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Commentary.

I know the names of three people who had leprosy in 1970. Should I? Probably not. I came across the names as I was browsing through a body of records that had been digitized and put on line by a library. The people named may or may not be alive, but their descendants could easily be living, and given the stigma that leprosy still has, they probably would not be happy to know that a perfect stranger in a different country knows that. It would be even more problematic, and probably deeply distressing, if someone they know—say, a school classmate—found that information.

How did this happen? Apparently the library had the documents on microfilm, and with the permission of the country from which the microfilm was obtained, the library digitized the film. I assume that the film was freely available in the past to anyone who came to the library, a policy that privileged those who lived near the library or had the money to travel to it. But it did not protect the sensitive information: only making a decision not to provide access to the film could do that.

The original error with the records of the lepers was to film the information and make it available. Once a page is on microfilm, it is difficult to withhold it from a user without either withholding the entire roll of film or splicing out the image to be withheld. (I remember an exasperated archivist demanding, “What am I supposed to do—stand behind the researcher and pull the plug when he gets to the closed page?”) It is different with digital materials, as we all know. Withholding a digitized item is simply a matter of replacing the image with a digital withholding notice. But that means the library or archives should review the digitized images and make access decisions before popping the images on line.

What about the argument that once an item is disclosed it should continue to be disclosed? As Google found out, the European judiciary certainly doesn't believe that (for a thoughtful reflection on the issue, see Antoon De Baets' article, “A Historian's View on the Right to Be Forgotten,” cited below). If archivists in the past made an error in making items available that negatively affect the human rights of living person, including the right to privacy, that needs to be corrected. There is no shame in admitting an access error, but bringing shame on others through the release of archives is.

News of the Human Rights Working Group. The Congress of the International Council on Archives in Seoul, September 5-10, will have eight sessions on the theme “Use of records and archives in justice, advocacy and reconciliation work,” the Program Committee announced. Among them are two sessions proposed by the Working Group, one on the *Basic Principles on the Role of Archivists and Records Managers in Support of Human Rights* and one on archives at risk.

International news.

European Bank for Reconstruction and Development (EBRD). EBRD's Legal Transition Team published “Accessibility of judicial decisions in the EBRD's countries of operations: a comparative review,” that analyzed access in 25 transition economies. The research supported the Team's 2010 finding that there are “serious difficulties in obtaining access to court decisions, even in countries where the law explicitly mandates free public access to decisions.” <http://2015.lit-ebd.com/articles/article1.html>

International Criminal Court (ICC). By a vote of 2 to 1, the Court closed the case against Kenya's deputy president, saying that the court had insufficient evidence to proceed. The court did not, however, acquit the accused. http://www.eurasiareview.com/07042016-big-blow-to-icc-as-final-kenya-case-thrown-out-analysis/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

ICC is starting an investigation of potential war crimes in Burundi, reported *VICE News* and *Reuters*. This follows the UN Security Council resolution calling for UN police to monitor security in Burundi and a statement by the UN High Commissioner for Human Rights that in Burundi "since the beginning of the year, my team has recorded at least 345 new cases of torture and ill-treatment." <https://news.vice.com/article/the-icc-will-investigate-potential-war-crimes-in-burundi-after-a-year-of-violence>; <http://www.africanews.com/2016/04/19/torture-and-illegal-detention-on-the-rise-in-burundi-un-rights-chief/>; http://www.nytimes.com/2016/04/19/world/africa/burundi-is-torturing-prisoners-in-crackdown-on-dissent-united-nations-says.html?_r=0

International Criminal Tribunal for Rwanda. *New Times* published an editorial again urging that the archives of the International Criminal Tribunal for Rwanda be transferred to Rwanda. It noted that the UN "claims that the move would put some witnesses at risk, among other reasons," but argued that the "continued refusal to transfer the records to Rwanda only serves the interests of Genocide deniers, apologists and their sympathisers." <http://www.newtimes.co.rw/section/article/2016-04-13/198907/>

United Nations. In a revealing speech to the UN Commission on Population and Development, Secretary-General Ban Ki-moon said governments must gather census data and use it to understand demographic change to help develop effective plans, provide optimal public health service, and end inequality. Then he added, "When I was born, my parents didn't record the date of my birth." *The Shanghai Daily* reported that Ban and his wife's passport dates of birth are different from their real birth dates and Ban "urged all countries to have archives of these [birth] records and guarantee the rights of citizenship and identity to all." http://www.shanghaidaily.com/article/article_xinhua.aspx?id=326562

At the request of the government of Cyprus, the UN is opening the archives of the United Nations Peacekeeping Force in Cyprus, reported *Cyprus Mail*, and that the government "also received assurances that decisions [on access] would be taken over UN records in New York" relating to Cyprus and the missing persons there. The Greek Cypriot member of the Committee on Missing Persons said that although the Council of Europe in March urged Turkey to provide information on missing persons, the cooperation "is idle." Cypriot Archbishop Chrysostomos said it "would honour Turkey" if its army "provided relevant information." <http://cyprus-mail.com/2016/04/18/unfiyp-archives-opened-up-to-aid-search-for-missing/>

World/general news.

