

News of December 2017

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Commentary. As we start a new year and look back on the tumult of the one just past, here are items from each month of *HRWG News* in 2017 that, taken together, illustrate the diversity of human rights issues that include archives. Best wishes for the year ahead!

January. Investigators are using archives at the Max Planck Institute in Germany to “find and purge it of human brain tissue removed from victims murdered” during Nazi medical and euthanasia programs.

February. The Prosecutor General in Colombia charged around 200 local and international companies for crimes against humanity.

March. Two Swedish nongovernmental organizations used public records of seven banks for a report on the role of banks in the crisis faced by Borneo’s indigenous peoples and their forests.

April. In Kashmir, a video of a man tied “to the front of a jeep as a human shield” led police to file a case against the army perpetrators.

May. The UN Office of the High Commissioner for Human Rights issued “updated guidelines for investigating unlawful killings around the world.”

June. World Bank researchers using data from Pakistan found that children born to a marriage of first or second cousins “have lower test scores, lower height-for-age, and a higher likelihood of being severely stunted.”

July. Near the Iraqi city of Mosul, ISIS allegedly burned the biggest archives of its documents and data.

August. A campaign in Afghanistan is urging that a mother’s name be recorded on her child’s birth certificate.

September. Some 60 persons in India have been killed after using the Right to Information Act to gain access to government documents and at least 300 “have been harassed or physically hurt.”

October. After the International Criminal Court issued its first ever arrest warrant solely based on social media evidence, accusing Libyan army commander Werfalli of mass executions near Benghazi, Libya, *bellingcat*, an online investigation team, used crowdsourcing to “geolocate” four of the seven locations shown on the social media video as sites where assassinations occurred.

November. The U.S. Food and Drug Administration approved the first pill embedded with a sensor that can alert a patient’s physician or caregiver.

December. China’s “Population Registration Program” is collecting biometric data from all residents in Xinjiang province between the ages of 12 and 65.

International news.

Extraordinary African Chambers (EAC). Aboubacry Ba worked in the Registrar's Office of the EAC, which investigated the crimes committed in Chad between 1982 and 1990 and convicted Chad's ex-President Hissene Habre. In an interview published on YouTube, he explained the importance of archives for the work of the Chambers. https://www.youtube.com/watch?v=JXnZXc_vRVs&feature=youtu.be

International Criminal Court. After a former fighter in Bosco Ntaganda's Union of Congolese Patriots (UPC) said members of the militia did not commit atrocities during attacks in 2002 on villages inhabited by members of the Lendu ethnic group, the prosecution read excerpts from three documents that detailed acts of rape, pillaging, and killing allegedly committed by UPC fighters in the localities of Zumbe and Kamande. Dated 2002 and 2003, two documents were from the UN and one from members of the Lendu community, *International Justice Monitor* reported. <https://www.ijmonitor.org/2017/12/prosecutors-challenge-witness-testimony-that-ntagandas-troops-did-not-commit-atrocities/>

Permanent Court of Arbitration. Two union federations reached a settlement in a case against global brands manufacturing in Bangladesh under the terms of the Bangladesh Accord on Fire and Building Safety. The companies will ensure that factories supplying them "are remediated and that substantial funds are available" for the work. The Court "required that the names of the brands remain confidential." For background see *HRWG News* 2017-10. <http://www.industriall-union.org/settlement-reached-with-global-fashion-brand-in-bangladesh-accord-arbitration>

United Nations. Ten Haitian women filed claims in Haiti's courts against the UN, saying they were impregnated and abandoned by UN peacekeeping soldiers. They demand the verification of paternity and child support. They also want the UN to provide the identification documents of the fathers, their commanders and the officers responsible for investigating the allegations that were filed in 2016 in the case as well as the results of DNA tests that the UN conducted on the mothers. <http://www.ijdh.org/2017/12/topics/law-justice/for-immediate-release-ten-mothers-of-11-children-abandoned-by-un-peacekeepers-bring-a-legal-action-to-recover-child-support-and-establish-custody/>

In a report on migration trends, the UN said an estimated 258 million people are international migrants, "a figure that has surged by a half since the turn of the century," and one in ten of those people is a refugee or asylum seeker, *Thomson Reuters Foundation* reported. The UN said, "Reliable data and evidence are critical to combat misperceptions about migration and to inform migration policies." <http://news.trust.org/item/20171218191312-kvqei/>

UNESCO. Member States requested the new Director-General "to engage in a comprehensive review of the Memory of the World Programme." <https://en.unesco.org/news/reforming-unesco-s-action-memory-world>

UNICEF. UNICEF released its 2017 "Statistical Update on Children and AIDS." It said that nearly 37 million people around the world have HIV and "eighteen children every hour were infected with HIV last year." More adolescent girls than boys are infected. UNICEF called for "an array" of actions, including "better data collection." <http://news.trust.org/item/20171201000954-ujbd0/>

World Bank. At the One Planet Summit convened by France, the UN and the World Bank, the Bank said that starting in late 2018 and annually thereafter it will "report greenhouse gas emission from the investment projects it finances in key emissions-producing sectors, such as energy." <http://www.worldbank.org/en/news/press-release/2017/12/12/world-bank-group-announcements-at-one-planet-summit>

World/general news.

