-massacre/>

Czech Republic. The Czech President, Milos Zeman, who “has been expressing views sympathetic to Russia ever since the fighting broke out in eastern Ukraine,” claims to have seen “on the Internet” a video of a march in Kiev, Ukraine, in which the marchers were chanting “Death to Poles, Jews and communists without mercy.” *Transitions on Line* (TOL) reported “no one but the Czech president noticed such a scene” and the President’s office has not provided the source, leading the Czech Embassy in Kiev to say “it could not confirm the President’s claims.” *TOL*, questioning Zeman’s true relationship with Russia, noted that Zeman is “a former communist who worked at the Institute for Prognostics in Prague, an institution created in 1983 on orders from then-Soviet leader (and ex-KGB chief) Yuri Andropov in 1983,” but it is not possible to obtain information about Zeman from the Institute’s archives because “much of the institute’s archive went missing after the events of 1989 – historians believe personnel files and other administrative documents were destroyed or sent to Moscow – and what remains is inaccessible to the public.” http://www.tol.org/client/article/24690-czech-republic-russia-zeman-putin-lies-video.html?utm_source=TOL+mailing+list&utm_campaign=00dde502f4-TOL+newsletter+21+11+2014&utm_medium=email&utm_term=0_35d0a711b5-00dde502f4-298065710

India. Maharashtra state’s Women and Child Welfare Department (WCD) told the *Press Trust of India* that it estimates that in its “reform” homes it has 92,000 children who were “caught doing prohibited labour work or . . . begging on the streets.” The state government is creating a website “where details of such inmates along with their photographs will be uploaded so that they can be reunited with their families.” The state website will link to the website of the central government’s Ministry of Women and Child Development, and anyone in India “can get photos of their missing children uploaded on the website via local police stations or WCD offices. These photos will then be matched with the database.” <http://www.igovernment.in/news/1002187/maha-to-create-website-for-missing-kids#.VOIwZ-1-L7A.email>

Two fires destroyed land records, one at the All India Institute of Medical Sciences (AIIMS) and one at the government administrative offices in Muzaffargarh, Uttar Pradesh state. Both were suspicious: in the AIIMS case, some faculty members “allege it could be a deliberate act to destroy files relating to land purchases and corruption cases” because the fire broke out three days after the Delhi high court ordered the health ministry to inquire into corruption at the school, while in Muzaffargarh a city employee told the *Times of India*, “Last year, a scam involving thousands of acres of land in the Hastinapur sanctuary had surfaced, which resulted in two arrests. The records related to the multi-crore scam were kept at the revenue record room, which caught fire Sunday.” <http://timesofindia.indiatimes.com/city/delhi/Sensitive-files-destroyed-in-mysterious-fire-at-AIIMS/articleshow/46415636.cms>; <http://timesofindia.indiatimes.com/city/meerut/Muzaffargarh-collectorate-fire-At-least-20-files-damaged/articleshow/46347774.cms>

For a look at the role of documents in human rights cases, see the monthly report of the nongovernmental organization Banglar Manabdhikar Surakksha Mancha (MASUM) from West Bengal state, which posts images of documents relevant to its cases in its monthly report.

<https://docs.google.com/viewer?a=v&pid=forums&srcid=MTEwNTc5ODAwNDUwNTk0Mzg4MjYBM3NzE1MjQ1MjcXNjM4NDZlMjY3X3hMRVp5TnNRNTRKATaUMQEBdjl>

Iran. The President's adviser for legal affairs said that the Iranian Civil Status Registration Organization now will issue Iranian identification cards to children of Iranian women who have foreign husbands. Previously those children were “deprived of many civil rights, such as education, medical services” and other services, she told the *Islamic Republic News Agency*.

http://www.irna.ir/en/News/81519118/?mkt_tok=3RkMMJWWfF9wsRonuq7Beu%2FhmjTEU5z17u0kUKCg38431UFwdcjKpMjr1YIFT8Bk1%2BSLDwEYGJlv6SgFSLHMMa12z7gLXxl%3D

Iraq. A report by the Ceasefire Centre for Civilian Rights and Minority Rights Group International, “based on extensive research and recent interviews with activists as well as gender-disaggregated data specially-commissioned from the monitoring organization Iraq Body Count,” indicates that the armed conflict in Iraq has led to the violent deaths of approximately 14,000 women since 2003. “In addition to the women killed in bombings, shelling and air attacks on civilian areas in Iraq, women have been deliberately targeted for assassination by both pro-and anti-government militias across the country” and “have been abducted or trafficked for sexual slavery, prostitution” including “more than 3,000 women and girls captured by the Islamic State of Iraq and al-Sham (ISIS) in 2014.” <http://www.minorityrights.org/13029/press-releases/14000-women-killed-so-far-in-iraq-conflict-thousands-more-abducted-new-research.html>