Business records. Records of mining companies received a lot of attention in April. The Global Initiative Against Transnational Organized Crime, a nongovernmental organization, "carried out desk and field research in Latin America between February and December 2015 in order to investigate links between organized crime and illegal gold mining and to explore the manner in which the nexus between organized crime and illegal gold mining funds criminal and terrorist groups, facilitates money laundering and corruption, forcibly displaces local populations, speeds environmental destruction and creates situations of labour exploitation, labour trafficking, and sex trafficking." The researchers used "original data provided by the United Nations Statistical Division (COMTRADE dataset)," a world trade database called BACI "that reconciles the declarations of the exporter and the importer," and customs data from importing countries U.S., Switzerland and Canada. <http://www.globalinitiative.net/download/global-initiative/Global%20Initiative%20-%20Organized%20Crime%20and%20Illegally%20Mined%20Gold%20in%20Latin%20America%20-%20April%202016%20%28web%29.pdf>

The *New York Times* printed a long story on the eleven Guatemalan women who brought a lawsuit against Hudbay Mineral Inc., a "vast Canadian mining, oil and gas industry," claiming that they were gang-raped by men who came to evict them from land where the company said it had rights to mine. The lawyers for the women argued that the "Canadian parent company was negligent for failing to put an effective monitoring system in place to understand what its Guatemalan subsidiary was doing." The women's

lawyers expect to receive “thousands of pages of internal documents” from Hudbay.

<http://www.nytimes.com/2016/04/03/world/americas/guatemalan-womens-claims-put-focus-on-canadian-firms-conduct-abroad.html? r=2>

Also in Guatemala, on March 10 the license authorizing the U.S. company Kappes, Cassiday and Associates (KCA) to mine gold at Progreso VII, Derivada, was revoked by the country’s Ministry of Energy and Mines. However, reported the *Reno Gazette-Journal*, “eyewitness reports backed by photos and video taken as recently as March 29 show that KCA continues to operate.”

<http://www.rgj.com/story/opinion/voices/2016/04/11/one-view-guatemala-mine-owned-nevada-firm-operating-outside-law/82915918/>

Finally, in the U.S. State of West Virginia, a coal mine operator who had audio taped his meetings and telephone conversations and “received production reports every 30 minutes,” was sentenced to only a year in prison for conspiring to violate federal mine safety standards, reported the *New York Times*. An explosion in one of his mines killed 29 men in 2010. For background, see *HRWG News* 2015-10.

<http://www.nytimes.com/2016/04/07/us/donald-blankenship-sentenced-to-a-year-in-prison-in-mine-safety-case.html? r=0>

Many prominent people around the world who were cheating on their taxes were exposed when more than 11 million internal records from a law firm in Panama were obtained by the International Consortium of Investigative Journalists, the German newspaper *Suddeutsche Zeitung* and other media partners. The Center for Economic and Social Rights, a nongovernmental organization, urged governments to agree “to the automatic exchange of taxpayer information” and to establish a “public registry of ultimate beneficial ownership of assets held” in the country. <http://cesr.org/article.php?id=1834>

VICE News reported that the “Panama papers” included information on a company named the International Art Center and on other “well-known art collectors with companies registered” through the work of the law firm. The “firm’s records mention enough art to fill a small museum” and may provide evidence for an ongoing legal battle over a painting by Amedeo Modigliani that the grandson of a Jewish art dealer believes the Nazis looted from his grandfather. <https://news.vice.com/article/how-the-panama-papers-exposed-secrecy-in-the-art-market>

And speaking of Nazi looted art, the *New York Times* ran an article by a woman who is wondering whether her family owns a painting looted by the Nazis. For four years she has been trying to “reconstruct the painting’s provenance” in order to sell it but has been unsuccessful: “The Nazis were superb record keepers. But not good enough to help me settle whether this work came out of Europe via theft or honest transaction.” <http://www.nytimes.com/2016/04/10/arts/design/does-my-family-own-a-painting-looted-by-nazis.html? r=0>

Climate change. Using evidence gathered from published reports, “industry histories, scientific articles, oral testimonies, patents,” and government records, the Center for International Environmental Law, a nongovernmental organization, and *Inside Climate News* found that “the risks of climate change were being discussed in inner circles of the oil industry in the 1960s, earlier than previously documented.” Several attorneys general in U.S. States now “have begun investigating how much the oil companies knew about climate change and what they decided to do with their knowledge.” <http://insideclimatenews.org/news/13042016/climate-change-global-warming-oil-industry-radar-1960s-exxon-api-co2-fossil-fuels>

Medical records. The U.S. National Academies of Sciences, Engineering and Medicine published a summary of its workshop, “The Promises and Perils of Digital Strategies in Achieving Health Equity.” It concluded that since technology is capable of changing how people interact with the health care system and gain health information, “if technologies can be developed and implemented to improve access and enhance quality for members of all population groups, the ongoing transformation of health care could reduce racial and ethnic health disparities while improving health care for all.”

<http://www.nationalacademies.org/hmd/Reports/2016/Promises-and-Perils-of-Digital-Strategies-in-Achieving-Health-Equity.aspx>

Privacy. A student at the Rodchenko Art School in Moscow photographed “about 100 people who happened to sit across from him on the subway” and then “used FindFace, a facial-recognition app that taps neural-network technology, to try to track them down on Russian social media site VK,” reported *IDG News Service*. He learned it “was ridiculously easy to find 60 to 70 percent of the subjects aged between 18 and 35 or so . . . although for older people it was more difficult.” The executive director of the nongovernmental organization Privacy Rights Clearinghouse said “facial-recognition technology is one of

the top three privacy issues of our time.” <http://www.pcworld.com/article/3055305/analytics/your-face-is-big-data-the-title-of-this-photographers-experiment-says-it-all.html>

War casualty data from Syria and Iraq. The U.S. Congressional Research Service published a helpful report on the methodological challenges of determining war casualties in Syria and Iraq. Looking at twelve groups currently tracking casualties in Syria and the numbers they report shows the difficulties of collecting the data and the difference that makes in the casualty counts.

<http://www.fas.org/sgp/crs/mideast/IN10474.pdf>

Bilateral and multilateral news.

