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**Commentary.**

Have you ever taken Tylenol for a headache? Have you ever used gasoline pumped from the ground by Exxon? Do you live in a country where the government has made a large land sale to a private investor, either domestic or foreign? If so, stories on all of those are found in this issue.

The fact is that the corporation, particularly the transnational corporation, is a primary shaper of today's global economy, with powers and policies that affect people around the world. As firm size increases, more of us are affected by the actions of a single company, often located outside our borders. States regulate corporate business, and corporate powers and political systems are often linked, for good or ill.

Corporate social responsibility is the focus of the United Nations' "Guiding Principles on Business and Human Rights: Implementing the United Nations' 'Protect, Respect and Remedy' Framework," which was endorsed by the United Nations Human Rights Council in June 2011. The Principles rest on three "pillars":

1. the state's duty to protect against human rights abuses by third parties, including business;
2. the corporate responsibility to respect human rights; and
3. greater access by victims to effective remedies, both judicial and non-judicial.

Archives are central to the ability of corporations to comply with the Guiding Principles. During the recent ICA annual meeting, the Section of Business Archives (SBA), the Section of Professional Associations (SPA) and the Human Rights Working Group (HTWG) held a joint meeting on the Guiding Principles and the role of archives and archivists in business settings. Facilitated by two staff members from swisspeace, a nongovernmental organization, the outcomes of the meeting were:

1. SBA with HRWG will consider drafting a statement on the importance of business archives to enable corporations to fulfill their roles under the Guiding Principles, with the hope of submitting the statement to the UN Forum on Business and Human Rights. The Forum is held each year and is open to all stake holder groups to discuss the progress on implementation of the Guiding Principles. SBA plans to look at corporate social responsibility and sustainability indexes at its 2016 meeting.
2. SBA may also ask members whose multinational corporations have subsidiaries in Africa how records are managed in their subsidiaries and suppliers.
3. All three bodies will work together to develop a pilot project for understanding the needs of local businesses in Africa for recordkeeping and information management assistance and training. This would be a grassroots effort to identify large local companies, ask each of them who manages their information and where that person is located in the organization, hold an informational meeting, and develop basic guidance on topics and process identified by the participant. It may be possible to link the pilot to ICA's Africa Strategy and to be able to pay a local person to organize the pilot.

If you are interested in working on one of these projects, please contact the chair of either SBA, SPA or HRWG.

## International news.

European Court of Human Rights. As part of the long struggle between the heirs of those killed at Srebrenica and the Netherlands, whose soldiers were stationed at the Potocari base from which the Bosnian men and boys were taken and killed, a survivor and the family of a person killed filed a case against the Netherlands before the European Court of Human Rights. In 2011 the Dutch supreme court ruled that the Netherlands was liable for the death of their family members, ordered the state to pay compensation, but the Netherlands has “refused to file criminal proceedings against the commanders” of the Dutch battalion, reported *BIRN*. In 2014 the district court in The Hague found the Netherlands guilty of failing to protect the Bosniaks trying to escape from Serb forces. The lawyer for the plaintiffs said, “We think it is clear the Dutch authorities should have opened a criminal investigation and not just read historical records. The military prosecution said they read the historical records and found the three commanders were not criminally complicit. This was not at all for them to decide.” <http://www.balkaninsight.com/en/article/srebrenica-peacekeepers-case-goes-to-strasbourg-10-26-2015>

European Court of Justice. The European Court of Justice struck down the “Safe Harbor” agreement between the United States and the European Union (EU) which “has been in place since 2000, enabling American tech companies to compile data generated by their European clients in web searches, social media posts and other online activities,” reported the *New York Times*. “Under the deal, more than 4,000 European and American companies had been expected to treat the information moved outside the European Union with the same privacy protections the data had inside the region.” The court ruled that data protection offices in each EU country should “have oversight over how companies collect and use online information of their countries’ citizens.” [http://www.nytimes.com/2015/10/07/technology/european-union-us-data-collection.html?\\_r=0](http://www.nytimes.com/2015/10/07/technology/european-union-us-data-collection.html?_r=0)

European Union. The European Union launched a program to screen and fingerprint all migrants and refugees arriving in Italy and Greece. Under the existing Dublin Regulation the country that takes the fingerprints of migrants is responsible for processing their asylum claims, and most migrants have been avoiding the Greek and Italian authorities in order to move to another country in Europe. Now the two countries will “screen and fingerprint all migrant and refugees,” reported *IRIN*, but the “the new system is causing further delays in registering new arrivals and thousands of people have been queuing in the open for days.” The records of these registrations will become part of the records of the registering country and will need archival management. [http://www.eurasiareview.com/25102015-eu-initiative-to-screen-and-fingerprint-refugees-creating-chaos/?utm\\_source=feedburner&utm\\_medium=email&utm\\_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29](http://www.eurasiareview.com/25102015-eu-initiative-to-screen-and-fingerprint-refugees-creating-chaos/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29)

International Criminal Court (ICC). September and October saw the ICC make a lot of news. (1) The trial of Congolese Jean-Pierre Bemba Gombo, two of his lawyers and two other persons, all accused of bribing witnesses in the case against Bemba, opened on September 29. The ICC prosecutor told the *Justice Tribune* that the evidence “includes intercepted phone calls, text messages, phone records and logs from the court’s detention centre, data from telecommunications companies, records of money transfers and statements from witnesses.” <https://www.justicetribune.com/articles/bemba-bribery-trial-largely-behind-closed-doors>

