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News of the actions taken by the Human Rights Working Group at the International Council of Archives annual meeting in late September are in the Annex to this issue of the *News*. Commentary will return next month.

### **International news.**

**African Union.** The African Union (AU) announced it will publish the report of its Commission of Inquiry on South Sudan, including both majority and minority opinions. According to *Radio Tamazuj*, the Commission found “inhuman brutality” committed by both parties to the conflict. The AU also decided to establish a “hybrid court” to “investigate and prosecute individuals bearing the responsibility for violations of international law and/or applicable South Sudanese law, committed from 15 December 2013 through the end of the transitional period.” Setting up the court will require establishing procedures for managing its records and determining which archives will hold them once the court ceases to exist.

<https://radiotamazuj.org/en/article/african-union-publish-investigation-form-war-crimes-court-s-sudan>

**Extraordinary African Chambers.** As the trial of Chad’s former dictator Hissene Habre begins, *Le Monde* published a feature article on the archives of the dictatorship discovered by Human Rights Watch in 2001 and now forming an essential documentary basis for the trial. [http://www.lemonde.fr/afrique/article/2015/09/15/proces-habre-les-trois-vies-des-archives-de-la-terreur\\_4757962\\_3212.html](http://www.lemonde.fr/afrique/article/2015/09/15/proces-habre-les-trois-vies-des-archives-de-la-terreur_4757962_3212.html)

**International Criminal Court.** The Niger government surrendered Ahmad Al Mahdi Al Faqi to the International Criminal Court to stand trial on charges of causing cultural destruction in Timbuktu in 2012. An essay published by the *Huffington Post* argued that bringing Al Faqi to trial is especially important today “as extremist forces and criminal groups in the Middle East—such as ISIS—are involved in what UNESCO Director-General Irina Bokova calls ‘cultural cleansing’ and war crimes. Indeed, at a UN meeting . . . the UNESCO chief noted that the ICC case sends ‘a very important message’ adding that ‘impunity is not an option’ and that such crimes would be prosecuted.” [http://www.huffingtonpost.com/mark-v-vlasic/timbuktu-and-the-long-arm\\_b\\_8239050.html](http://www.huffingtonpost.com/mark-v-vlasic/timbuktu-and-the-long-arm_b_8239050.html)

**International Criminal Tribunal for the former Yugoslavia (ICTY).** An audio-visual exhibit of evidence from ICTY prosecutions of the crimes committed at Srebrenica in July 1995 opened in Belgrade. One of the exhibit organizers told *BIRN* that the aim of the exhibit “was to introduce the local communities to the extensive documentation from the Srebrenica trials.” [http://www.balkaninsight.com/en/article/srebrenica-trial-exhibits-presented-in-belgrade-09-15-2015?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=de8ebcff1a-RSS\\_EMAIL\\_CAMPAGN&utm\\_medium=email&utm\\_term=0\\_561b9a25c3-de8ebcff1a-311109073](http://www.balkaninsight.com/en/article/srebrenica-trial-exhibits-presented-in-belgrade-09-15-2015?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=de8ebcff1a-RSS_EMAIL_CAMPAGN&utm_medium=email&utm_term=0_561b9a25c3-de8ebcff1a-311109073)

**Organization for Security and Cooperation in Europe (OSCE).** The OSCE office in Bosnia has monitored all war crimes cases in the country since 2005, and it asked the “Bosnian state court and prosecution to give a judge working for OSCE “access to war crimes verdicts and investigations” in order to “conduct an independent analysis of all the cases.” The court agreed, but the prosecutor refused; now the High Judicial and Prosecutorial Council, the highest judicial body in the country, ordered the prosecutor to open its files to the judge. [http://www.balkaninsight.com/en/article/bosnian-judiciary-torn-access-to-war-crimes-files-09-04-2015?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=2c48bec528-RSS\\_EMAIL\\_CAMPAGN&utm\\_medium=email&utm\\_term=0\\_561b9a25c3-2c48bec528-311109073](http://www.balkaninsight.com/en/article/bosnian-judiciary-torn-access-to-war-crimes-files-09-04-2015?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=2c48bec528-RSS_EMAIL_CAMPAGN&utm_medium=email&utm_term=0_561b9a25c3-2c48bec528-311109073)

**United Nations.** The United Nations adopted Sustainable Development Goals (SDG) to focus development action for the next 15 years. Two of the targets of Goal 16, “Promote just, peaceful and inclusive societies,” directly involve archives: “By 2030, provide legal identity for all including birth registration”

and “Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.” <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>

The goal on public access to information is important, but as a report on whistleblowers at the UN published by *The Guardian* reported, the UN itself has “no established mechanism for freedom of information—a right which more than 100 governments around the world have enshrined in law, and is openly advocated by UN bodies such as UNESCO.” Setting up a similar access procedure for its records should be a Sustainable Development Goal of the United Nations. <http://www.theguardian.com/world/2015/sep/14/united-nations-ostracised-sacked-arrested-whistleblowers>

