

# HRWG ica

human rights working group  
international council on archives  
groupe de travail sur les droits de l'homme  
conseil international des archives

*Le 6 novembre est la Journée internationale pour la prévention de l'exploitation de l'environnement en temps de guerre et de conflit armé, le 16 novembre est la Journée internationale de la tolérance, le 20 novembre est la Journée mondiale de l'enfance, le 25 novembre est la Journée internationale pour l'élimination de la violence contre les femmes, et le 29 novembre est la Journée internationale de solidarité avec le peuple palestinien.*

## Nouvelles d'octobre 2011

Compilé par Trudy Huskamp Peterson, présidente, HRWG

Voici le numéro vingt-deux ans de la série de brèves discussions sur les articles de la Déclaration universelle des droits de l'homme (DUDH) et les fonds d'archives qui s'y rapportent.

### Déclaration universelle des droits de l'homme : Article 22.

*Toute personne, en tant que membre de la société, a droit à la sécurité sociale ; elle est fondée à obtenir la satisfaction des droits économiques, sociaux et culturels indispensables à sa dignité et au libre développement de sa personnalité, grâce à l'effort national et à la coopération internationale, compte tenu de l'organisation et des ressources de chaque pays.*

L'Inde se lance dans un projet remarquable: délivrer un numéro d'identification à chacun de ses 1,2 milliards de citoyens. Le projet est conçu pour résoudre, entre autres, le problème des personnes invisibles, comme le déclare un article sur le projet: « Des centaines de millions d'Indiens sont à peine visibles à l'Etat: ils n'ont soit aucun ID du tout ou une forme précaire de celui-ci, délivré par les autorités locales. Par conséquent, ils ne peuvent pas ouvrir facilement un compte bancaire ou acheter des cartes SIM pour le téléphone cellulaire, et *ils ne peuvent pas s'assurer de recevoir les services de l'État auxquels ils ont droit* » (italique rajouté). C'est exactement ces services de l'Etat que les articles 22 à 27 de la Déclaration définissent comme obligations humanitaires de l'État.

[http://www.newyorker.com/reporting/2011/10/03/111003fa\\_fact\\_parker](http://www.newyorker.com/reporting/2011/10/03/111003fa_fact_parker)

Les rédacteurs ont conçu l'Article 22 comme une introduction globale aux droits économiques, sociaux et culturels, que le Centre régional d'information des Nations Unies pour l'Europe occidentale, a appelé la « pierre angulaire » de cette section de la Déclaration. Le débat sur l'opportunité et la manière d'inclure ces droits dans la Déclaration a été vigoureusement contesté, selon le récit de l'histoire du processus de rédaction qu'a fait Johannes Morsink. Certains

délégués ont fait valoir que les droits politiques et civils avaient été reconnus depuis le 18<sup>ème</sup> siècle, mais que le concept de droit social, économique et culturel était un développement du 19<sup>ème</sup> siècle et a donc eu besoin d'être souligné par son inclusion dans la Déclaration. Le Comte Carton de Wiart, le délégué de la Belgique, a, par exemple, pris cette position en disant que l'Article 22 "a introduit de nouvelles idées, tandis que les articles précédents ont ravivé les idées exprimées dans la Déclaration des droits de l'homme et du citoyen de 1789 et de l'American Bill of Rights". Eleanor Roosevelt, la présidente du comité de rédaction et veuve du président américain Franklin Roosevelt, a fait valoir que la déclaration "doit énoncer les droits de l'homme et non pas les obligations des Etats". Hernan Santa Cruz du Chili n'était pas d'accord, et a affirmé : «Comme ces droits [sociaux] différaient de tous les autres droits en ce qu'ils appellent à une action positive de la part de l'État, avant de pouvoir être appréciés, il était tout à fait approprié d'imposer une obligation définie à l'Etat à cet égard."