(2) Ahmad Al Faqi Al Mahdi is the “first alleged Islamist extremist at the court and the first person the ICC has charged with the war crime of destroying cultural and religious property,” accused of demolishing “nine mausoleums and a mosque during Timbuktu’s siege by Muslim rebels in 2012,” reported the *Justice Tribune*. The prosecutor called the destruction of cultural sites in Mali a “callous assault on the dignity and identity of entire populations, and their religious and historical roots.” As the destruction of archives continues in conflict zones, archivists will be very interested in the outcome of this prosecution. <https://www.justicetribune.com/articles/mali-icc-blueprint-new-strategy-or-bird-hand>

(3) The Prosecutor asked the ICC judges for permission to open an investigation into the 2008 war over South Ossetia which involved forces from Georgia, Russia and South Ossetia and resulted in the deaths of

hundreds and the displacement of thousands. According to the *Justice Tribune*, “The prosecutor’s request quotes from what some independent observers say is the most reliable source: the European Union’s 2009 ‘Report of Independent international Fact-Finding Mission on the Conflict in Georgia.’” The records created by that investigating body, which should be records of the European Union, will be essential for the Prosecutor if the investigation is allowed to go forward. <https://www.justicetribune.com/articles/icc-double-edged-sword-georgia>

(4) Palestine gave the Prosecutor additional documentation on “what they called evidence of Israeli crimes committed in the recent outburst of violence,” reported the *Associated Press*. The Prosecutor opened a preliminary investigation in January 2015 on “possible crimes committed on Palestinian territory” and the Palestinians presented an initial set of documents to her in June. For background, see *HRWG News* 2015-01 and 2015-06. <http://abcnews.go.com/International/wireStory/palestinians-give-icc-details-alleged-israeli-crimes-34857152>

**International Tracing Service.** The International Tracing Service, established by the Allies in 1944 to care for and repatriate displaced persons in Europe, announced that for the first time it is making some of its holdings available on line. The first three bodies of material released are photos of personal objects that were taken from the prisoners in the concentration camps, a collection of documents on the death marches, and files from the Child Search Branch from the time immediately following the liberation of Nazi victims. <https://www.its-arolsen.org/en/press/press-releases-2015/index.html?expand=9233&cHash=f41203ab958b12a98f9962ed483b0a3c>

**Interpol.** INTERPOL, the world’s police organization with 190 member countries, is developing “a database using existing facial images of international fugitives and missing persons.” It plans “to make selected facial images available within mobile devices to assist operations and investigations by police in the field” and will “support INTERPOL’s international border management taskforce by checking the identity of individuals using a photograph from documents such as passports.” INTERPOL has a working group developing international facial recognition standards. [databasehttp://www.interpol.int/layout/set/print/News-and-media/News/2015/N2015-156](http://www.interpol.int/layout/set/print/News-and-media/News/2015/N2015-156)

**United Nations Office on Drugs and Crime (UNODC).** UNODC’s West and Central Africa representative said, “West African nations need stronger laws and better data to fight the trafficking of thousands of people for sexual exploitation, forced labour, recruitment in armed groups and even begging,” reported *Thomson Reuters Foundation*. He complained that “trafficking data collected by countries is not shared at a regional level” and although trafficking in West Africa appears to be on the rise, “a lack of region-wide data means it is unclear whether the increase is due to a spike in the crime and number of victims or more cases being detected and reported.” [http://www.trust.org/item/20151026152746-2llwz/?utm\\_medium=email&utm\\_campaign=Weekly+Digest+28+Oct+2015&utm\\_content=Weekly+Digest+28+Oct+2015+CID\\_c920d08891d0390f5f8d8402ce67c940&utm\\_source=Campaign%20Monitor&utm\\_term=Better%20laws%20data%20needed%20to%20combat%20human%20trafficking%20in%20West%20Africa](http://www.trust.org/item/20151026152746-2llwz/?utm_medium=email&utm_campaign=Weekly+Digest+28+Oct+2015&utm_content=Weekly+Digest+28+Oct+2015+CID_c920d08891d0390f5f8d8402ce67c940&utm_source=Campaign%20Monitor&utm_term=Better%20laws%20data%20needed%20to%20combat%20human%20trafficking%20in%20West%20Africa)

**World Bank.** The World Bank published a study of the program of formalizing land rights in Benin. The program has “two key steps: first, each community identifies and demarcates all parcels, with the mapping of customary ownership in the form of a full land survey, and the laying of cornerstones to explicitly mark parcel boundaries; second, customary land ownership is formally and legally documented in the form of certificates.” The Bank found that “improved tenure security under demarcation induces a shift toward long-term investment on treated parcels” and investment in soil fertility. It is not clear where the records of the land certificate program are preserved. [http://documents.worldbank.org/curated/en/2015/10/25132197/formalizing-rural-land-rights-west-africa-early-evidence-randomized-impact-evaluation-benin?cid=DEC\\_PolicyResearchEN\\_D\\_INT](http://documents.worldbank.org/curated/en/2015/10/25132197/formalizing-rural-land-rights-west-africa-early-evidence-randomized-impact-evaluation-benin?cid=DEC_PolicyResearchEN_D_INT)