Business records. The city and county of Santa Cruz in the U.S. State of California filed lawsuits for climate change-related damages against 29 “oil, gas, and coal companies not just for damages associated with sea level rise, but also for changes in the hydrologic cycle caused by greenhouse gas pollution from the companies’ products.” Using company reports and records, the complaint says the defendants “have known for nearly 50 years that greenhouse gas pollution from their fossil fuel products has a significant impact on the Earth’s climate and sea levels.” <http://www.cityofsantacruz.com/Home/Components/News/News/7718/36>

“Hundreds of pages of leaked documents from two corporate intelligence firms,” C2i and Inkerman Group, were seen by the *Guardian* and the Bureau for Investigative Journalism. They “suggest the use of secretive corporate security firms to gather intelligence about political campaigners has been widespread” and that the firms “often obtained the campaigners’ internal documents such as emails and accounts of meetings.” The story named the Royal Bank of Scotland, British Airways, Caterpillar and Porsche as using the surveillance services, which had “real-time intelligence assets” in environmental groups including Greenpeace, Friends of the Earth and “all anti-aviation groups.” <https://www.theguardian.com/world/2017/dec/12/surveillance-firms-spied-on-campaign-groups-for-big-companies-leak-shows>

Reuters reported that “French investigators have placed three people under formal investigation as part of a judicial inquiry into the Syrian activities of cement and construction group LafargeHolcim” (for background, see *HRWG News* 2017-03 and 06). France also opened a formal judicial investigation into the sale of surveillance equipment by the French company Amesys to Egypt (for background, see *HRWG News* 2017-11). <https://www.reuters.com/article/us-lafargeholcim-syria/france-places-three-under-formal-investigation-in-lafarge-syria-payments-case-idUSKBN1DV5XR> ; <https://www.fidh.org/en/region/north-africa-middle-east/egypt/sale-of-surveillance-equipment-to-egypt-paris-prosecutor-opens-a>

Land mines. The International Campaign to Ban Landmines issued its annual report on adherence to and progress under the 1999 Mine Ban Treaty. It found that casualties from land mines and similar explosives increased for the second straight year in 2016, reaching the highest level (8,605) since the Treaty took effect. Myanmar and Syria, neither a party to the treaty, were the only states that planted mines between October 2016 and October 2017, but non-state armed groups in at least nine other countries used similar explosives. http://www.the-monitor.org/media/2615228/LM17-Press-Release_final.pdf

Medical records. Researchers at three medical laboratories in New York reported that “with three minutes of DNA sequencing, they can correctly identify . . . with 99.9% confidence” the individual who submitted a DNA sample to one of the 31,000 “files from individuals tested by Direct-to-Consumer (DTC) companies such as 23andMe, AncestryDNA, and FamilyTreeDNA.” They “developed a rapid and novel” strategy for “robust re-identification of human DNA using a MinION sequencer.” They believe this will help both forensic investigations and future genomic research. <https://elifesciences.org/articles/27798#abstract>

Using data from the U.K.’s “Improving Access to Psychological Therapies” services, researchers analyzed data from 1 April 2014 to 31 March 2015 to determine which type of treatment has the greatest chance of helping persons with depression and anxiety disorders. The authors noted that in most countries this treatment information is not public; they argued that this “absence of transparency is a disservice to patients . . . [and] an impediment to the development of more effective health care.” [http://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736\(17\)32133-5.pdf](http://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(17)32133-5.pdf)

Researchers in Massachusetts used “electronic medical record data from more than 50,000 people with depression” and on 16 types of antidepressants that “were ultimately successful in treating the patients’ depression” and developed an algorithm “to predict an antidepressant’s effectiveness based on depression subtypes.” As *Eurasia Review* pointed out, because there is “a 50 % failure rate among patients trying a first treatment for depression . . . cutting down on the guesswork involved could be life-changing.” http://www.eurasiareview.com/11122017-mining-electronic-medical-records-could-help-depression-patients-find-right-treatment/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

Another effort is being made to mine a patient database to discover the most effective treatment for specific cancers. The American Society of Clinical Oncology “secured data from more than 100 oncology practices” in the U.S. on more than 1 million patients; it now is partnering with two commercial companies that will organize the data “around subsets of patients, making it easier for oncologists to identify the most effective treatments,” reported *STAT*. https://www.statnews.com/2017/12/21/cancer-treatment-database-asco/?utm_source=STAT+Newsletters&utm_campaign=e3f14bd380-MR&utm_medium=email&utm_term=0_8cab1d7961-e3f14bd380-149736437