The destruction of cultural heritage in Iraq continues. *The Independent* reported that ISIS militants “reportedly ransacked Mosul library, burning over a hundred thousand rare manuscripts and documents spanning centuries of human learning.” A Mosul library official “believes as many as 112,709 manuscripts and books, some of which were registered on a UNESCO rarities list, are among those lost.” The library building was destroyed “using explosive devices.” <http://www.independent.co.uk/news/world/middle-east/isis-burns-thousands-of-rare-books-and-manuscripts-from-mosuls-libraries-10068408.html>

Reacting to the reports of destruction, particularly of archeological and cultural sites and the Mosul Museum, the Association of Art Museum Directors, the Archaeological Institute of America, the Society for American Archaeology, the American Schools of Oriental Research and the American Anthropological Association released a joint statement on cultural destruction in Iraq: <http://www.archaeological.org/news/aianews/18742>

Kenya. The governor of Wajir County told *The Start* that “his government will partner with local and international human rights organisations in seeking justice for the victims of the 1984 Wagalla massacre,” a mass killing of ethnic Somalis by Kenyan security forces. He said they will sue the government for compensation for the victims and to obtain acknowledgement that the atrocity was committed and to apologize. A former Deputy Speaker of the National Assembly of Kenya, himself a Kenyan-Somali, said he will “champion efforts in seeking justice from international courts.” The massacre was investigated by the Truth, Justice and Reconciliation Commission; it reported that “state security agencies were responsible.” The records of the Commission as well as the records of the security forces should be relevant to the legal actions. <http://allafrica.com/stories/201502160347.html>; [for the Commission report, \(quote on page 15\)](#), see http://nisisikenya.com/wp-content/uploads/2013/06/TJRC_report_Volume_4.pdf

Macedonia. The opposition political party accused the Prime Minister and the secret police chief of “eavesdropping on more than 20,000 people,” and released two groups of copies of recorded conversations. The second group of five conversations involved “discussions between top state officials, judges and a pro-government news editor about the appointment of judges as well as court cases and prosecutors’ work,” *BIRN* reported. The head of the opposition party said the recordings provide a “clear example” of interference by the executive power with judiciary. How the opposition obtained the recordings was not reported. Independence of the judiciary is a key safeguard for human rights. <http://www.balkaninsight.com/en/article/opposition-macedonia-govt-appointed-judges-influenced- verdicts>

Malaysia. The National Archives is helping restore “vital documents of the government agencies including patient records at the hospitals and health clinics” that were damaged by floods on the east coast of the country at the end of 2014, reported the *Daily Express*. <http://www.dailyexpress.com.my/news.cfm?NewsID=97396>

Monaco. A committee of experts set up by Prince Albert issued a report on Jews who were arrested and deported from the principality between 1942 and 1944. <http://france3-regions.francetvinfo.fr/cote-d-azur/2015/02/20/monaco-recense-les-personnes-juives-arretees-sur-son-sol-et-deportees-659147.html>

Myanmar. *Reuters* reported that on May 31 Myanmar will revoke the temporary identification cards for minorities, “raising tensions among its 1.1 million Rohingya Muslims, who have effectively been disenfranchised.” The cards “also entitle Rohingya to health and education services, but with certain restraints: their movements are severely restricted, and white card holders are barred from civil service jobs and some degree courses;” it is not clear how they will obtain services without the cards. For background, see *HRWG News* 2014-10. http://www.trust.org/item/20150217025352-ribq1?utm_medium=email&utm_campaign=Weekly+Digest+180215&utm_content=Weekly+Digest+180215+CID_08fc5a6f6f389c89db7cf0615ac37163&utm_source=Campaign%20Monitor&utm_term=In%20Rohingya%20camp%20tensions%20mount%20over%20Myanmar%20plan%20to%20revoke%20ID%20cards