Also in the discussion of the SDGs, the *Thomson Reuters Foundation* argued that in order to track the progress toward the goals, countries must invest more in national statistics offices, improve the accuracy of data collection, use available data better, and use alternative data sources. [http://www.trust.org/item/20150907000228-6b3r2/?utm\\_medium=email&utm\\_campaign=Weekly+Digest+90915&utm\\_content=Weekly+Digest+90915+CID\\_934fd2f44d77902160febbd7a61deb47&utm\\_source=Campaign%20Monitor&utm\\_term=Wanted%20data%20revolution%20to%20track%20new%20UN%20development%20goals](http://www.trust.org/item/20150907000228-6b3r2/?utm_medium=email&utm_campaign=Weekly+Digest+90915&utm_content=Weekly+Digest+90915+CID_934fd2f44d77902160febbd7a61deb47&utm_source=Campaign%20Monitor&utm_term=Wanted%20data%20revolution%20to%20track%20new%20UN%20development%20goals)

United Nations High Commissioner for Human Rights. At the September 14 meeting of the Human Rights Council, the Foreign Minister of Sri Lanka announced plans to establish four transitional justice mechanisms: a truth commission, offices on missing persons and reparations, and a special court for war crimes and other human rights violations. Each of these transitional justice mechanisms will create records and will need to establish archival procedures immediately. The Office of the High Commissioner then released the report of its Investigation into Sri Lanka body (OISL), which used information from many sources, including audiovisual material and satellite imagery and information collected by the United Nations Secretary General’s Panel of Experts on Sri Lanka. The investigation team received nearly 3000 “submissions” from the public, which “will remain recorded in OISL confidential archives.” The report called for the creation of a special hybrid court with the participation of international jurists, prosecutors and investigators—not a domestic court as Sri Lanka proposed—saying that Sri Lanka’s criminal justice system “is not yet ready or equipped” to handle the complex prosecutions needed. For the OISL report, see [A\\_HRC\\_30\\_CRP\\_2.docx](#); for a *Reuters* report on it see [http://www.trust.org/item/20150916112555-9qkeb/?utm\\_medium=email&utm\\_campaign=Weekly+Digest+160915&utm\\_content=Weekly+Digest+160915+CID\\_f05bc54b7e8be716cd6bde39232c3e2d&utm\\_source=Campaign%20Monitor&utm\\_term=Victims%20and%20activists%20back%20special%20court%20on%20Sri%20Lanka%20war%20crimes](http://www.trust.org/item/20150916112555-9qkeb/?utm_medium=email&utm_campaign=Weekly+Digest+160915&utm_content=Weekly+Digest+160915+CID_f05bc54b7e8be716cd6bde39232c3e2d&utm_source=Campaign%20Monitor&utm_term=Victims%20and%20activists%20back%20special%20court%20on%20Sri%20Lanka%20war%20crimes)

The High Commissioner issued a report on the violations of human rights during the fighting in Yemen, “primarily based on human rights monitoring carried out by OHCHR in Yemen and . . . information provided by other United Nations entities operating in Yemen.” This again points to the importance of the records of UN bodies. The High Commissioner urged the international community “to encourage the establishment of an international independent and impartial mechanism to investigate alleged violations and abuses of international human rights law and alleged violations of international humanitarian law that have resulted in loss of life and/or serious injury.” Such a body would need strong archival support. For the report, see [A\\_HRC\\_30\\_31\\_AEV.docx](#); for the *New York Times* article on the report, see [http://www.nytimes.com/2015/09/15/world/middleeast/un-yemen-rights-abuse.html?\\_r=1](http://www.nytimes.com/2015/09/15/world/middleeast/un-yemen-rights-abuse.html?_r=1)

## World/general news.

Privacy. The Global Privacy Enforcement Network, an informal network of governmental privacy authorities, found that “most apps and websites for children collect personal information such as photos and addresses, and many say they may share that information with third parties,” *CBC News* reported. <http://www.cbc.ca/news/technology/most-kids-apps-websites-collect-and-share-personal-information-1.3214213>

Business records of clinical research. A reanalysis of the records of a 2001 study of anti-depressant medications concluded—unlike the original study—that the widely-used antidepressant Paxil is “unsafe for teenagers,” reported the *New York Times*. The maker of Paxil, the U.K.-based multinational pharmaceutical company Glaxo-SmithKline, gave the researchers access to its records, and the team “spent about a year poring over Glaxo’s files on the study, combing through summaries, internal trial reports and a

sample of what is known as patient-level data, the detailed descriptions of what happened for each person in the original trial.” [http://www.nytimes.com/2015/09/17/health/antidepressant-paxil-is-unsafe-for-teenagers-new-analysis-says.html?\\_r=0](http://www.nytimes.com/2015/09/17/health/antidepressant-paxil-is-unsafe-for-teenagers-new-analysis-says.html?_r=0)

**Statelessness.** The European Network on Statelessness issued a report warning that “flawed laws and birth registration procedures mean thousands of children are growing up stateless across the continent.” Further, the report’s co-author told the *Thomson Reuters Foundation*, many of the “identification documents [of refugees coming into Europe] had been lost or destroyed during the war, exacerbating challenges in registering the births of children born in exile, particularly in countries neighboring Syria.”