Les arguments en faveur de l'inclusion de ces droits et pour obliger les États à prendre des mesures pour assurer leur réalisation, ainsi que l'Article 22 ont été adoptés. Un guide pour les questions relatives aux droits de l'homme, élaboré par l'Institut Levin à la State University de New York, souligne que l'Article 22 est "remarquable" car (1) il « considère que les droits économiques, sociaux et culturels contribuent à créer les conditions de base nécessaires pour la réalisation de la dignité humaine, ce que l'Article 1 avait établi comme fondement de tous les droits de l'homme », (2) il « appelle non seulement à l'action nationale pour garantir ces droits, mais aussi à la "coopération internationale" », et (3) il « reconnaît que les pays ont différentes capacités » pour atteindre les objectifs de la

Déclaration.<http://www.humanrightseducation.info/hr-materials/the-universal-declaration-of-human-rights/220.html>; Morsink, *The Universal Declaration of Human Rights: Origins, Drafting and Intent*, pp. 222-232; [http://www.globalization101.org/issue\\_sub/humanrights/ideahumanrights/universal\\_declaration\\_of\\_human\\_rights](http://www.globalization101.org/issue_sub/humanrights/ideahumanrights/universal_declaration_of_human_rights)

Les droits énoncés à l'Article 22 ont été intégrés par la suite dans un certain nombre de traités internationaux et régionaux des droits humains. En 1966, l'idée du "droit de chacun à la sécurité sociale, y compris les assurances sociales» a été incluse dans l'Article 9 du Pacte international relatif aux droits économiques, sociaux et culturels. Le Conseil économique et social des Nations Unies a adopté en 2007 l'Observation générale n° 19, « Le droit à la sécurité sociale ». Il fait valoir que chaque État doit adopter une "stratégie de sécurité nationale et un plan d'action visant à réaliser le droit à la sécurité sociale" à moins que l'État ne dispose déjà d'un « système complet de sécurité sociale en place ». La stratégie de sécurité nationale doit "être basée sur les principes de responsabilité et de transparence", et souligne que "l'indépendance de la justice et la bonne gouvernance sont également essentiels pour la mise en œuvre effective de tous les droits de l'homme ». Il est extraordinaire, étant donné l'importance des archives liées à la mise en place effective du droit à la sécurité sociale, que le commentaire ne fasse aucune mention de la nécessité de maintenir des documents précis sur la population, les bénéficiaires et les actions du gouvernement pour fournir des services sociaux. C'est un oubli étonnant. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G08/403/97/PDF/G0840397.pdf?OpenElement>

Les archives détiennent de grandes quantités de documents relatifs aux droits définis à l'Article 22. Les documents des institutions de services sociaux, incluant celles qui surveillent les

conditions de travail, les données de recensement, les archives des organismes gouvernementaux traitant des peuples autochtones et les documents des organes autonomes de ces peuples, les dossiers des administrations coloniales, les archives législatives et celles des organisations non-gouvernementales ; la liste est sans fin. Les archives des organismes internationaux tels que l'UNESCO, les Hauts-Commissariats pour les réfugiés et les droits de l'homme, l'Organisation internationale du Travail, l'Organisation mondiale de la santé, le Programme des Nations Unies pour les établissements humains, le Programme des Nations Unies pour le développement et l'Organisation mondiale de la propriété intellectuelle reflètent le monde dans l'exercice des droits économiques, sociaux et culturels. Les banques internationales et régionales ont des archives sur les questions de sécurité sociale qui se posent dans le contexte des programmes de prêt, des accords de crédit, des programmes d'ajustement structurel et autres projets similaires. Tous les employeurs devraient tenir des informations sur leurs employés, et les contributions des employeurs et des employés qu'ils font au système de sécurité sociale. Les documents pertinents se trouvent sous tous les formats: des bases de données avec des données sur les bénéficiaires, des photographies de conditions de vie et de travail, des e-mails qui contiennent des commentaires qui dénigrent un groupe, la correspondance entre un gouvernement et un bailleur de fonds international, tous fournissent des preuves significatives. Ce sont les documents qui combattent l'invisibilité.

### *Les nouvelles sont en anglais*

**Human Rights Working Group news.** The Human Rights Working Group met on October 25 during the annual conference of the International Council on Archives. The members of the group applauded the efforts of Teresa Fallon and Aileen Cornelio on the directory project, began to refine the criteria for inclusion in the directory, and agreed that people should be encouraged to nominate institutions for inclusion in the directory. The group is seeking someone willing to translate the *HRWG News* into Spanish and a person or institution, such as a university archives course, to develop a basic bibliography on archives and human rights. Eva Halbrstatova of the Czech Republic presented a proposed project on using archives with school children to help them explore the post-World War II era. The Working Group agreed to name someone to the project's advisory board if the project is funded. The Group decided to hold an open meeting at the ICA Congress in Brisbane, Australia, in August 2012, but the Group will not itself propose any thematic session. The Group noted with pleasure that one of the keynote speakers will be Judge Baltazar Garzon of Spain, who is internationally known for his human rights investigations (the Working Group proposed his participation). Finally, Jens Boel reported that UNESCO will vote in the coming days on a resolution endorsing the Universal Declaration on Archives; the UNESCO resolution contains a paragraph on the right to know.