Serbia. Belgrade’s Higher Court resumed hearings on the proposed rehabilitation of Serb nationalist General Dragoljub Mihailovic, “who was sentenced to death in 1946 by a Yugoslav Court for high treason and collaboration with Nazi Germany,” *BIRN* reported. In 2012 Mihailovic’s grandson asked the court to rehabilitate the General. For background, see *HRWG News* 2012-03 and 10. http://www.balkaninsight.com/en/article/controversial-case-of-chetnik-s-hero-starts-again-in-belgrade-1?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=134c15b53c-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-134c15b53c-311109073

Meanwhile the families of the 20 passengers seized by Serb fighters from a train in the Strpci station on February 27, 1993, and killed have been waiting for 22 years for the Serbian judiciary to indict the perpetrators. According to *BIRN*, the Serbian war crimes prosecution promised in February that “indictments will be issued in the coming days.” One man who was involved in the abductions and murders was convicted and jailed in Montenegro in 2002. “During his trial it was proved that there was an advance plan for the abductions and that the Serbian Railway Company had informed the Serbian interior ministry and the Yugoslav People’s Army about the possibility of seizing the passengers,” indicating that the records in all three institutions would be useful to the prosecutor, as well as the Montenegrin court records.

http://www.balkaninsight.com/en/article/montenegro-urged-to-reopen-train-massacre-trail?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=134c15b53c-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-134c15b53c-311109073

South Africa. The judgment in the trial of 21 activists from the Social Justice Coalition, on trial for attending and convening an “illegal gathering” in 2013, was postponed “because part of the court record had been lost,” reported *GroundUp*. http://groundup.org.za/article/lost-court-records-causes-further-delay-activist-court-case_2649

Eleven civil society, academic and media groups filed a “friend of the court” brief protesting a previous High Court judgment that, among other things, limits access to court records to those with a direct legal interest in the case. For background, see *HRWG News* 2014-11. For a joint statement by the groups, see http://saha.org.za/news/2015/February/joint_statement_civil_society_organisations_intervene_in_city_of_cape_town_s_dispute_with_sanral.htm

A lawsuit under the Promotion of Access to Information Act brought by the South African History Archive on behalf of the Right2Know Campaign was successful in forcing the Police Ministry to release a list of “national key points” (locations where, if certain actions take place, there are criminal penalties). The judge ruled that “the public would, at the very least, have to be made aware of which sites are national key points through the release of the requested record.”

http://saha.org.za/news/2015/January/the_national_key_points_list_and_access_to_information.htm

Sudan. Human Rights Watch (HRW) collected the names of 221 women and girls who were allegedly raped between October 30 and November 1, 2014, during three attacks by Sudanese army troops against the town of Tabit in North Darfur. HRW conducted interviews by telephone and had access to the results

of investigations by three Sudanese groups and “accounts provided by local investigation committees.” “Based on all the available evidence, Human Rights Watch was able to directly document the accounts of [at] least 27 women and girls who were raped, and has credible information about another 194 alleged incidents of rape.” After the HRW report was issued, *Reuters* talked to a former spokeswoman for the joint United Nations African Union peacekeeping force (UNAMID) in Darfur, who “accused the mission of deliberately under-reporting to U.N. headquarters and the Security Council on attacks against civilians and peacekeepers by the government-aligned forces in Sudan” and provided UNAMID documents “about what she said were unreported rape incidents in 2012 and 2013, including the alleged gang rape of a 17-year-old pregnant girl.” The United Nations “has acknowledged UNAMID’s under-reporting but denied there was a deliberate cover-up.” <https://www.hrw.org/node/132709/section/1>; http://www.trust.org/item/20150211155827-88gm4/?utm_medium=email&utm_campaign=Weekly+Digest+110215&utm_content=Weekly+Digest+110215+CID_332a265b39b2db3dcedb5fa2ef2a6f5d&utm_source=Campaign%20Monitor&utm_term=Human%20Rights%20Watch%20accuses%20Sudan%20soldiers%20of%20Darfur%20mass%20rape

United Kingdom. The government announced that by October health and “social care” professionals and teachers in the U.K. must begin reporting to police known cases of female genital mutilation on girls under the age of 18, reported *The Guardian*. These new, sensitive police records will require careful management and appraisal decisions. <http://www.theguardian.com/society/2015/feb/13/reporting-of-female-genital-mutilation-to-be-made-mandatory>