[http://www.trust.org/item/20150920230231-1dujs?utm\\_medium=email&utm\\_campaign=Weekly+Digest+230915&utm\\_content=Weekly+Digest+230915+CID\\_e47f69b97e4d623b82cd1edacd2eea4a&utm\\_source=Campaign%20Monitor&utm\\_term=European%20refugee%20crisis%20risks%20creating%20generation%20of%20stateless%20children](http://www.trust.org/item/20150920230231-1dujs?utm_medium=email&utm_campaign=Weekly+Digest+230915&utm_content=Weekly+Digest+230915+CID_e47f69b97e4d623b82cd1edacd2eea4a&utm_source=Campaign%20Monitor&utm_term=European%20refugee%20crisis%20risks%20creating%20generation%20of%20stateless%20children); for the report, see [http://www.statelessness.eu/sites/www.statelessness.eu/files/ENS\\_NoChildStateless\\_final.pdf](http://www.statelessness.eu/sites/www.statelessness.eu/files/ENS_NoChildStateless_final.pdf)

**Storage of police bodycam images.** *Computer World* reported that as police move to adopt body cameras, “petabytes of police video are flooding into cloud services.” <http://www.computerworld.com/article/2979627/cloud-storage/as-police-move-to-adopt-body-cams-storage-costs-set-to-skyrocket.html>

## **Bilateral and multilateral news.**

**China/Japan.** China’s State Archives Administration published a 50 volume “collection of photocopied confessions by Japanese World War II criminals,” including photos of the persons and abstracts in Chinese and English, reported *Xinhua*. A second set of 70 volumes will be published by the end of the year.

[http://news.xinhuanet.com/english/2015-09/16/c\\_134630364.htm](http://news.xinhuanet.com/english/2015-09/16/c_134630364.htm)

**China/Japan/South Korea.** Japan posted archives online that it says “bolster its case for sovereignty over islands also claimed by China and South Korea,” reported the *Wall Street Journal*.

<http://blogs.wsj.com/japanrealtime/2015/08/28/japan-offers-archival-evidence-in-island-territorial-disputes/>

**Croatia/former Yugoslavia.** The Croatian security and intelligence agency, SOA, gave “secret service documents created between 1937 and 1990 to the state archives, which will ultimately allow them to be seen by the Croatian public for the first time, under some restrictions,” reported *BIRN*. However, “some data will remain confidential and some identities protected.” Archival processing must be completed before the records are made available. <http://www.balkaninsight.com/en/article/yugoslav-secret-service-documents-partially-opened-for-croatian-public-09-28-2015>

**Europe.** The Archives Department of France’s Ministry of Foreign Affairs published *Catalogue Goering*, German general Hermann Goering’s own inventory of 1376 paintings he acquired during World War II. The inventory “provides the artist’s name, the title and description (often in minute detail) of the piece, its origin, how it was acquired, any valuations carried out, where it was stored and its classification numbers. Period photographs of the paintings are also included,” says the *Catalogue*’s preface. *The Telegraph* reported that the document resembles “a simple bookkeepers log,” which is “full of annotations written in five different hands.” <http://www.diplomatie.gouv.fr/en/the-ministry-of-foreign-affairs/archives-and-heritage/>; <http://www.telegraph.co.uk/history/world-war-two/11900625/Hermann-Goerings-full-catalogue-of-looted-Nazi-art-published-for-time.html>

**Isle of Man/Rwanda.** The Chief Minister of the Isle of Man confirmed that records “relating to a probe into a Manx-registered company’s alleged involvement in supplying arms used in the Rwandan genocide” have been destroyed. He said that after a 1996 investigation the government determined that the company could not be charged with any crime, and so the records of the inquiry were destroyed in accordance with the “document retention policy” of 10 years. The Celtic League said it was “unpardonable” for the records to be destroyed before the United Nations International Criminal Tribunal for Rwanda completed its work.

<http://www.iomtoday.co.im/news/isle-of-man-news/records-lost-on-alleged-manx-link-to-rwanda-genocide-1-7449565>

**ISIS.** In a presentation on ISIS’s finances, an official of the U.S. Department of State showed a number of documents “captured during the Abu Sayyaf raid” that show ISIS trafficking in antiquities and the ISIS command structure that supports it. The Abu Sayyaf raid was a U.S. Special Forces operation in May 2015 that killed Abu Sayyaf, who was an ISIS commander believed to have had a senior role in overseeing ISIS

finances, including the oil and gas resources ISIS controls. For background, see *HRWG News* 2015-06. [https://eca.state.gov/files/bureau/final\\_presentation\\_to\\_met\\_on\\_isil\\_antiquities\\_trafficking\\_for\\_das\\_keller\\_9.29.2015\\_.pdf](https://eca.state.gov/files/bureau/final_presentation_to_met_on_isil_antiquities_trafficking_for_das_keller_9.29.2015_.pdf)