A vaccine to protect against dengue fever, manufactured by Sanofi, is approved for use in 19 countries and is part of a widespread vaccination program in The Philippines and Brazil, *STAT* reported. Prior to release of the product, Sanofi “ran two trials involving more than 31,000 people” but only looked at about 10 percent of the participants to “gauge how the vaccine affected those who never had dengue fever.” Experts engaged by the World Health Organization asked Sanofi “to do more research on the question of how safe the vaccine is in people who had never had dengue.” When Sanofi looked at the clinical trial data, they found that “regardless of age, for every 1000 previously uninfected people vaccinated, there were five more dengue hospitalizations and two more severe dengue infections when compared with previously uninfected people who hadn’t been vaccinated.” In short: if you hadn’t already had the fever, the vaccination could make a future case of dengue worse. On November 29 Sanofi issued a statement saying the vaccine “should not be recommended to people who had not been previously infected,” and the expert group said only people “whose medical records confirm previous infection—should be offered the vaccine at this time.” With an estimated 40% of the world’s population living in areas where dengue fever is prevalent, medical records are unlikely to be available for all people in jeopardy, making vaccination a risk. https://www.statnews.com/pharmalot/2017/12/11/sanofi-dengue-vaccine-scandal/?utm_source=STAT+Newsletters&utm_campaign=9edfe9d547-MR&utm_medium=email&utm_term=0_8cab1d7961-9edfe9d547-149736437; https://www.statnews.com/2017/12/19/dengue-sanofi-vaccine/?utm_source=STAT+Newsletters&utm_campaign=dc621d3e44-MR&utm_medium=email&utm_term=0_8cab1d7961-dc621d3e44-149736437

Linking the World Health Organization’s Global Health Estimate respiratory infection mortality rates to “vital death records and influenza surveillance data” from 33 countries, researchers found that global deaths, 1999-2015, were higher than previously reported, with the highest mortality rates in sub-Saharan Africa, southeast Asia, and among people aged 75 years and older, *The Lancet* reported. [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(17\)33293-2/fulltext?utm_source=STAT+Newsletters&utm_campaign=23eddf63b2-MR&utm_medium=email&utm_term=0_8cab1d7961-23eddf63b2-149736437](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(17)33293-2/fulltext?utm_source=STAT+Newsletters&utm_campaign=23eddf63b2-MR&utm_medium=email&utm_term=0_8cab1d7961-23eddf63b2-149736437)

Middle East war. U.S. airstrikes rose “sharply” in Afghanistan in 2017, as did civilian deaths, the *Los Angeles Times* reported. The U.S. Air Forces Central command said that U.S. fighter planes dropped 3,554 explosives in Afghanistan through 31 October, the most since 2012, and the United Nations mission in Afghanistan documented 205 civilian deaths and 261 injuries from airstrikes during the same period, a “52% increase in casualties compared with the same period in 2016.” http://www.latimes.com/world/asia/la-fg-afghanistan-us-airstrikes-20171204-htmlstory.html?utm_source=Today%27s+Headlines&utm_campaign=186843444f-EMAIL_CAMPAIGN_2016_12_12&utm_medium=email&utm_term=0_b04355194f-186843444f-81134269

The *Times of Israel* published yet another article opposing the planned transfer to the Iraqi government of the “trove of Iraqi Jewish documents” that U.S. soldiers discovered in the basement of the Iraqi police headquarters and transferred to the U.S. for preservation in 2003. <https://www.timesofisrael.com/now-dispersed-iraqi-jewish-community-fights-for-access-to-its-legacy/>

Privacy. Facebook announced that it will identify persons even if not “tagged” in a photo: “If you’re in a photo and are part of the audience for that post, we’ll notify you, even if you haven’t been tagged. You’re in control of your image on Facebook and can make choices such as whether to tag yourself, leave yourself untagged, or reach out to the person who posted the photo if you have concerns about it. We always respect the privacy setting people select when posting a photo on Facebook (whether that’s

friends, public or a custom audience), so you won't receive a notification if you're not in the audience." The implications of the technical capability to identify "untagged" persons are staggering. <https://newsroom.fb.com/news/2017/12/managing-your-identity-on-facebook-with-face-recognition-technology/>

Surveillance. An "interdisciplinary laboratory" at the University of Toronto discovered that "a campaign of targeted malware attacks [was] apparently carried out by Ethiopia from 2016 to the present." Ethiopian dissidents in the U.S., U.K. and other countries were targets of surveillance, including "a US-based Ethiopian diaspora media outlet, the Oromia Media Network, a PhD student and a lawyer." <https://citizenlab.ca/2017/12/champing-cyberbit-ethiopian-dissidents-targeted-commercial-spyware/>

Violence against journalists. The Committee to Protect Journalists (CPJ) "began compiling detailed records on all journalist deaths in 1992," independently investigating and verifying the circumstances behind each death. CPJ reported 42 journalists were killed worldwide in 2017, down from 48 in 2016. Iraq was the deadliest place to work (8 killed), with Mexico leading the list for deaths "outside a conflict zone" (6 certainly killed and perhaps as high as 10). <https://cpj.org/reports/2017/12/journalists-killed-iraq-crossfire-murder-mexico.php>

Bilateral and multilateral news.