The organizers of the Brisbane Congress have extended until 31 January 2012 the period for submitting abstracts for papers to be presented at the Congress. The theme for the Congress is "A Climate of Change," and the website for the Congress program, with instructions for submitting session proposals, is <http://www.ica2012.com/program/>

On October 20 in Rabat, Morocco, the Office of UNESCO in Maghreb published *Vers un droit d'accès à l'information publique au Maroc - Etude comparative avec les normes et les meilleures pratiques dans le monde* by Perrine Canavaggio, conservateur général honoraire du patrimoine of France (and a founding member of the Human Rights Working Group), and Alexandra Balafrej, an expert in communication. This major work is an important reference for anyone looking at access to information issues. Congratulations to the authors!

[http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/news/droit\\_acces\\_informat ion\\_maroc.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/news/droit_acces_informat ion_maroc.pdf)

### **International news.**

International courts. The judges at the International Criminal Court granted the prosecutor the right to open an investigation into the killings and rapes committed in Ivory Coast after the disputed presidential election in 2010. In September this year the new Ivorian government formed a Truth and Reconciliation Commission to look into the violence, which means that the truth-telling process and the legal process will run concurrently. This is the seventh formal case opened by the ICC, all of them on crimes committed in Africa.

<http://www.guardian.co.uk/world/2011/oct/03/international-criminal-court-ivory-coast>

Australia/Canada. An album that was published by the commander of the penal colony in Newcastle, Australia, from 1816 to 1818 was found and sold in Canada to the New South Wales State Library of Australia for nearly 2 million Canadian dollars. The ten original oil paintings pasted into the book are annotated with the names of the aborigines in the paintings, “a rare occurrence in the 1800s,” according to the report of the sale in the London (Ontario, Canada) *Free Press*. In addition, one annotation names “the first person tried and convicted under British law in the colony for killing an aborigine”: the killer was the deceased’s brother. The State Library called the album “a prime document about the settlement of Australia and is without a doubt the most significant pictorial artifact to have been made in colonial New South Wales during the 1810s.”

<http://www.lfpress.com/news/london/2011/10/17/18838086.html#/news/london/2011/10/17/pf-18838206.html>

Czech/Russia. Documentary photographs of the 1968 uprising in Czechoslovakia known as Prague Spring are on exhibit for the first time in Russia. The photographs were taken by Josef Koudelka, who after the reforms failed went into exile and joined the Magnum Photo Agency. In addition to the photographs, the exhibition in Moscow includes “posters, propaganda leaflets and a film”, according to *RT.com*. <http://rt.com/art-and-culture/news/koudelka-personal-display-prague-spring-213/> A gallery of photographs by Koudelka is available on the Magnum website [http://www.magnumphotos.com/Archive/C.aspx?VP=XSpecific\\_MAG.PhotographerDetail\\_VPa ge&l1=0&pid=2K7O3R135R3G&nm=Josef%20Koudelka](http://www.magnumphotos.com/Archive/C.aspx?VP=XSpecific_MAG.PhotographerDetail_VPa ge&l1=0&pid=2K7O3R135R3G&nm=Josef%20Koudelka)

Germany/Russia. The Russian federal security service (FSB) announced that it will open its file on Adolf Hitler’s death and the disposal of his remains in order to refute claims in a new book that Hitler escaped from Berlin and lived in Buenos Aires until 1962, reports *Scotsman.com*. Part of Hitler’s skull was taken to Moscow and “now resides in the State Archive” and the rest of

the skeletal remains were cremated, the FSB says.