## **National news.**

**Argentina.** The Ministry of Defense declassified and published on the website Archivos Abiertos “a batch of documents that substantiate claims by ex-soldiers who said they were tortured by their own superiors during the Falklands War of 1982,” reported *El Pais*. [http://elpais.com/elpais/2015/09/15/inenglish/1442332253\\_417330.html](http://elpais.com/elpais/2015/09/15/inenglish/1442332253_417330.html)

**Bosnia.** Using data “from all final war crimes verdicts at domestic and international courts,” a researcher calculated that “at least 20,000 women were raped or sexually abused” during the Bosnian war, *BIRN* reported. The researcher said it “shows the extent of the trauma we are facing as a society.” It also shows the importance of making court records publicly available. [http://www.balkaninsight.com/en/article/bosnian-rape-victims-still-waiting-for-justice-09-28-2015?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=3ba2352c66-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_561b9a25c3-3ba2352c66-311109073](http://www.balkaninsight.com/en/article/bosnian-rape-victims-still-waiting-for-justice-09-28-2015?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=3ba2352c66-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-3ba2352c66-311109073)

**Brazil.** *Reporter Brasil* and Instituto do Pacto Nacional para a Erradicação do Trabalho Escravo used the access to information law to obtain from the Ministry of Labour and Employment the “Lista Suja” or “Dirty List” of employers charged with keeping employees in slave-like conditions “and who had already a final administrative decision between May 2013 and May 2015.” <http://business-humanrights.org/en/brazil-rep%C3%B3rter-brasil-and-inpacto-publish-transparency-list-of-forced-labour-received-through-access-to-information-law>

**Canada.** A researcher who used archives of Canadian health centers reported that nearly 1200 indigenous women were subjected to “coercive sterilization” during the 1970s, including 550 sterilizations at federally operated “Indian” hospitals between 1971 and 1974, reported *Thomson Reuters Foundation*. “Impoverished communities in the north [were] disproportionately targeted,” the researcher found. <http://www.trust.org/item/20150901034629-dmgsp/?source=dpMostPopular>

The education ministry of the province of British Columbia lost an unencrypted hard drive containing 3.4 million student records spanning 1986 to 2009, including nearly 10,000 “personal education numbers connected to kids in the care of Ministry of Children and Family Development before 2006/07, including information such as health and behavior issues and supervision status,” reported *CTV Vancouver*. <http://bc.ctvnews.ca/drive-holding-millions-of-b-c-education-records-lost-in-data-breach-1.2575505>

**Egypt.** *Al-Monitor* reported that the head of the Ministry of Endowment’s religious department told the Egyptian newspaper *Al-Masry Al-Youm* that “surveillance cameras will be installed outside and at the forefront of mosques in a bid to monitor terrorist and bombing operations. There will also be surveillance cameras inside mosques and corridors to monitor the work of imams and workers and the spread of ideas, religious lessons and Friday sermons. The cameras will also help control the mosque’s level of commitment to the ministry’s statements.” The head of the Egyptian Organization for Human Rights told *Al-Monitor*, “This experience will definitely fail. We cannot monitor 108,000 mosques with cameras. This is financially burdensome for the ministry. It would need around half a million employees to watch the cameras and empty them daily, which is impossible.” Moreover, the program interferes with the right to privacy and the right to freedom of thought, conscience and religion as stated by the Universal Declaration of Human Rights Article 18. And it would be a massive recordkeeping problem. [http://www.al-monitor.com/pulse/originals/2015/09/egypt-ministry-endowments-annex-mosques-extremism.html?utm\\_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm\\_campaign=c3a10dd9c6-September\\_18\\_2015&utm\\_medium=email&utm\\_term=0\\_28264b27a0-c3a10dd9c6-93088897](http://www.al-monitor.com/pulse/originals/2015/09/egypt-ministry-endowments-annex-mosques-extremism.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=c3a10dd9c6-September_18_2015&utm_medium=email&utm_term=0_28264b27a0-c3a10dd9c6-93088897)

The Interior Ministry said it is launching an investigation of a video that went viral which showed two women being assaulted by policemen in a shopping mall in Cairo, reported *Daily News*. The officers also “insulted the person who filmed footage of the incidents” and insulted and destroyed the goods of street vendors. [http://www.dailynewsegypt.com/2015/09/08/moi-to-investigate-video-showing-policemen-assaulting-2-unarmed-women/?mkt\\_tok=3RkMMJWWf9wsRonv6XPd%2B%2FhmjTEU5z17u0kUKCg38431UFwdcjKpmjr1YIGTcJl%2BSLDwEYGIv6SgFSLHM Ma12z7gLXxI%3D](http://www.dailynewsegypt.com/2015/09/08/moi-to-investigate-video-showing-policemen-assaulting-2-unarmed-women/?mkt_tok=3RkMMJWWf9wsRonv6XPd%2B%2FhmjTEU5z17u0kUKCg38431UFwdcjKpmjr1YIGTcJl%2BSLDwEYGIv6SgFSLHM Ma12z7gLXxI%3D)