Balkans. *BIRN* reported that the International Commission on Missing Persons will establish a "unique database of missing persons" from the Balkan wars. The governments of Bosnia, Croatia, Kosovo, Montenegro and Serbia and some international organizations "have agreed to participate," with the goal of putting the database in the public domain in 2018. The Commission already "has launched an online tool to assist in locating hidden grave sites." http://www.balkaninsight.com/en/article/missing-persons-from-yugoslav-wars-list-to-be-compiled-12-08-2017?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=dc96f8dd7d-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-dc96f8dd7d-319755321

Bangladesh/Myanmar. The Liberation War Museum (LWM) in Bangladesh published "The Testimony of Sixty on the Crisis of Rohingyas in Myanmar," in a conscious echo of "The Testimony of Sixty on the Crisis in Bengal" published by OXFAM in October 1971 during the Bangladesh war with Pakistan when "10 million refugees had to leave their country and take shelter in different camps in India." One of the refugees the LWM team interviewed said, "I have no identity card and no documents. All our cards said we are 'Bengalis' living in Myanmar. . . The access card we received for shopping were to be displayed at all time, otherwise we would be subject to beating in public. I had a family picture which is a mandatory document . . . If there were more than three children, then Rohingyas were subject to either fine or imprisonment. Through maintaining a family picture, the government officials would make sure if there were more children after the previous year." www.liberationwarmuseumbd.org

Medecins Sans Frontieres (MSF) conducted six surveys among the Rohingya refugee population in Bangladesh, interviewing members of 2434 households. MSF estimated that "11,393 died in Myanmar's Rakhine State in the initial 31 days following the upsurge of violence on 25 August 2017." They note that the "rates of mortality captured here are likely to be underestimates as the data does not account for those people who have not yet been able to flee Myanmar, or for families who were killed in their entirety." <http://www.doctorswithoutborders.org/article/msf-least-6700-rohingya-killed-during-attacks-myanmar>

Bosnia/United States. A member of a Bosnian Serb special police unit when it was involved in the Srebrenica massacres in 1995 was deported from the U.S. for having lied on his application for refugee status. http://www.balkaninsight.com/en/article/us-to-deport-bosnian-serb-over-srebrenica-killings-12-08-2017?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=dc96f8dd7d-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-dc96f8dd7d-319755321

Burkina Faso/France. French president Emmanuel Macron promised that "all the French documents concerning the assassination of former Burkina Faso president Tomas Sankara in 1987 will be

declassified,” reported *CNEWS Matin*. For background, see *HRWG News* 2017-03.

<http://www.cnewsmatin.fr/monde/2017-11-28/assassinat-de-sankara-macron-promet-de-declasser-tous-les-documents-769984>

Europe/Libya. Using sources from interviews to social media platforms to documents issued by UN and European bodies and the government of Italy, Amnesty International published “Libya’s Dark Web of Collusion: Abuses against Europe-Bound Refugees and Migrants.” Amnesty said up to 20,000 people are held in Libyan detention centers and subject to “torture, forced labour, extortion, and unlawful killings.” European governments are “complicit” in the crimes through their support for Libya to cut off African immigration across the Mediterranean.

<https://www.amnesty.org/download/Documents/MDE1975612017ENGLISH.PDF>

France/Rwanda. The government of Rwanda released a report accusing French officials of complicity in the 1994 genocide. Although the report used archives to inform its findings, “researchers and the Rwandan government say they cannot get France to make good on earlier commitments to fully open its archives or otherwise investigate the country’s role,” the *New York Times* wrote.

<https://www.nytimes.com/2017/12/13/world/africa/rwanda-france-genocide.html>

One of those researchers, Francois Graner, announced that he is filing a complaint with the European Court of Human Rights against the decision of the Constitutional Council of France that the 25-year-closure of the archives of former presidents, prime ministers and ministers is constitutional, reported *Agence France Presse* and *Voice of America*.

<https://www.voafrique.com/a/un-chercheur-reclame-l-ouverture-du-verrou-des-archives-de-l-elysee-sur-le-genocide-rwandais/4162134.html>

Indonesia/United States. Victims of Indonesia’s 1965-1966 anti-communist purge met with members of Indonesia’s National Commission on Human Rights “to discuss the implications” of the more than 30,000 pages of official records the U.S. released relating to the events and “take remedial action to help those who were mistreated,” *ucanews.com* reported. A commission member said the documents “would require further investigation before their validity could be accepted.”

http://www.eurasiareview.com/11122017-indonesia-a-ray-of-hope-for-communist-purge-victims/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

The declassified records also show that “prominent Papuans pleaded for the U.S. to give them money and arms in the mid-1960s to fight Indonesia’s colonization of their vast, remote territory,” the *Associated Press* reported. The chairman of a Papua pro-independence group said the documents are “very important” and “provide evidence of crimes against Papuans by the Indonesian military and the U.S. role in denying self-determination.”

<http://nationalpost.com/pmn/news-pmn/files-show-birth-of-papua-independence-struggle>

Iraq/United Kingdom. A U.K. judge ruled that four Iraqi men are entitled to compensation under the Human Rights Act for “damages against the Ministry of Defense over ill-treatment and unlawful detention during the Iraq War,” *Eurasia Review* reported. Noting that these cases were tried as “lead cases,” the judge said “the conclusions reached on the legal issues and some of the factual issues raised are likely to affect many of the remaining cases in litigation.” Important court records indeed.

http://www.eurasiareview.com/15122017-four-iraqis-awarded-hundreds-of-thousands-in-case-over-uk-troops-abuses/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

Ireland/United Kingdom. Records from Ireland’s prime minister’s office were released showing that in 1987 the paramilitary group UVF wrote to the prime minister saying that MI5, the U.K. security service, “ordered his assassination.” The UVF also said in the letter that “it had killed 17 men using information from British Intelligence,” reported *The Independent*.