[http://www.scotsman.com/news/international/russians\\_open\\_secret\\_files\\_to\\_refute\\_claims\\_hitler\\_escaped\\_from\\_bunker\\_1\\_1921966](http://www.scotsman.com/news/international/russians_open_secret_files_to_refute_claims_hitler_escaped_from_bunker_1_1921966)

Germany/world. The records managed by the International Tracing Service (ITS) in Bad Arolsen, Germany, and the efforts made by the U.S. Holocaust Museum to make them available for research are profiled in a story in the *Ottawa Citizen*. The ITS was established after the Second World War to assist in reuniting families that had been separated during the war.

<http://www.ottawacitizen.com/news/secrets+Arolsen+Documents+housed+massive+Holocaust+archive+only+beginning+understood/5624350/story.html>

Iraq/United States. Twenty transcripts and documents from the Iraqi archives captured after the U.S. forces invaded Iraq in 2003 and taken to the U.S. were released in conjunction with a Washington conference on the Iran-Iraq War. The documents show Saddam Hussein boasting that Iraq had a chemical weapons arsenal that “exterminates by the thousands” and ordering the execution of a British journalist in 1990 and Iraqi pilots during the Iran-Iraq war, according to the *New York Times*. [http://www.nytimes.com/2011/10/26/world/middleeast/archive-offers-rare-glimpse-inside-mind-of-saddam-hussein.html?\\_r=1&pagewanted=all](http://www.nytimes.com/2011/10/26/world/middleeast/archive-offers-rare-glimpse-inside-mind-of-saddam-hussein.html?_r=1&pagewanted=all) The documents are posted under “Iran/Iraq War” at <http://www.wilsoncenter.org/digital-archive>

Panama/United States. In an Op-Ed in the *Los Angeles Times*, Douglas Cox writes that the U.S. Army still has records it seized during the invasion of Panama in 1989. The records are “15,000 boxes of documents from [General Manuel] Noriega’s offices and the Panamanian Defense Forces. The documents included everything from letter and bank account statements to sensitive secret police files and intelligence reports.” Cox urges that the records be returned to Panama.

<http://articles.latimes.com/2011/oct/05/opinion/la-oe-cox-noriega-20111005>

United States/World. In an important case that originated in an Australian lawsuit against a citizen of India in which the Australian lawyers sought access to the Indian citizen’s emails which were on a server in the U.S., the Ninth Circuit Court of Appeals in the United States ruled that the protections of the U.S. Electronic Communications Privacy Act of 1986 against “unrestricted disclosure of emails by an electronic communication service provider apply to non-U.S. nationals as well as to U.S. citizens,” reports *Legal Cloud Central Blog*.

[http://www.ediscoverylaw.com/2011/10/articles/case-summaries/cloud-computing-case-clarifies-applicability-of-us-privacy-law-to-non-us-nationals/?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed:+ediscoverylaw/kgates+\(Electronic+Discovery+Law\)&utm\\_content=Google+Reader](http://www.ediscoverylaw.com/2011/10/articles/case-summaries/cloud-computing-case-clarifies-applicability-of-us-privacy-law-to-non-us-nationals/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed:+ediscoverylaw/kgates+(Electronic+Discovery+Law)&utm_content=Google+Reader)

## **National news.**

Canada. Records of the shotguns and rifles owned by Canadians would be destroyed under legislation introduced to scrap the long-gun registry, thereby preventing future provincial or federal governments from making use of the information. The Association of Canadian Archivists urged the government to reconsider, saying that using legislation to override the government’s regular practices of appraisal, retention and destruction “sets a very dangerous precedent.” <http://www.winnipegfreepress.com/canada/long-gun-records-to-be-killed->

[132600338.html](#); <http://news.nationalpost.com/2011/11/01/destroying-gun-registry-records-a-terrible-precedent-archivists/>

Egypt. In a long feature article on “Egypt’s Unfinished Revolution,” the *Financial Times* quotes Mohamed ElBaradei, an Egyptian presidential contender and former head of the international Atomic Energy Agency, as saying about Egypt’s continuing security problems, “Maybe they [the army] don’t want to crack down on the police system. Are they holding files against each other?” <http://www.ft.com/intl/cms/s/2/7ef64d68-002e-11e1-8441-00144feabdc0.html#axzz1camAiOiY>

Fiji. Fiji’s airline, Air Pacific, revealed that confidential documents were “accessed and removed without authorization by a suspended employee” including “individual pilot and flight attendant salaries, individual employee contracts, board material and other sensitive financial and commercial documents,” reported *fjivillage.com*.  
<http://www.fjivillage.com/?mod=story&id=121011d73c8559b9ced75622b65cd3>

Germany. The law barring former employees of the East German secret police (Stasi) from working in the Stasi archives was passed by the German parliament. For background, see the September 2011 issue of *HRWG News*. Thank you to Klaus Oldenhage for the update.