Guatemala. During the investigation that led to the arrest of President Otto Perez Molina for corruption, investigators analyzed “nearly ninety thousand intercepted telephone calls, six thousand e-mails, and a hundred and seventy-five thousand documents,” according to an article in the *New Yorker*. The article includes many links to other documents that help explain the complex background to the case. Whether the prosecutors will be able to reach beyond the corruption case to Perez Molina’s alleged participation in human rights violations is uncertain. <http://www.newyorker.com/news/news-desk/from-president-to-prison-otto-perez-molina-and-a-day-for-hope-in-guatemala>

India. In the continuing controversy over access to records relating to Netaji Subhas Chandra Bose, *oneIndia.com* published an article calling for a better process for declassifying records, noting that a Right to Information request “revealed that the PMO [Prime Minister’s Office] has 28,685 secret files with it.” The Public Records Rules of India do not permit the National Archives to hold restricted records, so government offices hold great quantities of restricted records for long periods of time. For background, see *HRWG News* 2014-12 and 2015-04. <http://www.oneindia.com/feature/de-classification-of-files-how-does-india-compare-to-the-rest-of-the-world-1875410.html>

Iraq. Human Rights Watch (HRW) published “Ruinous Aftermath: Militia Abuses Following Iraq’s Recapture of Tikrit.” HRW used satellite imagery to corroborate accounts of witness of the damage to homes, shops and neighborhoods. <https://www.hrw.org/news/2015/09/20/iraq-militia-abuses-mar-fight-against-isis>

Ireland. Government records are released after 30 years unless the head of state or the police force’s security agency files a certificate with the National Archives saying why the files cannot be released. The *Irish Times* reviewed the certificates for the files dating from 1981 to 1984 and found that they related to Northern Ireland (such as “correspondence from members of the public to prisons in Northern Ireland during the hunger strikes of 1981”), bombings in London, plane hijackings, and the explosion of an oil tanker that caused 50 deaths. <http://www.irishtimes.com/news/ireland/irish-news/certificates-reveal-what-files-government-wants-kept-hidden-1.2359266>

Macedonia. *Transitions Online* reported that the Macedonian government appointed a special prosecutor to investigate the “tapes case”: the allegation that the outgoing government “ordered the wiretapping of some 20,000 people, including police officials, judges, religious leaders, journalists and foreign diplomats.” However, a judge ruled that tape recordings that were leaked to and released by the political opposition “are not valid evidence against any person appearing to have been featured in them, since they were obtained illegally,” reported *occrp.org*. For background, see *HRWG News* 2015-02 and 2015-06. <http://www.tol.org/client/article/24994-new-macedonia-special-prosecutor-to-lead-wiretapping-probe-.html>; <https://www.occrp.org/en/daily/4360-macedonia-wiretap-tapes-cannot-be-used-as-evidence-court-rules>

Mexico. The Interdisciplinary Group of Independent Experts appointed by the Inter-American Commission on Human Rights released its report on the disappearance of 43 students in Iguala in September 2014. It contradicted the government’s official conclusion on the case, said that key evidence was manipulated or disappeared, and made a series of recommendations for further investigations by Mexican authorities. The *Associated Press* said the report “is an indictment of Mexico’s investigative procedures and conclusions.” The mandate of the Group has been extended for six months; it is essential that the records the Group assembled be securely protected. For the report, see <http://prensagieciayotzi.wix.com/giei-ayotzinapaf/informe-clxv>; for media coverage, see <http://bigstory.ap.org/article/be76f19c9f1b4a22bb806f1fb1117dcd/independent-group-rejects-mexican-govt-case-43-missing>; [http://www.oas.org/en/iachr/media\\_center/PReleases/2015/099.asp](http://www.oas.org/en/iachr/media_center/PReleases/2015/099.asp)

Myanmar. Global Financial Integrity (GFI), a U.S.-based non-governmental organization, issued a report saying that “total illicit financial flows” into and out of the country “were the equivalent of up to 172 percent of health expenditure and up to 73 percent of education spending,” showing how the government loses crucial tax revenue from “dirty money.” According to *Thomson Reuters Foundation*, “GFI said it was crucial that Myanmar improve its financial transparency, as well as data collection and quality.” [http://www.trust.org/item/20150909170027-fzfk8/?utm\\_medium=email&utm\\_campaign=Weekly+Digest+160915&utm\\_content=Weekly+Digest+160915+CID\\_f05bc54b7e8be716cd6bde39232c3e2d&utm\\_source=Campaign%20Monitor&utm\\_term=Almost%2020%20billion%20in%20dirty%20money%20left%20Myanmar%20in%20five%20decades%20-%20researchers](http://www.trust.org/item/20150909170027-fzfk8/?utm_medium=email&utm_campaign=Weekly+Digest+160915&utm_content=Weekly+Digest+160915+CID_f05bc54b7e8be716cd6bde39232c3e2d&utm_source=Campaign%20Monitor&utm_term=Almost%2020%20billion%20in%20dirty%20money%20left%20Myanmar%20in%20five%20decades%20-%20researchers)