## **World/general news.**

**Big data.** The U.S. National Defense University published a paper by two researchers on the use of big data by military intelligence analysts. They wrote, “Big data technologies allow intelligence to move quickly, be stored indefinitely, and yield more valuable insights over time. Much of the newly collected data would arrive at or near real-time . . . and cueing further collection. Vast quantities of data—unprocessed and unseen by any analyst—would be stored, available to be mined later in the context of future data or requirements or to discover or recognize associations or trends.” Required reading for all

archivists responsible for military records. [http://www.eurasiareview.com/23102015-defense-intelligence-analysis-in-the-age-of-big-data-analysis/?utm\\_source=feedburner&utm\\_medium=email&utm\\_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29](http://www.eurasiareview.com/23102015-defense-intelligence-analysis-in-the-age-of-big-data-analysis/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29)

**Business archives.** *Inside Climate News* completed an eight month investigation into Exxon's early research on global warming "based on hundreds of pages of internal documents and interviews with former employees and scientists." It reported that as early as 1979 the company was conducting climate change research and by 1982 it had created models of global warming that showed that unless fossil fuel use was "contained" there would be "noticeable temperature changes" by 2010. However, Exxon management rejected its own scientists' findings and "argued that the uncertainty inherent in computer models makes them useless for important policy decisions." Exxon continued to focus on marketing of fossil fuels. <http://insideclimatenews.org/news/18092015/exxon-confirmed-global-warming-consensus-in-1982-with-in-house-climate-models> For Exxon's response, see <http://business-humanrights.org/sites/default/files/documents/ExxonMobil-re-InsideClimateNews-Oct-2015.doc>

Internal corporate records being used in a trial against the Johnson & Johnson pharmaceutical company show that "for decades" the company knew that doses of the pain reliever Tylenol "near the recommended level could cause liver injury, that some patients used too much of the drug, and that many doctors were telling patients to take less than the recommended dose," reported *ProPublica*. However, the company "marketed Tylenol as the most recommended pain reliever and calculated how increasing the amount of the drug that arthritis patients take each day could boost the company's revenues," according to a document in the court case. [http://www.propublica.org/article/doctors-recommended-tylenol-but-only-at-lower-doses?utm\\_source=et&utm\\_medium=email&utm\\_campaign=dailynewsletter&utm\\_content=&utm\\_name=](http://www.propublica.org/article/doctors-recommended-tylenol-but-only-at-lower-doses?utm_source=et&utm_medium=email&utm_campaign=dailynewsletter&utm_content=&utm_name=)

**Drone use.** *The Intercept* reported that a whistleblower provided to it a number of U.S. military documents relating to the decision-making process behind drone strikes by the U.S. military that target "terror suspects" to be killed. *The Intercept* posted the documents, along with commentary. <https://theintercept.com/drone-papers/the-assassination-complex/>

**Land.** OpenLandContracts.org was launched, reporting on the details of 69 land transactions around that world "involving palm oil plantations, sugar cane, biofuels, soybeans, tea and other crops," reported *Thomson Reuters Foundation*. Based at Columbia University and backed by the World Bank, the project's goal is to publish contracts between governments and investors for large land purchases. An official at Columbia said, "Making contracts transparent can help individuals, communities and civil society monitor whether governments and investors are fulfilling their responsibilities." *Thomson Reuters* noted that large land deals "can pit international investors against small-scale farmers." [http://www.trust.org/item/20151019221210-t2p81/?utm\\_medium=email&utm\\_campaign=Weekly+Digest+21+Oct+2015&utm\\_content=Weekly+Digest+21+Oct+2015+CID\\_043ce2b7b88cac005e0ba42624821a7d&utm\\_source=Campaign%20Monitor&utm\\_term=New%20database%20tracks%20large%20land%20deals%20in%20bid%20to%20boost%20transparency](http://www.trust.org/item/20151019221210-t2p81/?utm_medium=email&utm_campaign=Weekly+Digest+21+Oct+2015&utm_content=Weekly+Digest+21+Oct+2015+CID_043ce2b7b88cac005e0ba42624821a7d&utm_source=Campaign%20Monitor&utm_term=New%20database%20tracks%20large%20land%20deals%20in%20bid%20to%20boost%20transparency)

**Safe havens.** The Association of Art Museum Directors representing over 240 "major art museums in the United States, Canada and Mexico" issued "Protocols for Safe Havens for Works of Cultural Significance from Countries in Crisis." Section "VIII Records" says, "All works given safe haven should be treated as loans, inventoried upon receipt, digitally documented and, if feasible and practicable, a condition report prepared and any immediate conservation needs identified. A copy of the inventory, digital images, and, if prepared, the conservation report and explanation of the conservation needs should be communicated as soon as practicable to the depositor." The issue of safe haven for archival materials is an important issue for the archival profession, and the elements of this protocol may be useful as the profession formulates its own set of guidelines. <https://aamd.org/document/aamd-protocols-for-save-havens-for-works-of-cultural-significance-from-countries-in-crisis>

Swisspeace, a nongovernmental organization in Switzerland, held a conference on archives at risk. In addition to the participants who gathered, swisspeace had archivists and concerned persons from around the world provide video commentary on the need for safe havens and the risks that archives face. For the videos and the forthcoming conference report, see <http://archivesproject.swisspeace.ch/resources/conference-2015/>

## **Bilateral and multilateral news.**

Chile/United States. U.S. Secretary of State John Kerry gave Chilean president Michelle Bachelet copies of 282 U.S. records that show Chile's intelligence service assassinated exiled Chilean critic Orlando Letelier with a car bomb in 1976 on "direct orders" from Chilean dictator Augusto Pinochet, reported *The Guardian* and others. The assassination, which took place in the heart of Washington, DC, was one of the most significant acts of terrorism in the U.S. capitol before the events of 9/11.