Prosecutors in Germany have reopened “hundreds of investigations of former Nazi death camp guards and others who might now be charged under a precedent set by the conviction of John Demjanjuk, a guard at the Sobibor camp in Poland in 1943,” *The Guardian* and other media report. The head of the German prosecutors’ office dedicated to investigating war crimes said his office was “pouring over its files.” The *International Herald Tribune* quoted the prosecutor as saying, “I hope that we can make it through all the files within a year.”

<http://www.guardian.co.uk/world/2011/oct/05/germany-reopens-investigations-nazi-guards>  
<http://www.pressdisplay.com/pressdisplay/viewer.aspx>

Guatemala. On 24 October seventeen Guatemalan organizations petitioned the Inter-American Commission on Human Rights to include in the Commission’s recommendations to the government of Guatemala that the State must protect the security and integrity of the historical archives of the National Police; ensure that the police archives continue to be processed; protect the persons who work in the police archives and ensure that sufficient staff will be available to do the work there; adopt legislation to safeguard all State archives; and provide a right of access to the information in the control of the State, both in the police archives and in other public bodies. A video of the hearing before the Commission is found at [http://www.oas.org/OASPage/videosasf/2011/10/102411\\_1\\_S3.wmv](http://www.oas.org/OASPage/videosasf/2011/10/102411_1_S3.wmv)

India. The government of Kerala in south India is now issuing marriage certificates and “encumbrance certificates” on line and plans to issue the “registration of Title Deed (Aadharam) and the Transfer of Registry (Pokkuvarvu) documents through the computerized system,” reports *The New Indian Express*. An estimated 50,000 document preparers and scribes will no longer be needed; one of the scribes is quoted as saying, “It is more than a century-old profession, which has got the highest legal sanctity for the protection of the right to property. I say this because the validity of any electronically-generated evidence in front of the judiciary is questioned while a written evidence is the most valid in court.” The news article did not include information on the

arrangements for the protection and archival preservation of these vital records.

<http://ibnlive.in.com/news/title-deed-writing-will-become-a-thing-of-past/189277-60-116.html>

Israel. A contract worker from the Ministry of Labor and Welfare was charged with stealing the personal information of over 9 million Israelis from the Population Registry, the *Jerusalem Post* reports. The worker electronically copied identification numbers, full names, addresses, dates of birth, information on family connections and other information in order to sell it to a private buyer and provide it to a software designer, who uploaded it to the Internet and created a “website with detailed instruction explaining how to download and use the . . . program with Israeli citizens’ personal information.”

<http://www.jpost.com/NationalNews/Article.aspx?id=242957>

New Zealand. A Christchurch mental health organization asked police to investigate the circumstances that led to equipment and records disappearing from its demolished office. *Television New Zealand* reports that the organization’s manager was “most concerned” about missing “files and computer hard drives containing personal information.” The demolished building held “at least” nine mental health agencies whose staff members were not permitted to retrieve any property after the earthquake; however, tenants “managed to stop” a truck that was hauling away rubble and “spent the next two days retrieving files from the rubbish.” A member of the demolition crew reported that “workers were told to throw files, many of which appeared to him to be in good order, in the rubbish.” <http://tvnz.co.nz/national-news/health-records-missing-after-quake-4478522>

Pakistan. In Lahore, civil judges raided the homes of at least four court ahlmads, or record keepers, of various subordinate courts and confiscated over 5,000 case files from them, *The Express Tribune* reports. “Lawyers said that the ahlmads had probably been bribed to make unwanted documents disappear. The ahlmads said they had been forced to take the files home because there was nowhere else to keep them.” <http://tribune.com.pk/story/274329/lost-and-found-5000-court-files-found-in-staffers-homes/>

In sad legal proceedings, courts in Pakistan are routinely hearing enforced disappearance cases brought by relatives of the missing. The *Washington Post* reports that the High Court in Peshawar hears five such cases a day. A deputy attorney general who represents the government in around 1,000 disappearance cases each year said “he has little power beyond asking military authorities where a missing person is and reporting their answer to the court.” Court records will document the repeated attempts to gain information about the missing; one woman told the *Post* that she had been to “more than 30 court hearings, but her husband is still missing.”