Algeria/France. During a French delegation visit to Algiers, Algeria’s minister of the Moudjahidine and the French minister for Anciens combattants et de la Memoire again discussed the restitution to Algeria of the French archives of the Algerian war of independence, dossiers on the persons still missing from war of independence, and the records of damage from atomic testing in the south of Algeria, reported *El Moudjahid*. For background, see *HRWG News* 2016-01. <http://www.elmoudjahid.com/fr/actualites/93051>

Canada/Japan. In an article illustrated by items from Library and Archives Canada, *The Daily Beast* reported on forced repatriation after World War II: “[N]early 4,000 Japanese Canadians—close to one-fifth of the total population—were ‘repatriated’ or deported to an impoverished and war-devastated Japan.” Over half of those deported “were Canadian citizens born in Canada, and of this group, one-third were dependent children under the age of 16.” <http://www.thedailybeast.com/articles/2016/04/10/canada-hounded-japanese-even-after-wwii.html>

Chile/Germany. “Germany is declassifying its [1986-1996] files on Colonia Dignidad, a sect in Chile run by a Nazi pedophile,” reported *AFP*. During the dictatorship of Augusto Pinochet, Chile’s secret police used the colony; the director of the colony was convicted for human rights violations. Lawsuits are pending, one by former residents “against the Chilean state for allowing the camp to operate for years” and one against Germany “for failing to help its nationals who were abused in the colony.”

<http://www.timesofisrael.com/germany-opens-files-on-chile-sect-run-by-nazi-pedophile/>

Czech Republic/Russia/Ukraine. In Ukraine, the archives of the Soviet secret police agencies from the Security Service, Interior Ministry, Defense Ministry and other military and civil defense structures will be transferred to the Public Archive of the Ukrainian National Memory Institute by May 2017 to create “a single open-access archive,” reported *Euromaidan Press*. In addition, the Czech Republic is transferring to Ukraine “documents relating to the actions of Czechoslovakian special service agencies against the Organization of Ukrainian Nationalists, while the Ukrainian side is transferring archival material regarding criminal cases against former residents of Czechoslovakia repressed by the Soviet totalitarian regime.”

<http://euromaidanpress.com/2016/04/11/ukraine-prepares-to-make-soviet-kgb-archives-available-online/#arvlbdata>

France/Rwanda. In April 2015 the French government announced that its records relating to the 1994 genocide in Rwanda would be made available to researchers, victims associations and the general public. However, the archives of the Francois Mitterrand presidency relating to Rwanda remain for the most part closed, reported *FranceInter*. <http://www.franceinter.fr/depeche-genocide-rwandais-les-archives-de-l-elysee-toujours-inaccessibles>

Indonesia/United States. Human Rights Watch (HRW) said “the United States must disclose information contained in its confidential archives related to the 1965-66 anti-communist massacres [in Indonesia], as high-ranking Indonesian officials repeatedly said they do not have enough witnesses or evidence to bring those responsible for the massacre to justice,” reported the *Jakarta Globe*. The Indonesian Commission for Human Rights wrote to U.S. President Barack Obama requesting the disclosure, but, said the director of HRW, “the Indonesian government needs to add its voice for the U.S. government to open the archives.” See also Indonesia below. <http://jakartaglobe.beritasatu.com/news/us-must-open-archives-1965-66-massacre-human-rights-watch/>

Islamic State. The *New York Times* reported: “Somewhere, there is a digital archive containing the portraits of the Islamic State’s network of fighters in Europe. The image of each fighter was stored in this database months before last year’s attack in Paris, and after each new terror strike, the group has reached

into it and released the photographs.” <http://www.nytimes.com/2016/04/14/world/middleeast/in-online-magazine-isis-paints-a-portrait-of-brussels-attackers.html? r=0>

Israel/Palestine. “Interviews with [Palestinian] children who have been detained, video footage, and reports from lawyers reveal that Israeli security forces are using unnecessary force in arresting and detaining children,” reported Human Rights Watch. “According to the Palestinian children’s rights group DCI-Palestine and the Israeli human rights group B’Tselem, which rely on information from the Israeli Prisons Authority, the number of Palestinian children arrested in the West Bank since October, when the violence increased, has risen by 150 percent relative to a year ago.” <https://www.hrw.org/news/2016/04/11/palestine-israeli-police-abusing-detained-children>

Israel/Rwanda. Israel’s Supreme Court ruled that “records documenting Israel’s arms sales to Rwanda during the 1994 genocide there will remain sealed and concealed from the public,” reported *The Times of Israel*. The justices cited Section 9 of Israel’s Freedom of Information Act which allows the withholding of information if “there is a concern over harming national security, its foreign relations, the security of its public or the security or well-being of an individual.” The state’s evidence in the case is also sealed. <http://www.timesofisrael.com/records-of-israeli-arms-sales-during-rwandan-genocide-to-remain-sealed/>

United Kingdom/Northern Ireland/United States. Just when it seemed to be all over, the British government has issued a new subpoena to Boston College “seeking access to taped interviews given by former IRA [Irish Republican Army] prisoner Dr. Anthony McIntyre,” reported *The Irish Times*. For background to this long controversy, see *HRWG News* 2015-05 and 10. <http://www.irishtimes.com/news/ireland/irish-news/boston-college-subpoenaed-for-anthony-mcintyre-interviews-1.2624190>

National news.