<http://www.theguardian.com/world/2015/oct/08/pinochet-directly-ordered-washington-killing-diplomat-documents-orlando-letelier-declassified>;

China/Japan. UNESCO placed documents submitted by China about the Nanjing massacre on the Memory of the World register. The documents, reported *The Guardian*, "include court records from the international military tribunal for the Far East, which found several Japanese leaders guilty of war crimes, as well as photographs claiming to show the slaughter of people in Nanjing and film footage taken by an American missionary." Following the decision, which was vigorously opposed by Japan, Japan's chief cabinet secretary said, "We are considering all measures, including suspension of our funding contributions" to UNESCO. <http://www.theguardian.com/world/2015/oct/13/japan-threatens-to-halt-unesco-funding-over-nanjing-listing>

Dominican Republic/Haiti. The problem of the statelessness of Haitians in the Dominican Republic continued. According to the *New York Times*, the Dominican Republic has begun deporting Haitians who have not registered with the government. Children of Haitians will be able to "attend high school but would not be able to go on to higher education because those institutions still require identifying documents to enroll." For background see *HRWG News* 2015-07. [http://www.nytimes.com/2015/10/30/world/americas/born-dominican-but-locked-out-by-haitian-roots-and-lack-of-id.html?\\_r=0](http://www.nytimes.com/2015/10/30/world/americas/born-dominican-but-locked-out-by-haitian-roots-and-lack-of-id.html?_r=0)

El Salvador/United States. A computer and hard drive containing testimonies from victims of human rights violations during El Salvador's civil war (1980-1992) were stolen from the office of the University of Washington Center for Human Rights. The Center said, "What worries us most is not what we have lost but what someone else may have gained: the files include sensitive details of personal testimonies and pending investigations." <http://www.thestranger.com/blogs/slog/2015/10/21/23042357/two-weeks-after-it-sued-the-cia-data-is-stolen-from-university-of-washington-center-for-human-rights>; <http://www.theguardian.com/world/2015/oct/23/el-salvador-civil-war-classified-files-stolen>

France/Rwanda. "Anti-racist groups in France held talks at the French Senate to call on the government to release archives dating back to the Rwandan genocide," reported *RFI*. <http://www.english.rfi.fr/africa/20151019-further-call-french-government-release-archives-dating-back-rwandan-genocide>

France/Syria. France announced it will open the "world's first criminal inquiry on the Syrian conflict" reported *lawfare.com*. The investigation "rests on evidence that the French foreign ministry sent to the prosecutor's office, a dossier that contains thousands of photographs showing the contorted, starved, and tortured bodies of people who died in Syrian military detention" that were carried out of Syria by a photographer for the Syrian military police code-named Caesar. For background on the photographs, see *HRWG News* 2015-03. <https://www.lawfareblog.com/ahead-game-prosecuting-syrian-crimes-french-courts>

Germany/Greece/United States. Greece's defense ministry "unveiled its first findings from research into formerly classified Wehrmacht papers" from World War II received on microfilm from the U.S. National Archives, reported *AFP*. The project's senior historian said the records showed an "endless list" of murders, looting and burning of Greek villages. Greece "said it would use the information to press its claim for German reparation payment," and Greece's parliament created a special committee to look into "reparations, reimbursement of a forced war loan and the return of archaeological relics seized by the German occupation forces." Germany says reparations to Greece for wartime damage during the German occupation were settled in 1960. <http://www.ekathimerini.com/202634/article/ekathimerini/news/nazi-archives-shed-light-on-wwii-atrocities-in-greece>

Iraq/Kuwait. In a meeting with Kuwait's Foreign Minister at the United Nations, UN Secretary General Ban Ki-moon "reiterated the international organization's commitment to continue the search for Kuwait's missing people in Iraq and the return of Kuwait's national archive," reported the *Kuwait News Agency*. <http://www.kuna.net.kw/ArticleDetails.aspx?id=2463272&language=en>

Iraq/United States. The bride and groom in a photograph found among the Iraqi Jewish archives now held in the United States and subject to much controversy over their ultimate fate have been identified by the couple's son, reported *Al-Monitor*. The photo was taken in Israel, where the couple lives. A copy of the photo was given to an uncle who lived in Baghdad, where it was seized by Saddam Hussein's security service. [http://www.al-monitor.com/pulse/originals/2015/10/picture-iraqi-jewish-community-us-exhibit-archives.html?utm\\_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm\\_campaign=a980d67c69-October\\_12\\_2015&utm\\_medium=email&utm\\_term=0\\_28264b27a0-a980d67c69-93088897](http://www.al-monitor.com/pulse/originals/2015/10/picture-iraqi-jewish-community-us-exhibit-archives.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=a980d67c69-October_12_2015&utm_medium=email&utm_term=0_28264b27a0-a980d67c69-93088897)

Iraq/United States. The U.S. Secretary of Defense said that during the raid on the Levant prison in Iraq by Iraqi Peshmerga and U.S. forces that rescued 70 Islamic State hostages a "significant cache of intelligence was collected." He added, "One of the reasons [for raids] is you learn a great deal, you collect documentation, [and] various electronic equipment," reported *DOD News*. [http://www.eurasiareview.com/24102015-us-defense-chief-says-islamic-state-prison-raid-saved-lives-bagged-intelligence-info/?utm\\_source=feedburner&utm\\_medium=email&utm\\_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29](http://www.eurasiareview.com/24102015-us-defense-chief-says-islamic-state-prison-raid-saved-lives-bagged-intelligence-info/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29)