<http://www.thepeninsulaqatar.com/news/newviews/168093-pakistans-open-secret-the-missing.html>

Palestine. In a *New York Times* article titled “A State is Born in Palestine: How the U.N. was persuaded to alter the course of history,” the author focuses on the actions of the United Nations Special Committee on Palestine (UNSCOP) in 1947. He writes, “For decades, Unscop’s classified documents were scattered in archives all over the world, and only recently have they been made available.” However, a quick check of a finding aid from the United Nations Archives shows 31 boxes of UNSCOP records in its holdings, which presumably are available under the UN’s 20 year rule for the release of documents.

[http://www.nytimes.com/2011/10/09/magazine/a-state-is-born-in-palestine.html?\\_r=1&pagewanted=all](http://www.nytimes.com/2011/10/09/magazine/a-state-is-born-in-palestine.html?_r=1&pagewanted=all)

Peru. September seems to have been a month for reopening cases (see reports on Germany, Poland, and Thailand). In Peru prosecutors are reopening investigations into evidence that thousands of women were forcibly sterilized during the decade of the 1990s when Alberto Fujimori was president. Human rights groups say that they have evidence of more than 2,000 cases of forced sterilization but the total may be much higher. A previous investigation into the cases died when the chief prosecutor at the time ruled that the 2,063 cases then registered alleging forced sterilization did not constitute “a severe violation of human rights and thus should be shelved under the statute of limitation,” according to the *Associated Press*.

<http://www.miamiherald.com/2011/10/28/2476486/peru-reopens-probe-of-forced-sterilizations.html>

Poland. The *Associated Press* also reports that Polish authorities reopened an investigation into World War II crimes committed at Auschwitz and its satellite camps. It is not clear whether the reopening was influenced by the conviction in Germany of John Demjanjuk (see Germany above). [http://articles.boston.com/2011-10-28/news/30333505\\_1\\_nazi-hunter-nazi-crimes-nazi-war](http://articles.boston.com/2011-10-28/news/30333505_1_nazi-hunter-nazi-crimes-nazi-war)

Swaziland. In a rather draconian solution to a problem, the government has closed access to the Deeds Registry in order to curb theft. The *Times of Swaziland* quotes the Minister of Natural Resources and Energy as saying that police had evidence “that a total of seven (7) criminal cases concerning fraudulent sale of immovable property are investigated and that during investigation it transpired that the fraudsters obtained information from the Deeds Registry” (apparently documents were stolen). A regulation implementing the Deeds Registry Act provides, according to the Minister, “that the registrar shall have power to refuse access to any member of the public without assigning a reason for such refusal.” <http://www.times.co.sz/News/33410.html>

Thailand. In yet another review of court cases, the new government of Thailand announced it will review “hundreds of prosecutions since the 2006 military coup,” including “prosecutions of hundreds of protesters in Bangkok in recent years, corruption charges against former Prime Minister Thaksin Sinawatra and scores of people charged with defaming the royal family,” reports *VOANews.com*. <http://www.voanews.com/english/news/asia/southeast/Thai-Government-Announces-Sweeping-Legal-Review-130346093.html>

United Kingdom. Last December the Dartford and Gravesham National Health Service Trust mistakenly destroyed 10,000 files, including some that contained “names and addresses of former patients and some staff, and a ‘limited amount’ of medical information about patients’ previous treatment,” *kentnews.co.uk* writes. Although some were treatment records, Trust officials claim that “the loss of the records does not pose a clinical risk to people affected by the incident.”