Australia. The Royal Commission into Institutional Responses to Child Sexual Abuse issued a consultation paper on Out of Home care in March which addressed both information sharing and access to records. The Australian Society of Archivists made a helpful response on preservation of and access to these care records that have human rights implications. <http://www.archivists.org.au/documents/item/787>

The Australian Privacy Foundation called the government’s decision to store all Australians’ names and address data collected by the census for four years “Orwellian,” reported *delimitter.com*. In many countries census data is a great source for researchers, including those working on family histories, which would not be possible if the identifying information is deleted. <https://delimitter.com.au/2016/04/14/australian-privacy-foundation-slams-orwellian-census-data-retention/>

Bangladesh. The New York University Center for Business and Human Rights published a research report on Bangladesh’s garment sector. After the collapse of the Rana Plaza factory in April 2013 left almost 1200 garment workers dead, the factories made formal agreements to improve worker safety and rights. However, the Center found only about 27% of the more than 7000 garment factories in Bangladesh are of a size to be covered by the agreements (thereby excluding about 3 million workers) and even in the larger factories “labor rights enforcement failure remains widespread.” For its research, the Center used the government’s factory database, two trade association websites and factory registers and the monthly publications of the factories that signed the agreements: a total of more than 11,000 factory records. <http://news.trust.org/item/20160420154502-t8mo0/>

Bosnia. The government of the Federation of Bosnia and Herzegovina (one of Bosnia’s two entities) plans to “create a commission to assess whether victims of war rape in the 1990s are entitled to compensation,” reported *BIRN*. The Federation recognized rape victims as war victims in 2006, but under “current legislation, to obtain recognition as a victim of war, whoever has suffered from a wartime rape must be examined by an Institute for Medical Report.” Critics say this kind of procedure “has little justification more than 20 years after the war ended.” http://www.balkaninsight.com/en/article/bosnia-s-federation-to-establish-commission-on-war-rapes-04-15-2016?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=533058d446-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-533058d446-319755321

Brazil. In the early 1980s, Brazilian photographer Claudia Andujar began taking pictures of the Yanomami people of the Amazon rainforest “to be used for immunization records. With two doctors, she spent three years photographing the villagers one by one to identify them for health cards because the Yanomami people do not have names,” reported *Thomson Reuters Foundation*. Hoping to educate people about the threat to the Yanomami “by a proposed constitutional amendment that would enable changes to the boundaries of current Indian reserves and allow private sector involvement in agriculture, mining and other projects,” Andujar has put 500 of her photographs on display in a gallery in Minas Gerais.
<http://news.trust.org/item/20160405170711-alsap/>

Burkina Faso. Using data from UNICEF, Amnesty International reported that half of the girls aged 15 to 17 in the northern Sahel region are married. Although forced marriage is illegal, “the law applies only to state-registered marriages, rather than the religious and traditional ceremonies which account for most of Burkina Faso’s forced and early marriages,” reported *Thomson Reuters Foundation*.
<http://news.trust.org/item/20160426110527-vx6lk/> for the report <https://www.amnesty.org/en/documents/afr60/3851/2016/en/>

Canada. The Ontario Court of Appeal ruled that the records of the Independent Assessment Process (IAP) that adjudicated claims from 38,000 persons who sought compensation for their treatment in residential schools are not government records, “that it should be left up to the individual survivor on whether they wish to have their material archived or not,” and if the survivor does not ask that the material be saved, it can be destroyed, reported *The Star*. The Court split 2-1 on the decision, with the dissenting judge concluding that the material is government records and arguing, “If the IAP documents are destroyed, we obliterate an important part of our effort to deal with a very dark moment in our history.”
<http://www.thestar.com/news/gta/2016/04/04/evidence-on-abuse-at-residential-schools-can-be-destroyed-court-rules.html>; decision at <http://www.ontariocourts.ca/decisions/2016/2016ONCA0241.htm>

For over 60 years after 1885, First Nations people could not leave their reserves without written permission: a pass. A documentary film on the pass system was released in 2015, stimulating interest in the historical records of the pass regime. According to *The Star*, the filmmaker said he found a 1941 letter, apparently at Library and Archives Canada, “ordering all passes to be returned to Ottawa for destruction.” A spokeswoman for Indigenous Affairs and Northern Development Canada wrote to *The Star*, “Historical records were disposed of as a result of normal government-wide record keeping reduction exercise throughout the past century.” She added, “Some records that were considered administrative or unnecessary at one time may be considered to have historical value that was not previously understood or anticipated. Other records were destroyed accidentally (fire, flooding, etc.)” The International Council on Archives’ *Basic Principles on the Role of Archivists and Records Managers in Support of Human Rights* states that there is an archival responsibility to consider human rights issues when deciding whether or not to retain records. <http://www.thestar.com/news/canada/2016/04/27/ottawa-acknowledges-some-records-of-pass-system-were-destroyed-before-historical-value-known.html>

The chief judge of the British Columbia Provincial Court said “online access to cases in which a person was not convicted of a crime should be limited,” reported *The Globe and Mail*, but “information regarding acquittals, dismissals, withdrawals and stays of proceedings will continue to be available for journalists who visit a court registry in person,” privileging researchers living near the court or with money to travel to it. <http://www.theglobeandmail.com/news/british-columbia/restrict-online-access-to-court-cases-not-resulting-in-conviction-bc-judge-says/article29602849/>

Egypt. Using information provided by the nongovernmental organization Egyptian Coordination for Rights and Freedoms, Human Rights Watch reported that “at least 7,420 Egyptian civilians” have been tried by military courts since October 2014. Mass trials are used by the government, and the “list provided to Human Rights Watch documented 324 cases, identifying defendants by name, sex, home governorate, and case number, and in many cases by profession and age. The largest case involved 327 defendants.”
<https://www.hrw.org/news/2016/04/13/egypt-7400-civilians-tried-military-courts>