Islamic State. A ledger detailing expenses and income sources of the Islamic State-controlled Syrian province of Deir Ezzor was obtained and published by a fellow at the UK Middle East Forum, reported *Vice News*. Detailing accounts between 23 December 2014 and 22 January 2015, the ledger show that IS in the province had more than \$8 million in revenue, of which nearly 45 percent "originated from what IS calls 'confiscation'." "The vast majority of these confiscations took place on the borders of the province, where IS fighters appeared to be stripping travelers of their valuables to pay for safe passage." [https://news.vice.com/article/a-leaked-budget-may-finally-show-how-the-islamic-state-makes-its-money?utm\\_source=vicenewsemail;for%20images%20of%20the%20documents,see%20http://jihadology.net/2015/10/05/the-archivist-unseen-islamic-state-financial-accounts-for-deir-az-zor-province/](https://news.vice.com/article/a-leaked-budget-may-finally-show-how-the-islamic-state-makes-its-money?utm_source=vicenewsemail;for%20images%20of%20the%20documents,see%20http://jihadology.net/2015/10/05/the-archivist-unseen-islamic-state-financial-accounts-for-deir-az-zor-province/)

Kosovo/Montenegro. Kosovo and Montenegro signed a cooperation agreement to exchange information that might "shed light on the fate of 1,650 people still listed as missing since the end of the Kosovo war," reported *BIRN*. A Kosovo official said the cooperation will help create "a list of missing persons, information on the whereabouts of possible individual or mass graves." [http://www.balkaninsight.com/en/article/kosovo-montenegro-reach-agreement-on-missing-person-s-10-22-2015?utm\\_source=Balkan+Transitional+Justice+Daily+Newsletter&utm\\_campaign=aa236eef5a-RSS\\_EMAIL\\_CAMPAIGN&utm\\_medium=email&utm\\_term=0\\_561b9a25c3-aa236eef5a-311109073](http://www.balkaninsight.com/en/article/kosovo-montenegro-reach-agreement-on-missing-person-s-10-22-2015?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=aa236eef5a-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-aa236eef5a-311109073)

Liberia/Sweden. Sweden donated a "modern crime lab and a photo studio to the LNP [Liberia National Police] to be used by its Crime Service Division," reported *The New Dawn Liberia*. Now Liberia will need to make sure that the records created through the work at this new facility are properly managed. <http://www.thenewdawnliberia.com/news/8690-sweden-turns-over-crime-lab-to-lnp>

Mexico/United States. Using the Freedom of Information Act, the National Security Archive, a U.S. nongovernmental organization, obtained a 2011 cable from the U.S. Embassy in Mexico City that said "evidence of heavy-handed police tactics" was "strong and disconcerting" after a 2011 clash with student protestors from Ayotzinapa normal school that left two youths and a gas station employee dead and several others wounded. This report, dating less than three years before 43 students from the university were disappeared and six others were killed after being detained by police forces in Iguala, Guerrero, on the night of September 25-26, 2014, shows a pattern of police behavior in the region. See also Mexico below. For an article on the cable, see <http://aristeguinoticias.com/0710/mexico/desconcertantes-tacticas-policiacas-contra-normalistas-embajada-de-eu/>; for the cable, see <http://nsarchive.gwu.edu/news/20151007-prelude-to-iguala-heavy-handed-police-tactics-against-ayotzinapa-students/>

Russia/Ukraine. *Reuters* reported that "armed masked men, accompanied by investigators" searched the Library of Ukrainian Literature in Moscow and took around 200 books and pamphlets and "computers, servers, and the library's catalog" and the next day arrested the librarian. [http://www.slate.com/blogs/the\\_slateist/2015/10/29/russian\\_police\\_arrest\\_ukrainian\\_librarian\\_in\\_moscow.html](http://www.slate.com/blogs/the_slateist/2015/10/29/russian_police_arrest_ukrainian_librarian_in_moscow.html)

United Kingdom/Commonwealth. The National Archives UK released records of World War II Commonwealth prisoners of war, including names, ranks and locations of the prisoners, the length of time spent in camps, the number of survivors and details of escapees, as well as "thousands of personal diary entries," even though "many official WWII records are still protected under privacy laws," reported *Huffington Post Australia*. <http://blog.findmypast.com.au/2015/wwii-prisoners-of-war-records-published-online-for-the-1st-time-on-70th-anniversary/>

United Kingdom/Northern Ireland/United States. After a long legal battle, earlier this year the police in Northern Ireland gained access to oral history recordings of interviews with several key players in Northern Ireland's "Troubles." The interviews are held by Boston College. Now, reported the *Chronicle of Higher Education*, "the Public Prosecution Service of Northern Ireland said that evidence on the recordings is 'hearsay' and declined to prosecute seven of the eight suspects" for whom the tapes were believed to be a source of evidence. <http://www.newsletter.co.uk/news/northern-ireland-news/boston-college-tapes-prompt-new-probe-into-1970s-murder-bid-1-6998858>  
<http://chronicle.com/article/After-Battle-to-Get-Boston/233481/>