<https://www.independent.ie/breaking-news/irish-news/uvf-told-charlie-haughey-that-mi5-ordered-his-assassination-state-papers-show-36442880.html>

Israel/Lebanon/Palestine. When the Israeli army raided the Palestine Liberation Organization’s offices in Beirut, Lebanon, in 1982, they carried off documents and photographs, which are held in Israel’s

army archives. The materials have been opened for research, and a film, “Looted and Hidden,” has been made using the materials. <https://972mag.com/looted-from-beirut-35-years-ago-now-on-display-in-tel-aviv/131187/>

Israel/Palestine. Israel’s Supreme Court ruled that Israel cannot keep the bodies of Palestinians for use as “bargaining chips” to get back its own dead and persons held captive in Palestine, *i24news* reported. The court gave the Israeli government six months to return the bodies or enact legislation to regulate retaining the bodies. The government appealed the ruling. For background, see *HRWG News* 2017-08. <http://www.i24news.tv/en/news/israel/163893-171229-state-appeals-israel-s-supreme-court-in-ruling-over-terrorist-bodies>

Latin America. The Woodrow Wilson International Center for Scholars, with support from the Inter-American Development Bank, commissioned a series of studies on violence against women in Latin America. The evidence-based conclusions are dismal, finding that between 14 and 38 percent of all women, depending on a number of factors, experience intra-family violence throughout their lifetime. In Peru nearly half of all women between the ages of 15 and 39 experience some form of violence. https://www.wilsoncenter.org/sites/default/files/domestic_violence_policy_brief_eng_final.pdf

Libya/United States. The U.S. adopted “emergency import restrictions” on archaeological and ethnological materials from Libya, including “Books and Manuscripts – Either as sheets or bound volumes. Text is often written on vellum or other parchments . . . Paper may also be used.” For background and the relationship to the return of Iraqi Jewish materials, see *HRWG News* 2017-09. <https://www.federalregister.gov/documents/2017/12/05/2017-26278/emergency-import-restrictions-imposed-on-archaeological-and-ethnological-materials-from-libya>

United Kingdom/former colonies. At its meeting in Mexico City on 25 November 2017, the Association of Commonwealth Archivists and Records Managers adopted a position paper on the issue of Migrated Archives. The Migrated Archives are a series of records created in former British colonies and removed to the United Kingdom prior to the independence of the colonies in question. The position paper provides the background to the Migrated Archives and calls on the British government to return the records to the former colonies, now independent countries. For information, contact James Lowry jlowry@liverpool.ac.uk

National news.

Albania. After analyzing 71 decisions of the first instance court of serious crimes, supplemented by interviews, researchers determined that “criminal organisations have ties with politics, and the latter interferes by neutralizing law enforcement agencies through the appointment of trusted persons or party militants,” *BIRN* reported. <http://www.balkaninsight.com/en/article/study-find-that-for-25-years-of-albanian-crime-had-political-ties-12-01-2017>

Antigua and Barbuda. In the aftermath of the near total destruction of the island of Barbuda during Hurricane Irma, the prime minister of Antigua and Barbuda is suggesting that the Barbudans abandon their system of holding all land in common and adopt a system of land tenure with title deeds, *Thomson Reuters Foundation* reported. <http://news.trust.org/item/20171206155926-ow23j/>

Argentina. The Grandmothers of the Plaza de Mayo announced that they have identified the 127th grandchild who disappeared during the military dictatorship (1976-1983), *telesur* reported. <https://www.telesur.tv/english/news/Argentine-Grandmothers-Find-127th-Child-Stolen-by-Dictatorship-20171228-0004.html>

A federal judge ruled that the 2015 death of prosecutor Alberto Nisman was a homicide, *UPI* reported. “Nisman was killed days after he filed a report accusing former President Cristina Fernandez de Kirchner and other officials of covering up Iran’s involvement in a 1994 Jewish community center bombing that left 85 people dead and more than 300 injured.” For background, see *HRWG News* 2015-02. https://www.upi.com/Top_News/World-News/2017/12/26/Death-of-Argentine-prosecutor-Alberto-Nisman-ruled-a-homicide/7471514346722/

Australia. The 21-volume report of the Royal Commission into Institutional Response to Child Sexual Abuse was published. Volume 8 contains recommendations: keeping records relating to child sexual abuse or allegations for 45 years (Recs 8.1, 8.2), requiring sectorial leadership from recordkeeping regulators (Rec 8.3), and adding five principles for creating, keeping and maintaining records relating to child sexual abuse and an individual's access to those. Thanks to Joanna Sassoon and Barbara Reed for the information. https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_8_recordkeeping_and_information_sharing.pdf; https://www.childabuseroyalcommission.gov.au/sites/default/files/final_sitting_opening_address_sydney.pdf <http://naa.gov.au/about-us/20171222-RC-IRCSEA.aspx>