Guatemala. A Guatemalan congressman, Baudilio Hichos, is under investigation for corruption and is also linked to a police unit “responsible for murders, torture, and disappearances during the country’s 35-year civil war,” reported *Nomada*. In the National Police Archives, *Nomada* “found documents that describe how the ‘white van unit’ operated” (a unit that was “responsible for capturing, disappearing, torturing, and

killing suspected guerrillas”). For nearly 12 years the congressman was a member of the Treasury Guard force that directed the “white van” campaign. <http://www.insightcrime.org/news-analysis/guatemala-congressman-tied-to-police-death-squad>

Honduras. The newspaper *El Heraldo* revealed conclusions and excerpts from documents from case files gathered by Honduran investigators into the assassination of the top antidrug official in Honduras in 2009 and the assassination two years later of the antidrug czar’s top advisor. Both investigations concluded that the chief suspects were the same high-ranking police commanders, aided by lower-ranking officers, reported the *New York Times*. At the end of April more than two dozen police commanders were fired. The Organization of American States has sent in an anticorruption commission, and the group said the first case it will take up will be the March assassination of environmental activist Beata Caceres. For background see *HRWG News* 2016-03. <http://www.nytimes.com/2016/04/16/world/americas/files-suggest-honduras-police-leaders-ordered-killing-of-antidrug-officials.html?action=click&contentCollection=Americas&module=RelatedCoverage®ion=EndOfArticle&pgtype=article>

India. *The Times of India* reported that with the release of the latest tranche of government records relating to Netaji Subhas Chandra Bose, it is now clear that “some files, including a proposal to keep Bose’s ashes in a memorial at Delhi’s Red Fort, were either not ‘readily traceable’ or ‘destroyed.’ Most of the files are likely to have been destroyed in the 60s and 70s.” For background on this long-running case, see *HRWG News* 2016-01. <http://timesofindia.indiatimes.com/india/Congress-governments-destroyed-Netaji-files-Declassified-papers/articleshow/51608387.cms>

“India’s western state of Maharashtra has traced the largest number of missing children in the country as part of a national campaign to find them,” reported *Thomson Reuters Foundation*. More than 12,000 have been traced since January 2015; in a stunning demonstration of the inadequacy of the government’s records on missing children, in Maharashtra “first information reports – the first step to an investigation – had been filed with the police for less than a quarter of the children found.” <http://news.trust.org/item/20160408000347-8un8/>

In January the government of Jammu and Kashmir said its department archives had had no “regular accessions” since 1947; in April, said *Kashmir Reader*, the government “said that no government document, including the ones documenting cabinet decisions, [had] been preserved in the state’s archives for the past 31 years.” The minister for finance and culture instructed government officers: “I want to see from now every cabinet decision, every government order of structural importance and other important documents archived.” <http://kashmirreader.com/2016/04/official-documents-cabinet-decisions-not-archived-since-1985/>

Indonesia. President Joko Widodo instructed his government “to begin gathering information about mass graves that are said to be scattered across the Indonesian archipelago” from the purges of 1965-66 when hundreds of thousands of people are believed to have been killed by the Indonesian military “and others,” reported the *New York Times*. The nongovernmental organization Commission for Missing Persons and Victims of Violence (KONTRAS) said it has “evidence of at least 16 mass graves containing as many as 40 bodies each.” The government has been asking groups for their research on the period, but KONTRAS’s director is wary, asking, “How will the data be used?” http://www.nytimes.com/2016/04/27/world/asia/indonesia-1965-massacre-graves.html?_r=2

KONTRAS told *Radio New Zealand News* that human rights in Papua are not improving, with abuses “often made by security forces against Papuans for exercising their right to freedom of expression, freedom of assembly and movement.” The director said KONTRAS data shows that last year “more than 1,200 people suffer[ed] from harassment, killings, torture and ill-treatment.” <http://www.radionz.co.nz/international/pacific-news/301234/indonesian-rights-body-notes-rampant-rights-abuses-in-papua>

Iran. Tehran’s chief of police announced that he was “deploying 7,000 men and women as an ‘invisible, unobtrusive force’ on Tehran’s streets to report on infractions of the Islamic moral code,” Haleh Esfandiari wrote in the *Wall Street Journal Think Tank Blog* (Esfandiari, an Iranian-American intellectual, was imprisoned in Iran for 110 days in 2007). “These agents would not have arrest powers . . . but would have cellphones and could take pictures of car license plates, for example, that they would send to police, who would impose fines.” http://blogs.wsj.com/washwire/2016/04/29/in-iran-a-telling-uproar-over-undercover-police-force-for-moral-code/?mkt_tok=eyJpLjoiWIRrd05EZ3pNelF3TjJFeCIsInOiOiJQUk3dll5eWZoMU0wZmdyREhPckErUmRTcWd0NVFKSXNYTnJBaWthUEU2TWZKzejVaMzNjWnk3enZZblhGVVhRQ0kzOVZueUIPNk5wd2tONjNleXpIQnEzMXZMNHlhaDc4V2NseGZrZnp5bz0ifQ%3D%3D

Israel. Israel's State Archives announced that before it puts digitized documents on line in the future, the documents "will be subject to review by the country's military censorship apparatus." Furthermore, once the documents are available digitally, the use of paper files will be ended, even though "a mere 2.5 percent of the 400 million documents in the archive" have been digitized, reported 972. Researchers can ask for digitization of materials they want to research. <http://972mag.com/the-end-of-history-at-israels-state-archives/118541/> and <http://972mag.com/israels-state-archivist-opens-up-about-censorship-digitization/118567/>