## **National news.**

Brazil. *Aljazeera America* published a long report on the efforts both to find persons who disappeared in the Araguaia region during the military dictatorship and to hold the perpetrators accountable. Although Brazil's First Federal Court in 2003 ordered the government "to open the archives of the armed forces" in order to resolve the circumstances of the deaths and locate the bodies, today "the government [is] still unwilling to release many documents." <http://america.aljazeera.com/multimedia/2015/10/brazil-victims-of-military-see-measure-of-justice.html>

Canada. Canada continues to debate whether to preserve the testimony of survivors of abuse at residential schools established by the government for aboriginal people. The testimonies were given during a compensation claim process; a lower court held that identifying information must be redacted and each individual must agree to have his or her testimony preserved. The National Centre for Truth and Reconciliation appealed the lower court ruling to Ontario's high court, with a hearing held at the end of October. <http://www.universityaffairs.ca/news/news-article/questions-raised-over-preserving-sensitive-truth-and-reconciliation-testimony/>;  
<http://www.cbc.ca/news/aboriginal/fate-of-residential-school-abuse-stories-in-courts-1.3292449>

Canada/British Columbia. The "Highway of Tears" is a "notorious stretch of highway along which a number of women have been murdered or gone missing," wrote *CBC News*. A staff member in the province's ministry of transportation and highways intentionally deleted emails and records relating to the risks of travelling along the highway and lied about it under oath, reported the province's privacy commissioner. The staff member resigned and the commissioner referred the matter to the Royal Canadian mounted Police for further investigation. <http://www.cbc.ca/news/canada/british-columbia/highway-of-tears-email-deletion-referred-to-rcmp-by-b-c-privacy-watchdog-1.3284029>

Chile. Chile's congress "approved one-time reparation payments for political prisoners and torture victims of the 1973-1990 Augusto Pinochet dictatorship," reported *AFP*. In 2003 the National Commission on Political Imprisonment and Torture "recognized more than 38,000 people as victims," with the documents supporting the recognitions presumably in the records of the Commission. <http://news.yahoo.com/chile-approves-extra-payments-pinochet-victims-231824401.html>

China. "Authorities in an ethnic Uyghur township in northwestern China's Zinjiang region have created files to track the identities and whereabouts of suspect persons and others who have left the area, sometimes simply to find work in other parts of China," one of the township officials told *Radio Free Asia*. A "personal archive" is established for each person who has fled, the official said, with name, age, occupation, educational background, identification number, blood type, original home address, family members' names, telephone numbers, bank accounts, and social media addresses. "We pressure their parents and family members, and require them to inform us if they receive any call from our 'target'," the official said. <http://www.rfa.org/english/news/uyghur/archive-10192015173027.html>

Colombia. The peace negotiations between the government and the FARC rebel group continued, with an agreement to "work together to locate thousands of people who disappeared during more than 50 years of conflict," reported *Aljazeera*. "Both sides agreed to give information on people who died, whether in combat or as victims of kidnappings, force[d] disappearances or massacres." An independent commission will be created to oversee the search for the missing and the International Committee of the Red Cross will

“help design search plans.” <http://www.aljazeera.com/news/2015/10/colombia-farc-rebels-reach-deal-missing-people-151018230914214.html>

“Prosecutors were able to identify the remains of three women who were disappeared in the 1985 retake of the Palace of Justice that had been occupied by guerrillas,” reported AFP. The remains of two were in “common graves” at Bogota cemeteries and the third set of remains was found in “two boxes held at the attorney general’s office.” It did not explain what documents were used to track the locations. The report noted that when government troops stormed the building to end the hostage crisis, the Palace caught fire and “piles of court documents went up in flames.” <http://colombiareports.com/remains-of-3-disappeared-in-colombias-1985-palace-of-justice-siege-identified/>

Georgia. As part of the peace talks between the Georgian government and the Abkhazian leaders, the Abkhaz Ministry of Foreign Affairs said it received “technical documentation on Abkhazian towns from the Georgian government,” reported *Georgia Today*. “The Georgian side also handed over other significant materials which will be sent to Abkhazia’s archival institutions,” said the Ministry’s statement, adding that “continuing cooperation in terms of archival materials between the two parties has been agreed.” <http://georgiatoday.ge/news/1473/De-facto-Abkhazian-Government-Receives-Important-Archival-Documents>

Germany. Germany passed a law requiring telecom companies “to keep data on the time and duration of telephone calls, along with the IP addresses users connect to, for up to 10 weeks. Location data from mobile phones will also be stored, but only for four weeks,” reported *Thomson Reuters Foundation*. The legislation excludes emails. <http://www.itnews.com.au/news/germany-passes-mandatory-data-retention-laws-410633>

Ghana. *Thomson Reuters Foundation* reported on a crowd-sourcing project to map—using high-resolution satellite photographs—the extent of child trafficking in the fishing industry in Ghana’s Lake Volta. The project is sponsored by the Global Fund to End Slavery, a nongovernmental organization, which should be responsible for preserving the mapping information. [http://www.trust.org/item/20151028050209-75mo7/?utm\\_medium=email&utm\\_campaign=Weekly+Digest+28+Oct+2015&utm\\_content=Weekly+Digest+28+Oct+2015+CID\\_c920d08891d0390f5f8d8402ce67c940&utm\\_source=Campaign%20Monitor&utm\\_term=Eyes%20in%20the%20sky%20online%20mappers%20track%20child%20slavery%20in%20Ghana](http://www.trust.org/item/20151028050209-75mo7/?utm_medium=email&utm_campaign=Weekly+Digest+28+Oct+2015&utm_content=Weekly+Digest+28+Oct+2015+CID_c920d08891d0390f5f8d8402ce67c940&utm_source=Campaign%20Monitor&utm_term=Eyes%20in%20the%20sky%20online%20mappers%20track%20child%20slavery%20in%20Ghana)