At the end of August the President signed three bills into law: a law concerning Religious Conversion, a law on the Practice of Monogamy, and the Buddhist Women Special Marriage Law. To change religion a person will have to file an application with the local township Religious Conversion Scrutinization and Registration Board and the change will only be valid when the board issues a certificate. According to Human Rights Watch “the local board would forward all information it collects about the person to national religions, immigration and identification agencies,” which interferes with the right to privacy and the right to freedom of thought, conscience and religion. The Special Marriage Law restricts interfaith marriage by Buddhist women and prohibits a married person from entering a second marriage or “unofficially” living with another person while still married; among the punishments for violation are the loss of property rights, up to seven years in prison, and a fine. <http://www.networkmyanmar.org/index.php/human-rights/interfaith-marriage>  
<https://www.hrw.org/news/2015/07/09/burma-reject-discriminatory-marriage-bill>

Nigeria. “Six out of 10 Nigerian children experience some form of violence and a quarter of girls suffer sexual violence, according to a survey conducted by Nigeria’s population commission,” reported *Reuters*. The survey is the first of its kind in Nigeria, and the records of the 4000 individuals surveyed must be protected as they form a baseline for future monitoring. [http://www.trust.org/item/20150916112455-ma6yt/?utm\\_medium=email&utm\\_campaign=Weekly+Digest+160915&utm\\_content=Weekly+Digest+160915+CID\\_f05bc54b7e8be716cd6bde39232c3e2d&utm\\_source=Campaign%20Monitor&utm\\_term=Sixty%20percent%20of%20Nigerias%20children%20experience%20violence%20%20survey](http://www.trust.org/item/20150916112455-ma6yt/?utm_medium=email&utm_campaign=Weekly+Digest+160915&utm_content=Weekly+Digest+160915+CID_f05bc54b7e8be716cd6bde39232c3e2d&utm_source=Campaign%20Monitor&utm_term=Sixty%20percent%20of%20Nigerias%20children%20experience%20violence%20%20survey)

Palestine. The *New York Times* reported that in order to exit Gaza, Palestinians are paying doctors to write fake medical reports and hospital workers to give approval stamps, because permits to pass through the border with Israel “are reserved mainly for merchants and medical patients.” [http://www.nytimes.com/2015/09/01/world/middleeast/medical-fraud-grows-in-gaza-as-residents-seek-exit-permits.html?\\_r=0](http://www.nytimes.com/2015/09/01/world/middleeast/medical-fraud-grows-in-gaza-as-residents-seek-exit-permits.html?_r=0)

Saudi Arabia. For the first time, women are registering to vote and run for political office. U.S. *National Public Radio* interviewed a Saudi woman about the process of registering. She said that to register “you need to register by your residence” but since all apartments and homes are registered in the name of the husband “the issue of proving where this woman is living is a nightmare. The number of documents that she has to provide to prove where she lives is just immense.” [http://www.npr.org/2015/09/03/437132807/long-list-of-obstacles-hamper-saudi-women-from-registering-to-vote?mkt\\_tok=3RkMMJWWf9wsRonv6XJdu%2FhmjTEU5z17u0kUKCg38431UFwdcjKpmjr1YIGTMdh1%2BSLDwEYGJlv6SgFSLHMMa12z7gLXxI%3D](http://www.npr.org/2015/09/03/437132807/long-list-of-obstacles-hamper-saudi-women-from-registering-to-vote?mkt_tok=3RkMMJWWf9wsRonv6XJdu%2FhmjTEU5z17u0kUKCg38431UFwdcjKpmjr1YIGTMdh1%2BSLDwEYGJlv6SgFSLHMMa12z7gLXxI%3D)

Serbia. According to the Organized Crime and Corruption Reporting Project, an international consortium, “Balkan drug gang boss Rodoljub Radulovic has met nine times with officials of the Serbian Ministry of Police, according to intelligence videos obtained by KRIK.” The meetings “were recorded with hidden cameras by agents of the Serbian intelligence agency.” One policeman who is now being prosecuted for leaking information to the drug gang said he didn’t provide any “sensitive information” but only gave “general information from a police database which contains criminal histories and traffic warrants.” <https://www.occrp.org/en/investigations/4376-new-videos-show-crime-boss-meeting-top-serbian-police>

South Africa. Transnet is the state-owned rail-freight firm. In January 2014 the South Africa History Archive (SAHA) filed Promotion of Access to Information Act (PAIA) requests with Transnet “on behalf of former Transnet employees facing eviction from their homes” in the hopes “that these records would enable them to secure their housing rights, stemming from a housing scheme they entered into while employed at Transnet.” Although PAIA requires a response in 30 days, it took 593 days, and SAHA got only an “affidavit stating that they could not find the records and that it was unlikely that the records still existed.” [http://saha.org.za/news/2015/June/too\\_little\\_too\\_late.htm](http://saha.org.za/news/2015/June/too_little_too_late.htm)