Macedonia. The president pardoned all politicians facing criminal investigations, reported *BIRN*. The Special Prosecution, formed last autumn in the wake of a crisis over apparently illegal wiretapping and the leak of recordings, was investigating "former ministers and high state officials" for bribery, torture of political opponents, illegal destruction of police surveillance equipment and "falsifying personal identification documents and breaches of electoral rights." For background, see *HRWG News* 2015-09. <http://www.balkaninsight.com/en/article/macedonia-president-abolishes-incriminated-politicians-04-12-2016>

Mali. The Truth, Justice and Reconciliation Commission has been working for six months and is ready to open its regional offices, reported the International Center for Transitional Justice, a nongovernmental organization. It has "drafted statement-taking forms" and "is currently working in collaboration with civil society organizations and human rights defenders to draft their preliminary mapping report, building upon the extensive documentation on past violations that they have already produced." It plans to refer to "judicial authorities" any "cases that cannot be the subject of reconciliation measures, or in which the victims openly ask for retribution." <https://www.ictj.org/news/mali-truth-justice-reconciliation-commission-peace>

Mexico. The Group of Experts appointed by the Inter-American Commission on Human Rights to provide technical assistance in the investigation of the case of the 43 disappeared students from Ayotzinapa Normal School presented its final report and screened video clips of the Mexican government investigation. The Mexican government declined to ask the Group to continue its work. The report "highlights the various ways the Mexican government impeded the investigation and obstructed justice, including the strong possibility that evidence was tampered with and suspects were tortured to coerce confessions," reported the Washington Office on Latin America. Many findings and recommendations relate to records; this one stood out: "Although Mexico is transitioning to an adversarial judicial system, many states and the federal government continue to rely on a written legal system, which requires documentation of any procedure. Excessive paperwork can hinder the process and makes it difficult to understand the content of a criminal investigation. The Experts highlight that in the case of Ayotzinapa, the file has 188 volumes, each having between 500 and 1500 pages." For the report, see <https://drive.google.com/file/d/0B3wuz7S3S9urNFFIZUNMSldQUik/view?pref=2&pli=1>; for the WOLA commentary on key points http://www.wola.org/commentary/case_of_the_43_disappeared_students_key_points_from_the_group_of_experts_final_report?blm_aid=24246

A video showing federal police officers and soldiers repeatedly placing a plastic bag over the head of a woman in custody and threatening to kill her "went viral," said Human Rights Watch. The Mexican defense secretary, in a speech to the members of the Armed Forces, apologized for the actions. The Federal Attorney General's Office received more than 2,400 complaints alleging torture in 2014; however, the United Nations special rapporteur on torture said in a 2015 report that the government "reported only five convictions for torture between 2005 and 2013." <https://www.hrw.org/news/2016/04/21/mexico-response-torture-video-falls-short>

Nepal. On April 17 the Commission of Investigation on Enforced Disappeared Persons and the Truth and Reconciliation Commission began taking complaints from victims of the 1996-2006 armed conflict. Complaints will be accepted for only 60 days; the first day 125 complaints were received (according to the *Kathmandu Post*) and 2,344 by 28 April (according to the International Crisis Group). <http://kathmandupost.ekantipur.com/news/2016-04-18/transitional-justice-now-trc-starts-registering-cases.html>; <http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx?CountryIDs=%7b51A978D8-CC9E-4FAF-950F-CD7C18A1BDB4%7d#results>

Oman. PEN International sent out a notice that Omani writer and film-maker Abdullah Habib was detained on 15 April "probably in connection with a Facebook post he wrote calling for the government to reveal the

burial sites of rebels executed during the Dhofar rebellion (1962-1976).” He was released on May 4, no charges having been brought. <https://pen.org/rapid-action/2016/04/29/oman-prominent-artist-released-detention> .

Pakistan. The Punjab Police Force is beginning to digitize all records and documents, reported *Newsweek Pakistan*. The central database “will contain information on all 720 police stations in the province, as well as the bio-data of the policemen deputed to them.” The deputy inspector general said that by “upgrading to a digital system . . . police will ensure no one falls through the cracks.” <http://newsweekpakistan.com/punjab-police-2-0/>

Philippines. It is difficult for citizens to exercise their right to know what their government has done if they do not know where the archives are. As the Benigno Aquino, Jr., presidency is about to end, the *Philippine Daily Inquirer* published an article by an historian who listed the scattered records of Philippine presidents—all of whom seem to have considered them personal papers not government property—and asked what will happen to the “mountain of documents that detail the six years” of Aquino’s presidency and what will be discarded. <http://opinion.inquirer.net/94478/mining-treasure-in-presidential-papers>

Qatar. Amnesty International researchers visited Qatar three times and interviewed 234 migrant workers working for companies building the sports complex for the 2022 FIFA World Cup games. Amnesty also “engaged in detailed correspondence with the companies who employed the migrant workers interviewed, and reviewed publicly available documentation to establish certain facts regarding contracts and sub-contracts.” The report says there is “systematic abuse” of migrant workers, with blame shared by FIFA, the government of Qatar, and the companies and organizations in the contracting chain. <https://www.amnesty.org.uk/sites/default/files/mde2235482016english.pdf>

Romania. The interim General Prosecutor is reopening an inquiry into the deaths (estimated at 1,166) during the protests in 1989 that brought down the communist regime of Nicolae Ceausescu. A 1990 investigation by the Military Prosecutor led nowhere; in October 2015 “Romanian prosecutors closed all files related to the 1989 events saying they had no evidence to prosecute anyone,” reported *Balkan Insight*. All previous investigation records should be available to the new inquiry. <http://www.balkaninsight.com/en/article/romania-to-investigate-deaths-over-1989-protests-04-07-2016>