India. The Prime Minister announced that the government will “start the process of declassifying files related to Netaji [Subhas Chandra Bose] in phases from January 23, next year,” reported *The Telegraph*. It quoted the Prime Minister as saying he saw “no reason to strangle history.” A “senior government official” said there were more than 300 files, and a Press Information Bureau statement said the Prime Minister “would take up the matter of declassifying the files on Netaji during his meetings with foreign leaders, beginning with those in Russia in December.” For background, see *HRWG News* 2015-04. [http://www.telegraphindia.com/1151015/jsp/siliguri/story\\_48072.jsp#.ViV4iN-ZMnE](http://www.telegraphindia.com/1151015/jsp/siliguri/story_48072.jsp#.ViV4iN-ZMnE)

*The Times of India* reported that “as many as 80 sacks of files belonging to various departments” in the city of Kochi “were recovered from scrap dealers.” “The recovered documents include audit reports, cheques, drafts, registers, files related to building permits issued to prominent realtors, property tax records and RTI [right to information] applications.” As building collapse continues to be a problem in the South Asia region, the preservation of building records is a vital human rights concern. <http://timesofindia.indiatimes.com/city/kochi/Corps-audit-reports-permits-recovered-from-scrap-dealers/articleshow/49524146.cms>

Mexico. The International Crisis Group (ICG), a nongovernmental organization, issued a report on the case and the larger problem of unpunished human rights violations in Mexico. It urged Mexico to “invite an international investigative commission to continue the work of the Interdisciplinary Group of Independent Experts” that issued its report in September on the case of the disappearance of 43 students from the Ayotzinapa teaching college in September 2014 and give this commission authority to access “all required material, clearly implying archives.” ICG also said that victims groups “should participate in any initiative to assure that their rights to information” are respected and urged the state government of Guerrero where the students were last seen to “accelerate efforts to register all missing persons in the state, enlisting the support of human rights defenders to encourage relatives to report these cases.” The federal government agreed to put a new team of prosecutors in charge of the case of the disappearance of the students. <http://www.crisisgroup.org/en/regions/latin-america-caribbean/mexico/055-disappeared-justice-denied-in-mexico-s-guerrero-state.aspx>



Namibia. The Namibian published an interview with Ellen Namhila, the head of the library at the University of Namibia and the former head of the national archives. She said that one of the most common records people requested of the archives “was the estate record: a document that defines the identity, family relations and property of a deceased person.” The newspaper quoted her as saying, “During colonialism, unlike the record keeping of the white people, if a native estate record came to the archive, it was not automatic that they were accepted. They had to be appraised in order to determine whether they were valuable to the archives. Due to this procedure, many of the native estate records were destroyed or if kept, never processed.” <http://www.namibian.com.na/index.php?page=read&id=32823>

Russia. The Russian Defense Ministry “will deploy a special scholarly unit to its central archives to defend against ‘falsifications’ in accounts of the Soviet Red Army’s conduct during World War II, the *Interfax* news agency reported.” <http://www.themoscowtimes.com/news/news/article/russian-defense-ministry-plans-archive-unit-to-counter-wwii-lies/538643.html>

Sri Lanka. A government inquiry commission on missing persons said that the number of civilians killed was “one of the greatest issues of dispute that the panel has had to address.” The commission rejected the findings of studies by both the United Nations and others as either too high or too low, concluding that “satellite imagery does not indicate tens of thousands of graves,” reported *The Hindu*. <http://www.thehindu.com/news/international/sri-lanka-war-crime-probe-panel-rejects-zero-civilian-casualties-claim/article7797468.ece>

Syria. Amnesty International issued a report on “a wave of forced displacement and home demolitions amounting to war crimes carried out by the Autonomous Administration led by the Syrian Kurdish political party *Partiya Yekîtiya Demokrat* (PYD) controlling the area” in northeast Syria. Amnesty said to compile the report it “examined photo and video material, some of which was provided by local residents and some of which was publicly available, as well as satellite imagery, crosschecking these sources of information with witness accounts, media articles, and other reports.” <https://www.amnesty.org/en/press-releases/2015/10/syria-us-allys-razing-of-villages-amounts-to-war-crimes/>

Tanzania. “Tanzania has launched a nationwide drive to help parents register their children's births by mobile phone,” reported *Thomson Reuters Foundation*. “The new system being rolled out across the country over the next five years allows a health worker to send the baby's name, sex, date of birth and family details by phone to a central data base and a birth certificate is issued free of charge in days.” Birth registration is a key to safeguarding rights and universal birth registration is a major goal of the United Nations’ new social development goals agreed to in September. [http://www.trust.org/item/20151013143800-ddxw8/?utm\\_medium=email&utm\\_campaign=Weekly+Digest+14+Oct+2015&utm\\_content=Weekly+Digest+14+Oct+2015+CID\\_aadaff9d4af79263fa4c6b0eefdb34f&utm\\_source=Campaign%20Monitor&utm\\_term=Tanzania%20rolls%20out%20birth%20registrations%20by%20mobile%20phone](http://www.trust.org/item/20151013143800-ddxw8/?utm_medium=email&utm_campaign=Weekly+Digest+14+Oct+2015&utm_content=Weekly+Digest+14+Oct+2015+CID_aadaff9d4af79263fa4c6b0eefdb34f&utm_source=Campaign%20Monitor&utm_term=Tanzania%20rolls%20out%20birth%20registrations%20by%20mobile%20phone)