By a vote of Parliament, Australia legalized same-sex marriage. <http://www.smh.com.au/federal-politics/political-news/samesex-marriage-legalised-in-australia-as-parliament-passes-historic-law-20171206-h00cdj.html>

Austria. The Constitutional Court ruled that the distinction between marriage and “registered partnership” violates the ban on discrimination. Consequently, same-sex couples are allowed to marry, effective 1 January 2018. The prior registrations are still valid. https://www.vfgh.gv.at/medien/Ehe_fuer_gleichgeschlechtliche_Paare.de.php

Canada. The Supreme Court ruled that Canadians “can expect the text messages they send to remain private—at least in some instances—even after the messages reach their destinations,” *The Canadian Press* reported. <http://nationalpost.com/news/canada/text-messages-can-be-considered-private-even-once-received-supreme-court-says>

Human rights organizations CELS and INCLO published an article summarizing “some of what is known about the surveillance practices employed to keep tabs on Indigenous leaders and activities,” using records obtained through access to information requests from the Royal Canadian Mounted Police and the Canadian Forces National Counter-Intelligence Unit. <https://www.opendemocracy.net/protest/surveillance-indigenous-groups-canada>

Four researchers said the government’s plan to destroy the criminal records of people convicted of same-sex activity is a “‘troubling feature’ of proposed legislation intended to help make amends to the LGBTQ community,” reported *The Spectator*. “While the researchers applaud the idea of ensuring the criminal records can never be used against those convicted, they say preservation is integral to the democratic process and the telling of history.” For background, see *HRWG News* 2017-11. <https://www.thespec.com/news-story/7992255-don-t-destroy-gay-sex-records-historians-urge/>

“The federal government says it will allow an Indigenous woman who was abused at a residential school to donate documents related to her case to the centre that is preserving the painful legacy of the institutions,” the *Globe and Mail* wrote. However, the government says she must also obtain the agreement of the Catholic Church, which ran the school. Oddly, the document in question apparently is a copy of the woman’s pre-trial oral testimony “which she recently acquired from a previous lawyer,” and it is unclear why the Church and government can control the disposition of the private copy. <https://www.theglobeandmail.com/news/politics/residential-school-survivor-gets-permission-from-government-to-donate-documents/article37323211/>

Canada passed an amendment to the Statistics Act, allowing the transfer of census records to Library and Archives Canada 92 years after the census and removing any restrictions on access to the census after 92 years for the 2021 Census and beyond. <http://www.parl.ca/DocumentViewer/en/42-1/bill/C-36/royal-assent>

Central African Republic (CAR). The International Crisis Group reported that Russia requested the UN Security Council to make an exception to the arms embargo on CAR so that it could send weapons to equip EU-trained army soldiers; on December 14 France and U.S. agreed but requested the weapons’ serial numbers to be able to trace them. Who and how will manage the tracing is unclear. According to *PressTV*, “Among the weapons to be shipped are 900 pistols, 5,200 assault rifles, 140 sniper rifles, 840

Kalashnikov machine guns, 270 RPGs and 20 anti-aircraft guns.” <https://www.crisisgroup.org/crisiswatch/december-2017#central-african-republic> ; <http://www.presstv.com/Detail/2017/12/16/545759/Russia-Central-African-Republic-UN-arms-delivery-exemption>

Chile. In October the *New York Times* reported that microfilms and files relating to the actions of the Army intelligence agencies during the dictatorship were burned or otherwise destroyed in 2000. Londres 38, a nongovernmental human rights organization, and other activists filed a complaint against those responsible. Thanks to Valentina Rojas for the information. <https://www.nytimes.com/es/2017/10/30/chile-archivos-pinochet-dictadura/?action=click&clickSource=inicio&contentPlacement=1&module=toppers®ion=rank&pgtype=Homepage>; <http://www.elmostrador.cl/noticias/pais/2017/12/21/londres-38-presenta-querella-criminal-por-quema-de-archivos-por-el-ejercito/>

China. Human Rights Watch (HRW) issued a report on China’s practice of collecting biometric data, including “DNA samples, fingerprints, iris scans and blood types,” from “all residents between the ages of 12 and 65” in Xinjiang province. The guidelines for the “Population Registration Program” say all the information “is stored and linked to an individual’s national identification number.” It is not clear who is holding the collected data, although HRW said “population management” is usually under the supervision of the police. They argued that such “mandatory and disproportionate collection” of sensitive personal information “raises serious human rights concerns about how such data will be secured and used.” <https://www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions>

Colombia. The Prosecutor’s Office declared the 1995 murder of journalist and politician Alvaro Gomez Hurtado a crime against humanity, thereby extending indefinitely the statute of limitations for the crime. The Prosecutor said “a catalog of evidence” was relevant to the decision, *telesur* reported. https://www.telesurtv.net/english/news/Colombia-Journalists-Murder-Is-a-Crime-Against-Humanity-20171219-0007.html?utm_source=planisys&utm_medium=NewsletterIngles&utm_campaign=NewsletterIngles&utm_content=8