Russia. The Kremlin published a transcript of a meeting between President Vladimir Putin and Andrei Artizov, the head of the Federal Archive Agency. The President said that the archives “are of particular value for the country, and it is for this reason that we have decided to bring the Federal Archive Agency under direct subordination to the President.” Artizov said that a recent law reduces “the time that documents related to personal data can be kept” from 75 to 50 years. <http://en.kremlin.ru/events/president/news/51635>

Serbia. “The Serbian army and police are systematically obstructing public access to information that could expose their officers’ involvement in wrongdoing during the 1990s war,” wrote *BIRN*. In response to *BIRN*’s requests, they said they didn’t have the information requested or didn’t have a document on the topic or that a “notebook” was not an official document. A report, “State Secrets Prevail over the Right to Truth” by the Humanitarian Law Center says “these documents were not just denied to researchers and NGOs but also to the government bodies responsible for prosecuting war crimes.” http://www.balkaninsight.com/en/article/serbian-ministries-block-public-access-to-war-files-04-07-2016?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=0a358bb2d4-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-0a358bb2d4-319755321

BIRN also reported that the First Basic Court in Belgrade ordered the Humanitarian Law Centre (HLC) to pay 550,000 dinars (just under 5,000 euros) to the chief of the Serbian Army for the “mental distress caused by the damage to his honor and reputation” by a report published by HLC in 2012. That report said that when he was commander in western Serbia in 1994 and 1995, he turned captured Bosniaks over to the Bosnian Serb force who executed them. The report was based on “credible evidence and numerous witnesses, including documents from the International Criminal Tribunal for the Former Yugoslavia, media reports, and material from the Serbian defence ministry website.” http://www.balkaninsight.com/en/article/belgrade-rights-group-slam-verdict-against-serbian-general-04-12-2016?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=dd39b0124a-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-dd39b0124a-319755321

South Africa. “South Africans whose land was confiscated under racist laws in the apartheid era have lodged more than 27,000 legal claims” at mobile claims offices in six busses and four-wheel-drive trucks that are travelling in rural areas, reported *Thomson Reuters Foundation*. The vehicles “contain electronic equipment to register claims on site.” <http://news.trust.org/item/20160428142502-v9o6d/>

The Department of Justice released to the nongovernmental South African History Archive (SAHA) a complete copy of the Truth and Reconciliation Commission’s Victims Database, SAHA reported. It hopes to be able to make the database available to the public, following archival processing, by the end of the year. http://www.saha.org.za/news/2016/April/press_release_trcs_victims_database_released_by_the_department_of_justice.htm

South Korea. South Korea’s Ministry of Justice announced that it will “set up an in-house archive to keep complete tabs on North Korea’s human rights violations, so as to hold those responsible for abuses accountable in the future,” reported *The Korea Herald*. The Ministry of Unification will transfer the records it has collected from North Korean defectors to the new archives. <http://www.koreaherald.com/view.php?ud=20160410000075>

Syria. *The New Yorker* published a long, detailed article whose title says it all: “The Assad Files: Capturing the top-secret documents that tie the Syrian regime to mass torture and killings.” www.newyorker.com/magazine/2016/04/18/bashar-al-assads-war-crimes

Turkey. Three academics “who signed a peace petition in January 2016 have been jailed,” 30 more dismissed from their posts and 27 suspended by their universities, reported Human Rights Watch (HRW). “The Istanbul prosecutor responsible for terrorism crimes is conducting a criminal investigation into all the academics who signed the petition.” (Over 2000 signed the petition, which called for resumption of peace talks with the Kurdish party the PKK.) One of the suspended professors told HRW that after she signed the petition, “police searched her home and office at the university and took copies of her computer hard drive and other belongings.” <https://www.hrw.org/news/2016/03/16/turkey-academics-jailed-signing-petition>

United Kingdom. The U.K. Business Secretary announced that the government plans “to privatize the 140-year-old UK Land Registry,” reported *Thomson Reuters Foundation*. The registry holds “around 24 million titles to properties across England and Wales.” A former Chief Land Registrar is opposed, arguing that public ownership of the registry “is vital to transparency.” <http://news.trust.org/item/20160414154240-q8m7x/>

The Guardian reported, “Britain’s intelligence agencies have been secretly collecting bulk personal data since the late 1990s and privately admit they have gathered information on people who are ‘unlikely to be of intelligence or security interest’.” The disclosure came from “a cache of more than 100 memorandums, forms and policy papers, obtained by Privacy International during a legal challenge over the lawfulness of surveillance.” <http://www.theguardian.com/world/2016/apr/21/uk-spy-agencies-collected-bulk-personal-data-since-1990s>

United Kingdom/Northern Ireland. Giving evidence to the Northern Ireland Affairs Committee, the Victims Commissioner said “national security should not be used to hide uncomfortable facts” and described national security as the justification for withholding information as the “elephant in the corner” that needs to be addressed, reported *BBC News*. <http://www.bbc.com/news/uk-northern-ireland-36092671>

United States. In 2014 the Central Intelligence Agency proposed to the National Archives that the Agency would destroy the email of all but 22 of its employees. The CIA has now formally withdrawn the plan, which had been condemned by lawmakers in both political parties, reported *The Hill*. A new plan is to be completed by December 31, 2016, the date by which all agencies must have a plan to manage email as Federal records. <http://thehill.com/policy/national-security/275076-cia-withdraws-plan-to-destroy-emails>

The U.S. Court of Appeals for the District of Columbia, ruling in a lawsuit brought by the American Civil Liberties Union, said the government can withhold from the public information about the specifics of drone strikes, such as dates, locations and numbers of people killed, and the memos “outlining the government’s authority to carry out the operations,” reported the *Washington Post*. https://www.washingtonpost.com/world/national-security/appeals-court-dismisses-lawsuit-seeking-access-to-records-on-lethal-drone-strikes/2016/04/21/8ae1321c-07d8-11e6-b283-e79d81c63c1b_story.html

The troubled Department of Veterans Affairs has yet another black eye. After a surprise audit at ten regional offices, the VA Inspector General found that the VA has been “systemically shredding documents related to veterans’ claims, some potentially affecting their benefits,” reported *Stars and Stripes*. The Inspector General said the VA staff lack understanding of the policy on managing paper records.