The government’s Independent Panel Inquiry into Child Sexual Abuse was dissolved and a new panel installed. Meanwhile, the Inquiry received more records. A file from Prime Minister Margaret Thatcher’s archives detailing the pedophile activities of Sir Peter Hayman, now deceased, was released by the National Archives, and four files “relating to historical child sex abuse have been unearthed in the Whitehall archives,” reported *ITV News*. The latter files will be made available to the police as well as to the inquiry. For background, see *HRWG News* 2014-11. <https://childsexualabuseinquiry.independent.gov.uk/>; <http://www.theguardian.com/politics/2015/jan/30/sir-peter-hayman-paedophile-file-national-archives-inquiry-child-abuse>; <http://www.itv.com/news/london/update/2015-02-04/more-sex-abuse-files-found-in-whitehall-archives/>

The investigator appointed by the government issued her report on child abuse in the town of Rotherham. The inquiry “revealed past and present failures to accept, understand and combat the issue of Child Sexual Exploitation, resulting in a lack of support for victims and insufficient action against known perpetrators,” she wrote. The investigator’s team reviewed 7000 documents, 68 cases in Children’s Services, 19 staff case files, 22 taxi licensing cases, and written policies and procedures. For background, see *HRWG News* 2014-08 and 10. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/401125/46966_Report_of_Inspection_of_Rotherham_WEB.pdf

United Kingdom/Northern Ireland. The High Court in Belfast “granted permission for a judicial review” into how the now-disbanded Historical Enquiries Team of the police examined the series of murders linked to the loyalist Glenanne gang in the 1970s, reported *BBC News*. The records of the Team are central to the case. For background, see *HRWG News* 2014-06. <http://www.bbc.com/news/uk-northern-ireland-31084022>

United States. Anthem, a health insurance company, said hackers broke into a database with information on 80 million people and got names, birth dates, e-mail addresses, employment details, Social Security numbers, street addresses, and information on incomes. The *Associated Press* reported that in 2014 more than 10 million people “were affected by health care data breaches,” making the size of the Anthem breach unprecedented. *ProPublica* reported that even as “breaches of patient records proliferate . . . federal overseers have seldom penalized the health care organizations responsible for safeguarding this data,” although the Federal Office for Civil Rights “has clear authority to audit health care organizations to ensure they are protecting patient records, as well as to impose huge fines.” <http://www.bostonglobe.com/business/2015/02/06/why-hackers-are-targeting-medical-sector/xxjFN6G3cFJZ8Fh3mF3XhN/story.html> <http://www.socialjusticesolutions.org/2015/03/02/fines-remain-rare-even-as-health-data-breaches-multiply/>

The Equal Justice Institute issued a report, “Lynching in America: Confronting the Legacy of Racial Terror.” Using previously completed academic research supplemented by reviews of local newspapers, archives, and court records and interviews with local historians, survivors and victims’ descendants, the Institute documented 3959 lynchings of black people in twelve Southern states (Texas through Virginia) between 1877 and 1950. The report points out, “More than eight in ten lynchings in America between

1889 and 1918 occurred in the South, and more than eight in ten of the nearly 1400 legal executions carried out in this country since 1976 have been in the South.”

<http://www.eji.org/files/EJI%20Lynching%20in%20America%20SUMMARY.pdf>

On the 50th anniversary of the assassination of Malcolm X, a leader of the black civil rights movement, a number of individuals and groups urged that all the records of local, state and Federal governments relating to him be released without redaction. See, for example, the report in *The Guardian*

<http://www.theguardian.com/us-news/2015/feb/21/malcolm-x-assassination-records-nypd-investigation> and the online petition at <https://www.change.org/p/president-obama-publish-all-federal-records-on-the-malcolm-x-assassination-without-redaction-or-alteration>

The White House announced several steps to strengthen privacy protections for both U.S. citizens and foreigners when information on them is collected during national security activities.