Guatemala. In the retrial of Rodriguez Sanchez, which is being held in parallel with the retrial of former dictator Efraim Rios Montt, the prosecution introduced as evidence “a number of official documents and military manuals describing the counterinsurgency operations” that formed the basis of the Army’s scorched earth policy during the civil war, reported *International Justice Monitor*. While the Rios Montt case is closed to the public, it is likely that the same or similar documents are being used there. <https://www.ijmonitor.org/2017/12/victims-testify-in-genocide-retrial-of-rios-montt-and-rodriguez-sanchez/>

India. A Muslim man who intended to marry a Hindu woman in the state of Rajasthan was “hacked with a machete, set on fire, and burned alive.” Perpetrators videotaped the attack and posted the video on line. The slayer has been arrested, reported *Benar News*. http://www.eurasiareview.com/10122017-caught-on-video-muslims-gory-slaying-angers-indians/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

India’s National Crime Records Bureau (NCRB) said there were 8,132 human trafficking cases last year, an almost 20% rise over 2016, *Thomson Reuters Foundation* reported, and “just over 60% of the 23,117 victims rescued were children.” The Freedom Project, “an anti-slavery charity,” said the trend was accurate but the “numbers themselves are far from ground reality.” <http://news.trust.org/item/20171204140412-i9h9o/>

“Indian officials have told the Supreme Court there is no data to show female genital mutilation exists in the country,” *Thomson Reuters Foundation* reported. A nongovernmental organization campaigning to end the practice said, “There’s no official data because it’s a secret practice, but hundreds have spoken about it publicly and signed petitions recently.” <http://news.trust.org/item/20171229091909-hrx5b/>

Iraq. “Compensation is theoretically available from the Iraqi government for civilians who suffer losses at the hands of its forces and their allies. But applicants must provide death certificates” which often were not issued during the fighting when the dead had to be hastily buried, reported the *Los Angeles Times*. “City authorities are now demanding that those seeking death certificates open up their loved

ones' graves, so they can confirm who is buried there, according to residents. But even if victims obtain the necessary paperwork, provincial officials say they have no money to give them."

<http://www.latimes.com/world/la-fg-iraq-airstrike-compensation-20171218-story.html#nws=mcnewsletter>

Kenya. Using data "captured in form of images, audios, videos and documents received from the field monitors" during the party primaries, campaigns and the polling period, the National Commission on Human Rights reported that 92 people were killed during the 2017 election turmoil and 86 cases of sexual or gender-based violence occurred. <http://www.knchr.org/Portals/0/PressStatements/PRESS%20STATEMENT%20-%20STILL%20A%20MIRAGE%20-%20REPORT.pdf?ver=2017-12-20-104740-223>

Malaysia. The *New Straits Times* published a report of its investigation into the 2015 discovery of human trafficking camps and 139 graves containing more than 150 remains. Using "scores of official documents and reams of reports," the reporters determined that police had discovered the camps in January but "allegedly had chosen not to do anything about them" until May 25. They reported that DNA profiling was carried out on all the remains found; next-of-kin of missing persons can provide a DNA sample and, if a match is made, be given the number "marked on one of the nondescript white tombstones" where the remains are buried. <https://www.nst.com.my/news/exclusive/2017/12/316339/exclusive-secrets-wang-kelian-exposed>; <https://www.nst.com.my/news/exclusive/2017/12/317501/dna-link-may-bring-closure-families>

Mexico. Mexico City prosecutors arrested the man who approved the construction of a 7-story building that did not meet construction specifications and collapsed in the 19 September 2017 earthquake, killing two people. The prosecutor's office has "nearly 150" investigations into building collapses, reported *telesur*. https://www.telesurtv.net/english/news/Mexico-Man-Arrested-for-Approving-Faulty-Mexico-City-Building-That-Collapsed-in-Quake-20171212-0014.html?utm_source=planisys&utm_medium=NewsletterIngles&utm_campaign=NewsletterIngles&utm_content=10

Morocco. The records of the Instance Equite et Reconciliation (the Moroccan truth commission), which finished its work in 2005, have been transferred to the national archives. <http://m.le360.ma/societe/les-details-de-la-remise-du-patrimoine-de-lier-aux-archives-du-maroc-146387>

Myanmar. Myanmar police arrested two journalists and five people who gave them photos and documents about a village in northern Rakhine State where a mass grave was found and many houses destroyed, the *New York Times* reported. <https://www.nytimes.com/2017/12/19/world/asia/myanmar-reuters-grave.html>

The International Crisis Group (ICG) published a report on the Rohingya crisis, providing important information on the Arakan Rohingya Salvation Army (ARSA) militant group and its role in the current crisis. The ICG based the report on "interviews with members of ARSA, analysis of WhatsApp messages sent by the group and its supporters, publicly-posted videos, and interviews with villagers in Rakhine state and recently-arrived refugees in Bangladesh." <https://www.crisisgroup.org/asia/south-east-asia/myanmar/292-myanmars-rohingya-crisis-enters-dangerous-new-phase>

Nigeria. The government established a military "Intelligence Fusion Center" in northern Nigeria to "enhance the fight against Boko Haram," *The Advocate* reported. Clearly recordkeeping will be an important part of the new unit. <http://www.theadvocate.ng/buhari-approves-intelligence-fusion-centre-in-borno/>

North Korea. The International Bar Association War Crimes Committee convened a panel of three distinguished international judges to follow up on the work of the UN Commission of Inquiry (COI) of 2014. After hearing personal testimonies, reading affidavits from former prisoners and prison guards covering a period from 1970 to 2006, and "drawing on" scholarly works, videos, transcripts, expert testimony and testimony provided to the COI, the judges urged the international community to have either the International Criminal Court or a special international tribunal "investigate crimes against humanity committed in North Korea's political prisons" and "hold culpable parties accountable for their crimes." They said that of the eleven crimes against humanity listed in the International Criminal

Court's statutes, the North Korean regime has committed all of them except apartheid.