Turkey. The trial of nearly 200 military officers charged with plotting to topple the government was a national sensation in 2010; after convictions and appeals, in 2014 Turkey’s constitutional court ordered a retrial that this year acquitted all the defendants. *The Chronicle of Higher Education* published a long article on the work of two academics who, through documentary analysis, determined that key documents used in the original case were forged. <http://chronicle.com/article/An-Economist-Turns-Sleuth/233802>

United Kingdom. The Independent Inquiry Into Child Sex Abuse established by the government last July admitted that “following a change in the inquiry’s website address, any submissions through an online form between 14 September and October 2 were ‘instantly and permanently deleted’ before reaching staff.” *The Telegraph* reported that the Inquiry apologized for the error and asked “those whose submissions have been lost . . . to resend their information.” <http://www.telegraph.co.uk/news/politics/11935056/Victim-testimonies-permanently-deleted-by-child-sex-abuse-inquiry.html>

United States. “Millions of firearm purchase records, potentially critical to tracing guns used in crimes, languish . . . in scores of cardboard boxes and shipping containers awaiting processing at the government's National Tracing Center,” reported *USA Today*. “Officials estimate that 1.6 million paper documents and other records arrive every month from defunct firearm dealers who are required to ship their business records, some barely discernible, to this Bureau of Alcohol Tobacco Firearms and Explosives

facility for eventual inclusion in a digital repository.” <http://www.usatoday.com/story/news/nation/2015/10/27/firearms-national-tracing-center-atf/74401060/>

Meanwhile the director of the Federal Bureau of Investigation said he was frustrated “that the federal government has no better data on police shootings than databases assembled this year by *The Washington Post* and the *Guardian* newspaper,” the *Washington Post* reported. And the Bureau of Justice Statistics is “exploring new methods of gathering the data on deaths in [police] custody, including mining rosters maintained independently by newspapers and community activists and then requesting additional information from police departments, medical examiners and state agencies.” [https://www.washingtonpost.com/national/fbi-director-calls-lack-of-data-on-police-shootings-ridiculous-embarrassing/2015/10/07/c0ebaf7a-6d16-11e5-b31c-d80d62b53e28\\_story.html](https://www.washingtonpost.com/national/fbi-director-calls-lack-of-data-on-police-shootings-ridiculous-embarrassing/2015/10/07/c0ebaf7a-6d16-11e5-b31c-d80d62b53e28_story.html)

An investigation by the *Washington Post* found that although police body cameras have been promoted “as a vital reform capable of restoring transparency and trust to police interactions with the public,” across the country “police and other officials are routinely blocking the release of body camera videos while giving officers accused of wrongdoing special access to the footage.” <http://www.washingtonpost.com/sf/national/2015/10/08/police-withhold-videos-despite-vows-of-transparency/>

United States/Texas. Three days after the governor announced his decision to end Medicaid funding for Planned Parenthood, a large chain of medical clinics in the United States that among other services provide abortions, Texas “state health department investigators showed up . . . at Planned Parenthood health centers in Houston, Dallas, San Antonio and Brownsville with orders to turn over thousands of pages of documents, including patients’ records and employees’ home addresses and telephone numbers. Some, but not all, of the extensive records sought by the state related specifically to abortion,” reported the *New York Times*. [http://www.nytimes.com/2015/10/24/us/in-planned-parenthood-fight-texas-searches-records-unrelated-to-abortion.html?\\_r=2](http://www.nytimes.com/2015/10/24/us/in-planned-parenthood-fight-texas-searches-records-unrelated-to-abortion.html?_r=2)

United States/Virginia. A project led by a professor at the University of Texas at Austin is digitizing the records of Virginia’s Central State Hospital, which was originally the Central Lunatic Asylum for the Colored Insane. The hospital was created in 1868 or 1870 and “is believed to be the first psychiatric hospital in the U.S. opened solely for blacks.” The *Richmond-Times Dispatch* reported that the project is not digitizing records created after 1940 “since Virginia law keeps medical records secret for 75 years” and the digital records “for now, are off-limits to the public because of concerns about patient privacy.” It is not clear what institution will preserve and manage the digital copies. [http://www.richmond.com/news/local/article\\_51e24a69-802e-5e71-951b-5f4d531b351d.html?mode=print](http://www.richmond.com/news/local/article_51e24a69-802e-5e71-951b-5f4d531b351d.html?mode=print)

United States/West Virginia. Donald Blankenship, the former chairman of Massey Energy, one of whose coal mines exploded and “killed 29 of his employees and exposed his company’s shoddy safety record,” is on trial for criminal charges of “conspiracy to flout health and safety laws in pursuit of profits,” reported the *New York Times*. Blankenship “shunned computers” and relied on hand-written notes, but amazingly secretly recorded “hundreds of hours” of meetings and conversations. The successor company to Massey turned the tapes over to the prosecutors who are playing them in court. [http://www.nytimes.com/2015/10/17/us/coal-barons-trial-may-turn-on-his-secretly-recorded-conversations.html?\\_r=0](http://www.nytimes.com/2015/10/17/us/coal-barons-trial-may-turn-on-his-secretly-recorded-conversations.html?_r=0)

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