[http://www.kentnews.co.uk/home/nhs\\_trust\\_mistakenly\\_destroyed\\_10\\_000\\_files\\_1\\_1079025](http://www.kentnews.co.uk/home/nhs_trust_mistakenly_destroyed_10_000_files_1_1079025)

More than 139,000 people signed an e-petition calling for the release of all records relating to the 1989 Hillsborough Disaster in which 96 Liverpool football fans died. The Prime Minister’s office said that all the relevant papers are in the hands of the Hillsborough Independent Panel,



which “should decide when to pass on the official documents to the Hillsborough families and whether to publish them,” reports the *BBC*. The Panel was set up in 2009 “to consider ways of creating an archives of Hillsborough material and ensuring that as much information as possible was disclosed to the public.” <http://www.bbc.co.uk/news/uk-england-merseyside-15330776>

United States. In what could be a major change in access to court records, the Obama administration is proposing to amend a federal rule of criminal procedure that indefinitely closes the records of grand juries. Under the proposed amendment, transcripts of grand jury sessions that are at least 30 years old would be open if their disclosure would not affect any “still-living witness or investigative target,” and all grand jury materials “that are deemed historically significant and that are at least 75 years old” would be open at the National Archives without any court review. <http://www.nytimes.com/2011/10/20/us/politics/administration-proposes-opening-up-more-historic-grand-jury-transcripts.html>; for the letter with the proposal, see <http://www.fas.org/sgp/news/2011/10/ag101811.pdf>

The *Scripps Howard News Service* reviewed files from the Social Security Administration’s Death Master File and discovered 31,931 living Americans listed there. The Master File is a database containing the records of approximately 90 million deceased persons, including their social security numbers and names and dates of birth, and the database has been publicly available since 1980. The Scripps Howard investigative report estimates that more than 400,000 records on living people have been released since that time. The Social Security Administration says the problem is due to “keying errors” when entering data. <http://projects.scrippsnews.com/magazine/grave-mistakes/toc/#>

*Alaska.* More than 100 recordings of people speaking Tlingit, some dating from the early 1900s, will be migrated to a digital format. They also will be audited by Tlingit speakers who will provide supplemental information to help place the information on the recordings in context. The recordings are held by the Sealaska Heritage Institute, which also will have an internship program permitting undergraduate students studying the Tlingit language at the University of Alaska Southeast to be involved in the project. <http://juneauempire.com/local/2011-10-20/shi-receives-grant-study-historic-tingit-recordings>

*Connecticut.* The electric utility United Illuminating was fined \$40,000 for failing to keep records of its storage and removal of toxic substances. In particular, the utility failed to track its handling of PCBs, which are persistent in the environment, are suspected carcinogens, and can cause liver problems and skin rashes. <http://www.hartfordbusiness.com/news20909.html>

*Delaware.* Three unencrypted computer backup tapes containing patient billing and employee payroll data were reported missing on September 8 from a Nemours facility in Wilmington, Delaware. Nemours operates a children’s health system. <http://www.nemours.org/mediaroom/news/2011/missingtapes.html>

*Georgia.* A law firm had trouble keeping track of its records, which turned up in a newspaper recycling bin at the local newspaper. The files at the newspaper included phone and Social Security numbers of former clients of the law firm and information regarding the physical and

sexual abuse of juveniles, the release of which is generally prohibited under state law.  
<http://www.gainesvilletimes.com/section/6/article/57722/>

*Kansas.* A criminal case against a Planned Parenthood clinic was postponed when the Kansas State health department disclosed that it had destroyed copies of abortion reports needed as evidence, in accordance with a state regulation from 1997 that authorizes the department to destroy paper copies of an abortion record one year after the year in which the record was created. The charges against the clinic include allegations that it falsified documents that it was required by law to file with the state health department.  
<http://www.kansas.com/2011/10/24/2075001/planned-parenthood-case-in-kan.html>

*Maryland.* A Baltimore law firm lost a portable hard drive containing information about its cases, including medical records for 161 stent patients suing a cardiologist for alleged malpractice. The drive was lost by an employee of the firm while traveling on a local train.  
<http://www.baltimoresun.com/news/maryland/bs-md-stent-hard-drive-20111010,0,599052.story>

*Washington.* A computer security expert who was arrested three years ago in Seattle and whose case was then dismissed successfully sued the city and obtained the police department's log of "every dashcam arrest video shot by Seattle patrol officers between July 2008 and August of this year." He now has created a website for the log to "allow arrested citizens and their attorneys to see whether there is any video from the dashboard cameras." He believes that some videos are lost and others concealed.  
[http://www.abajournal.com/news/article/arrested\\_in\\_seattle\\_computer\\_security\\_expert\\_creates\\_searchable\\_website\\_of/](http://www.abajournal.com/news/article/arrested_in_seattle_computer_security_expert_creates_searchable_website_of/)