<http://icontherecord.tumblr.com/ppd-28/2015/privacy-civil-liberties>

United States/Georgia. “After receiving a list of potential suspects” who may still be alive, the Federal Bureau of Investigation “recently began looking into” the case of the last lynching in the United States: the 1946 murder of four Afro-Americans in Georgia. In 1946 a grand jury sitting in Athens, Georgia, heard three weeks of testimony on the killings but brought no charges against anyone, reported the *Atlanta Black Star* and *The Guardian*. An author writing a book on the case filed a lawsuit in the Federal court in Georgia for the grand jury records in the case, “claiming to have evidence that copies were given to the FBI,” reported *The Guardian*, but the lawsuit ended last year when the U.S. Justice Department told the court that “to the knowledge of government’s counsel no transcripts of any grand jury proceedings concerning this event exist” and that if the U.S. government had had such transcripts “they have been either lost or destroyed at some unknown time in the past.” The former president of the Georgia branch of the National Association for Advancement of Colored People told the *Atlanta Black Star*, “I don’t believe for one minute that these records were actually lost.” The records of the FBI for that period are in the National Archives. <http://www.theguardian.com/us-news/2015/feb/17/naacp-cover-up-georgia-lynching>; <http://atlantablackstar.com/2015/02/18/civil-rights-activists-outraged-testimony-americas-last-mass-lynching-gone-missing/>; <http://m.onlineathens.com/local-news/2015-02-26/federal-court-filing-hints-potential-suspect-moores-ford-lynching#gsc.tab=0>

United States/Missouri. In what seems an excess of caution, the state of Missouri has “begun the process of redacting social security numbers from death certificates that are at least 50 years old and have been transferred to the State Archives as historic documents,” reported *Fox 4 News*. “The decision still allows genealogists and researchers to access the documents for legitimate purposes, but will block the critical SSN’s” to eliminate the possibility that the numbers could be used for identity theft.

<http://fox4kc.com/2015/02/26/following-investigation-missouri-death-certificate-archives-getting-a-black-out/>

United States/New York. In January New York City began issuing identity cards upon request. The city said “copies of supporting documentation for the cards will be destroyed two years after the application date, but information appearing on the card such as photos will be retained indefinitely to both aid renewals and for fraud protection,” reported *silive.com*. The police department was consulted on the time period for retention. An elected city official now wants to postpone destruction, arguing that purging the data “would create a new risk to the safety of all New York City residents in that, should someone use the program to create a fake identity for malicious purposes, we would be left without the means to learn how he or she created it.” http://www.silive.com/news/index.ssf/2015/02/assemblywoman_malliotakis_rais.html

Publications and courses.

The Netherlands Institute of Human Rights of Utrecht University made its database of international jurisprudence available: “This database provides easy access to jurisprudence emanating from the United Nations Treaty Bodies which receive and consider complaints from individuals: the Human Rights Committee (CCPR), the Committee against Torture (CAT), the Committee on the Elimination of Discrimination against Women (CEDAW), the Committee on the Elimination of Racial Discrimination (CERD), the Committee on the Rights of Persons with Disabilities (CRPD), the Committee on Enforced Disappearances (CED), the Committee on Economic, Social and Cultural Rights (CESCR), and the Committee on the Rights of the Child (CRC).” <http://juris.ohchr.org/>

Poland's Institute of National Remembrance invites everyone to sign up to receive its newsletter. Its websites are <http://ipn.gov.pl/en> and <http://pamiec.pl/>

Swisspeace and the University of Basel are offering a course from 4-10 May on "Dealing with the Past," focusing on "the potentials and challenges of designing and implementing a dealing with the past process." Topics to be covered include ways in which actors can work together to ensure effective policy decision-making, intervention in complex contexts, local approaches, international norms and frameworks, practical engagement, archives and documentation, state building, social transformation and impact assessment. To learn more about the course <http://academy.swisspeace.ch/cas-courses/dealing-with-the-past/aim-target-audience/>; to register <http://academy.swisspeace.ch/cas-courses/dealing-with-the-past/application-fees/>

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Annex A

Extract, United Nations Security Council Resolution 2199 (2015)

The Security Council

“15. *Condemns* the destruction of cultural heritage in Iraq and Syria particularly by ISIL and ANF, whether such destruction is incidental or deliberate, including targeted destruction of religious sites and objects;

“16. *Notes with concern* that ISIL, ANF and other individuals, groups, undertakings and entities associated with Al-Qaida, are generating income from engaging directly or indirectly in the looting and smuggling of cultural heritage items from archaeological sites, museums, libraries, archives, and other sites in Iraq and Syria, which is being used to support their recruitment efforts and strengthen their operational capability to organize and carry out terrorist attacks;

“17. *Reaffirms* its decision in paragraph 7 of resolution 1483 (2003) and *decides* that all Member States shall take appropriate steps to prevent the trade in Iraqi and Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990 and from Syria since 15 March 2011, including by prohibiting cross-border trade in such items, thereby allowing for their eventual safe return to the Iraqi and Syrian people and *calls upon* the United Nations Educational, Scientific, and Cultural Organization, Interpol, and other international organizations, as appropriate, to assist in the implementation of this paragraph;