<http://www.stripes.com/ig-report-va-has-been-wrongly-shredding-documents-needed-for-veterans-claims-1.404728>

Protect Our Defenders (POD) is a nongovernmental organization “dedicated to addressing the epidemic of rape and sexual assault in the military and to combatting a culture of pervasive sexual harassment and retribution against victims.” In Congressional testimony in 2013, a senior Pentagon official said there were 93 total sexual assault cases over a two-year period which “local civilian authorities refused to prosecute” but the military later pursued (49 in Army, 28 Marine Corps, 6 Navy and 10 Air Force). POD submitted Freedom of Information Act requests to the Department of Defense for “documentation related to these 93 cases,” and got 54 from the Army and 27 from the Marine Corps. Navy said it does “not maintain such documentation,” and the Air Force and Coast Guard did not respond. POD found that “over two-thirds [of the cases provided] were not sexual assault cases declined by civilian prosecutors and later prosecuted by the military” and military commanders do not “routinely pursue sexual assault cases that prosecutors refuse.” http://protectourdefenders.com/downloads/debunked/POD_Debunked_Report.pdf

The Bureau of Alcohol, Tobacco, Firearms and Explosives runs the National Tracing Center for firearms. Gun stores are required to maintain a record of the name and contact information of every person who bought a gun along with each gun’s model, gauge or caliber, and serial number, reported *Forbes*. “If a gun store goes out of business or simply decides to stop selling guns it must send its records of gun sales to the ATF,” which is now digitizing both paper and microfilmed records and creating a database that can be searched by gun store and time period, to answer questions of who originally purchased a gun used in a crime. <http://www.forbes.com/sites/frankminiter/2016/03/28/the-atf-shows-off-its-gun-sale-record-mess-why-come-in-and-see/5/#6a09b18afb8d>

One in five killings by police in 2015 “involved officers who are not publicly identified,” reported the *Washington Post*, which has an ongoing project to track the number of persons fatally shot by the police, using both police department information and media reports. https://www.washingtonpost.com/investigations/in-fatal-shootings-by-police-1-in-5-officers-names-go-undisclosed/2016/03/31/4bb08bc8-ea10-11e5-b0fd-073d5930a7b7_story.html

The Chicago Police Accountability Task Force issued its report, which found and condemned racism in policing, based on the Chicago Police Department’s own data. Among the recommendations is a section (pages 131-136) on when to release audio and video of police “critical incidents,” particularly when death or serious injury has occurred. <http://www.chicagotribune.com/news/local/breaking/ct-chicago-police-accountability-task-force-final-report-20160413-htmlstory.html>

United States/New York. A New York hospital paid \$2.2 million to settle lawsuits brought by people who were filmed or had a relative filmed by an ABC television crew without the patient’s consent, including one person who suffered and died on camera. <http://nypost.com/2016/04/22/hospital-pays-2-2m-after-allowing-dr-oz-show-to-film-dying-man/>

Uruguay. On 28 March information was stolen from the Grupo de Investigación en Arqueología Forense (GIAF, Research Group in Forensic Archaeology of the Humanities and Educational Sciences Faculty, Universidad de la República Uruguay, Montevideo) and members of the group were reportedly threatened. GIAF was collecting data about those who disappeared under the military dictatorship (1973–1985) by excavating human remains in unmarked graves. Thank you to Antoon De Baets for this information. [Informe: La sociedad uruguaya reacciona frente al robo del laboratorio del equipo de Antropología forense](http://informe.la-sociedad-uruguaya-reacciona-frente-al-robo-del-laboratorio-del-equipo-de-Antropologia-forense); [Declaración del Consejo](http://declaracion-del-consejo)

Publications, opportunities.

Annual Report 2016 of the Network of Concerned Historians (NCH) is available at concernedhistorians.org/content/ar.html. Covering developments in 2015 and 2016, it has information from 107 countries. This is the 22nd annual report compiled by Antoon De Baets, who also published “A

Historian's View on the Right to Be Forgotten," *International Review of Law, Computing and Technology*, 2016, no. 1. <https://doi.org/10.1080/13600869.2015.1125155>

A new guide from Instituto de Políticas Públicas en Derechos Humanos de MERCOSUR provides information on archives related to the repressive processes in the Southern Cone of Latin America (Argentina, Brazil, Uruguay, Chile, Bolivia and Paraguay) in the second half of the 20th Century. <http://atom.ippdh.mercosur.int/>

The Latin American Transparency and Access to Public Information Network announced the publication in English of the *Archives Model of the Transparency and Access to Public Information Network (RTA)* http://sia.eurosocial-ii.eu/files/docs/1459413034-DT_30_EN.pdf

The Journal of Human Rights Practice published a [Special Issue on Documentation, Human Rights and Transitional Justice](#).

Reporters without Borders published its 2016 "Press Freedom Index," with Finland again ranked as the country with the most press freedom. <https://rsf.org/en/ranking>

The Kennan Institute seeks applicants from scholars who have received their Ph.D. within the past 10 years for the Billington Fellowship to conduct research on Russian history and culture, based at the Institute in Washington, D.C. for a nine-month term. The deadline for application is May 20, 2016. For information, contact kennan@wilsoncenter.org

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