An historian at the University of Cape Town testified in a court case on the role of traditional authorities in the Eastern Cape, reported the University of Cape Town *Daily News*. The historian’s “evidence was particularly strong because he had written sources—including from government and the church—to corroborate the oral testimonies he collected” that communities have had the right to elect their headmen going back into the 19<sup>th</sup> century. The community won the case. <http://uct.ac.za/dailynews/?id=9353>

Taiwan. New court regulations “ensure that video footage, audio recordings and written court transcripts of cases where prosecutors are seeking the death penalty or life imprisonment are stored permanently and that such material is made available to defendants on request,” court officials told the *Taipei Times*. The materials will “come under the purview of the Archives Act,” which requires that permanent records be transferred to the central archives. <http://www.taipetimes.com/News/taiwan/archives/2015/08/31/2003626604>

Ukraine. Ukraine’s First Deputy Interior Minister is leading an effort to reform the police, but “she doesn’t have information as basic as crime statistics to help her determine where resources need to be concentrated,” reported the *Washington Post*. She said “nobody knows” how many cases are “registered” with the police and “one distressing habit of the old police force . . . was to reclassify murder cases as suicides so that they could be declared solved.” [http://www.nytimes.com/2015/09/01/world/middleeast/medical-fraud-grows-in-gaza-as-residents-seek-exit-permits.html?\\_r=0](http://www.nytimes.com/2015/09/01/world/middleeast/medical-fraud-grows-in-gaza-as-residents-seek-exit-permits.html?_r=0)

United Kingdom. “Stolen case files on abused children were found during a police raid” on the home of a former social worker, including “official documents providing details of sex abuse victims.” The “confidential files involved youngsters who were under supervision of the now-defunct Strathclyde Regional Council social work department and dated back to the 80s and early 90s.” According to *The Mirror*, “Officials in Glasgow City Council’s social work department were unaware the files were missing.” <http://www.mirror.co.uk/news/uk-news/stolen-case-files-abused-children-6479543>

United Kingdom/Northern Ireland. The *Derry Journal* reported that its Freedom of Information request “to view draft proposals on how to deal with the legacy of the Northern Ireland conflict has been refused.” The response it got said, “Disclosure could compromise future consultation and thwart the exchange of ideas” but added that “invitations have been extended to relevant parties to participate in bilateral meetings regarding the establishment of the Historical Inquiries Unit and changes to legacy inquests.” However, the Secretary of State for Northern Ireland confirmed that “those guilty of Troubles-related murders will be able to confess and then walk free” and “victims’ relatives will . . . not be notified that any such disclosures will have been made.” She also said the plans on how to deal with the past include “proposed legislation required for an oral archive to document the history of the conflict.” <http://www.derryjournal.com/news/freedom-of-information-request-into-deal-on-the-past-refused-1-6975189>

United States. Using statistics from city police departments, the *New York Times* reported that “cities across the nation are seeing a startling rise in murders after years of declines.” [http://www.nytimes.com/2015/09/01/us/murder-rates-rising-sharply-in-many-us-cities.html?\\_r=0](http://www.nytimes.com/2015/09/01/us/murder-rates-rising-sharply-in-many-us-cities.html?_r=0)

The inspector general of the Department of Veterans Affairs issued “a scathing report that recommended a total overhaul of the agency’s record-keeping systems that could take years,” reported the *Washington Post*. The report says that workers “incorrectly marked thousands of unprocessed health-care applications as completed” and “may have deleted 10,000 or more electronic ‘transactions’ over the past five years.” For background, see *HRWG News* 2015-08. <https://www.bostonglobe.com/news/nation/2015/09/03/nearly-veterans-have-pending-applications-for-health-care-and-third-may-already-dead/emm7tc7ItRjC774t2J2YN/story.html>

Following a Freedom of Information Act request, the Federal Bureau of Investigation (FBI) released to the *Washington Post* 137 pages of its file on the late Colombian writer and Nobel Prize winner Gabriel Garcia Marquez. The file began in 1961. The FBI withheld 133 pages “making it unclear precisely what sparked the agency’s interest in the writer.” <http://www.highbeam.com/doc/1P2-38709300.html>

The *Huffington Post* published a long investigative piece on the poisoning of the environment near Parkersburg, West Virginia, by chemicals released as waste by the DuPont chemical company’s nearby plant. The chemicals found their way into the local water supply, causing illnesses and death to people and animals. The use of documents in proving the cause and effect highlights the importance of business records and email. <http://highline.huffingtonpost.com/articles/en/welcome-to-beautiful-parkersburg/>

United States/California. In May 2013 a pipeline on the California coast ruptured, releasing over 100,000 gallons of crude oil, with “goo from the spill” washing up on beaches 100 miles away and “hundreds of dead birds and sea lions.” Now the U.S. Pipeline and Hazardous Materials Safety Administration said the

company that owns the pipeline, Plains All American Pipeline, “failed to properly document pressure tests on tanks and failed to keep adequate records on how it would prevent spills in sensitive environmental areas, or respond if one did occur,” reported the *Associated Press*. “Prosecutors are considering possible charges.” <http://www.usnews.com/news/us/articles/2015/09/11/months-before-oil-spill-signs-of-poor-record-keeping-found>