*Zimbabwe.* The head of the worldwide Anglican Church gave President Robert Mugabe of Zimbabwe a file documenting abuses against the church and its priests in Zimbabwe and the seizure of church property. <http://www.nytimes.com/2011/10/11/world/africa/zimbabwe-anglican-raises-complaints.html>

### **Calls for papers, conferences, fellowships.**

On November 11 and 12, the Institute for Historical Studies at the University of Texas at Austin will host a conference "Sexuality and Slavery: Exposing the History of Enslaved People." The conference will "discuss the politics of constructing such histories; the archival and methodological challenges to this research; and the regional differences and similarities across the Americas through historical, legal, and feminist frameworks." The conference is free but attendees must register in advance at  
<http://www.utexas.edu/cola/insts/historicalstudies/SexualityandSlaveryConference/registration.php>

The London International Human Rights Congress 2011, "Immigration & Integration in an Age of Austerity: Challenges and Opportunities" will be held at The Institute for Cultural Diplomacy, London, 22-25 November 2011. For further information, contact: [info@culturaldiplomacy.org](mailto:info@culturaldiplomacy.org) or see [www.culturaldiplomacy.org](http://www.culturaldiplomacy.org)

“ Violence, Memory, and Human Rights: An Interdisciplinary Conference” will be held 30 January-1 February 2012, at the University of South Florida, Tampa, Florida. Confirmed speakers include Judge Baltazar Garzon and Alexander Hinton. Contributions from scholars and artists from across the disciplines and addressing any period in history are invited; the organizers hope to develop an edited volume drawn from conference presentations. A title and 250-word abstract of proposed papers should be sent to Dr. Elizabeth Bird [ebird@usf.edu](mailto:ebird@usf.edu) by 15 November 2011. For details of the conference, see <http://humanities-institute.usf.edu/events/memory/>

The University of California Davis’s Human Rights Initiative invites submissions for the 2nd Annual Spring Human Rights Colloquium, “Contested Histories of Human Rights,” to be held 9 March 2012 at the campus. The colloquium will focus on current debates about the history of human rights, their violation and protection, with particular emphasis of the perspective of the histories of Africa, Latin America and the Middle East. Historians and scholars in other disciplines employing historical methodologies are invited to submit a 300-word abstract and brief CV to Keith David Watenpaugh, [kwatenpaugh@ucdavis.edu](mailto:kwatenpaugh@ucdavis.edu) by 1 December 2011. Funding for travel may be available due to a generous grant of the UC Davis Academic Senate Committee on Research.

An international conference on “Human Rights and the Humanities” will be hosted by the American University of Beirut, 9-11 May 2012. The conference will focus on systemic issues and the globalization of human rights, with particular attention paid to the Middle East/North Africa region and Arab Spring. Send abstracts (maximum 300 words) or session proposals (maximum 500 words) and brief CV by 15 Nov 2011 to Alexander Hartwiger [humanrightsandthehumanities@gmail.com](mailto:humanrightsandthehumanities@gmail.com)

The conference “Environmental Justice and Global Citizenship” will be held 3-5 July 2012 at Mansfield College, Oxford, United Kingdom. Persons interested in presenting papers should contact [ejgc11@inter-disciplinary.net](mailto:ejgc11@inter-disciplinary.net) and see [www.inter-disciplinary.net/critical-issues/ethos/environmental-justice-and-global-citizenship/call-for-papers/](http://www.inter-disciplinary.net/critical-issues/ethos/environmental-justice-and-global-citizenship/call-for-papers/)

**Please share news with us! [trudy@trudypeterson.com](mailto:trudy@trudypeterson.com) or [j.boel@UNESCO.org](mailto:j.boel@UNESCO.org)**

**To subscribe to the Newsletter, enter the required information on the form that you will find on this URL: <http://www.unesco.org/archives/hrgnews/managesub.php>.**

**Previous issues of the Newsletter are online at <http://new.ica.org/4535/ressources/ressources-relatives-aux-archives-et-droits-de-lhomme.html> and <http://128.121.10.98/coe/main.jsp?smd=2&nid=569829> as well as on the UNESCO website.**

(Introduction traduite par Cristina Bianchi)