United States/Texas. Texas officials are “enforcing some of the toughest rules in the country limiting the types of ID [identification] parents can show to receive copies of birth certificates. The result has been a refusal to issue birth certificates to many of the Texas-born children of immigrants” who are in the U.S. illegally, reported the *New York Times*. <http://www.nytimes.com/2015/09/18/us/illegal-immigrant-birth-certificates.html>

Uzbekistan. The Cotton Campaign, a “coalition of groups advocating against cotton slavery in Uzbekistan,” obtained documents that students are coerced into signing “saying that they agree to either participate in the harvest, which runs from September to mid-November each year, or face expulsion.” A researcher told *VICE News* that the “contracts” that say the person is a volunteer are “a fiction because local officials—not just police officers, but neighborhood councils appointed by the state—go door-to-door and force many adults through so-called voluntary contracts into the field. It’s a form of modern slavery.” [https://news.vice.com/article/uzbekistan-is-forcing-volunteers-to-toil-in-its-cotton-fields?utm\\_source=vicenewsemail](https://news.vice.com/article/uzbekistan-is-forcing-volunteers-to-toil-in-its-cotton-fields?utm_source=vicenewsemail)

Vatican. In an opinion piece for the *Washington Post* on the occasion of the Pope’s visit to the United States, a researcher who has been denied access to the Vatican’s World War II era archives urged the Pope to open all the Vatican’s Holocaust-era archives, arguing, “Those sealed records may help settle debate about whether the wartime pope, Pius XII, could have done more to prevent the Holocaust. They could also resolve questions about the extent to which the Vatican did business with the Third Reich, particularly whether it invested in German and Italian insurance companies that earned outside profits by escheating the life insurance policies of Jews sent to the death camps.” [https://www.washingtonpost.com/opinions/open-the-vaticans-holocaust-era-archives/2015/09/17/f5c4ae5c-5a1c-11e5-8e9e-dce8a2a2a679\\_story.html](https://www.washingtonpost.com/opinions/open-the-vaticans-holocaust-era-archives/2015/09/17/f5c4ae5c-5a1c-11e5-8e9e-dce8a2a2a679_story.html)

### **Call for papers**

The Institute for Business Ethics at the University of St. Gallen, Switzerland, the Business and Human Rights Center at New York University’s Stern School of Business, and the Business and Human Rights Journal (BHRJ) announced the 1st International Business and Human Rights Ph.D. Workshop in St. Gallen will take place March 31-April 1, 2016. Persons wanting to give papers should submit a 600 word abstract by November 1 to [florian.wettstein@unisg.ch](mailto:florian.wettstein@unisg.ch) and [dbaumann@nyu.stern.edu](mailto:dbaumann@nyu.stern.edu).

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## ANNEX

### Report from the International Council on Archives 2015 annual meeting

#### Human Rights Working Group meeting, September 26

1. Draft “Basic Principles on the Role of Archivists in Support of Human Rights.” The draft was discussed by the ICA Programme Commission, which referred the draft to the Forum of National Archivists for its opinion. The Forum of National Archivists decided to circulate the draft to all its members; HRWG provided a cover letter giving the background of the “Basic Principles” to be sent out with the draft.
2. Draft model agreement on copying archives and exporting copies. The members decided that the draft should be shorter and less formal and its purpose needs to be sharper. It will be revised.
3. UNESCO Memory of the World, Sub-Committee on Education and Research. Possible cooperation on a project to protect archives at risk was discussed, along with the development of a model agreement concerning the transfer of archives.
4. HRWG News. Four translators (two for French and two for Spanish) have volunteered. The Group hopes to find someone to index the issues from 2009 through 2015 and make that index available on the HRWG part of the ICA website.
5. 2016 ICA Congress. HRWG will propose sessions for the ICA Congress in Seoul in 2016. Possible topics are the “Basic Principles” and archives at risk.
6. Directory project. No more work will be done on this.
7. Data sharing for research and confidentiality. Members looked that the American Association for the Advancement of Science article “Data Rights and Responsibilities: A Human Rights Perspective on Data Sharing” and agreed to consider developing a similar statement focusing on data sharing from archives, with an emphasis on confidentiality, possibly in cooperation with the Section of University Archivists.
8. Confidentiality of private information held in public records. The Society of American Archivists released an “issue brief” on the topic, and the HRWG will look at whether it might be adapted for ICA use, perhaps in cooperation with the Legal Expert Group.
9. Archival training and human rights. HRWG will explore with the Section of Archival Educators the possibility of developing a sample module on human rights for archival training programs.
10. HRWG section of ICA website. HRWG will ask the ICA web manager to add the 1995 dossier on archival claims to the HRWG page and also link to the swisspeace bibliography on human rights and dealing with the past.