<https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=8ae0f29d-4283-4151-a573-a66b2c1ab480>

Serbia. After initially denying access to the indictment of Ratko Mladic's aides who hid him while he was under indictment, the Serbian prosecutor's office released it "in a heavily-redacted form," reported *BIRN*. For background, see *HRWG News* 2017-11. http://www.balkaninsight.com/en/article/secret-serbian-indictment-claims-army-helped-mladic-12-01-2017?utm_source=Balkan+Transitional+Justice+Daily+Newsletter+-+NEW&utm_campaign=800456e5d7-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_a1d9e93e97-800456e5d7-319755321

Sierra Leone. Nigerian Christian pastor Victor Ajisafe has six churches in Sierra Leone, and video and audio clips of his anti-Islamic preaching "went viral on social media," reported *Peace Insight/Peace Direct*. He was arrested and "released on bail after handing in his legal papers, including his passport." The police said the "case file" on him is with the attorney general to decide whether to file charges for incitement to violence. <https://www.peaceinsight.org/blog/2017/11/preventing-religious-conflict-sierra-leone-careful-balancing-act/>

South Africa. The Open Society Foundations reported on OPERA, a tool to support litigation developed by the Center for Economic and Social Rights. "OPERA's key innovation is the use of multiple methods for collecting, analyzing and presenting evidence to assess compliance with economic, social, and cultural rights standards; evidence is organized according to outcomes, policy efforts, and resources, to reach an overall assessment." https://www.opensocietyfoundations.org/voices/how-data-helping-struggle-right-education-south-africa?utm_source=news&utm_medium=email&utm_campaign=news_120917&utm_content=PdJCM2q46Zsg2lkQNjYeM02v183d3yRdPP9BJqjrjk

Syria. The U.S. Holocaust Museum is preserving pieces of fabric with names of 82 Syrian prisoners written in blood. The fabric was smuggled out by Manour Omari, a prisoner who was set free in 2013. <https://www.npr.org/sections/parallels/2017/12/07/568183086/please-dont-forget-us-documenting-syrias-disappeared>

Uganda. Using 2011-2016 "district level cholera outbreak data collected by Uganda's Ministry of Health" and "existing datasets on population, rainfall, water, sanitation, and hygiene," researchers at the U.S. Johns Hopkins School of Public Health identified 22 districts at high risk of cholera, reported *Eurasia Review*, which should help target and strengthen the cholera control program. The researchers said that since a majority of the hotspots are near the borders with the Democratic Republic of Congo and Kenya, "close collaboration with these countries would be an effective strategy for controlling cholera." http://www.eurasiareview.com/29122017-cholera-hotspots-found-at-ugandas-borders-and-lakes/?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+eurasiareview%2FVsnE+%28Eurasia+Review%29

United Kingdom. The *Guardian* reported that "almost 1,000 files" that were loaned to government departments have not been returned to the National Archives. Topics of the files range from Northern Ireland's Troubles to tests of polio vaccines. Amnesty International expressed "deep concern" that "potentially crucial evidence of possible human rights violations in Northern Ireland and elsewhere is being allowed to vanish from the National Archives." <https://www.theguardian.com/uk-news/2017/dec/26/government-admits-losing-thousands-of-papers-from-national-archives>
https://www.theguardian.com/uk-news/2017/dec/26/uk-government-urged-to-search-for-national-archives-papers?CMP=Share_iOSApp_Other; <https://www.amnesty.org.uk/press-releases/uk-lost-archives-amnesty-concern-possible-loss-evidence-human-rights-violations>

The *Guardian* reported that after a rape case collapsed for lack of evidence, the London Metropolitan police service (MPS) said, "As a precaution, every live case being investigated by the child abuse and sexual offences command, where the MPS is in discussion with the Crown Prosecution Service [CPS], is being reviewed to ensure that all digital evidence has been properly examined, documented and share with the CPS to meet obligations under disclosure." https://www.theguardian.com/uk-news/2017/dec/19/met-to-review-all-ongoing-cases-after-second-trial-collapses?utm_source=esp&utm_medium=Email&utm_campaign=GU+Today+main+NEW+H+categories&utm_term=257336&subid=22849866&CMP=EMCNEWEML661912

The Home Office announced that starting in 2018 mothers' names will be included on marriage certificates, *The Times* reported. "At present, the official documents record only the names and occupations of the fathers of the bride and groom." <https://www.thetimes.co.uk/edition/news/mothers-names-put-on-wedding-certificates-g70nk2j2n>

United States. In 2015, for the first time since 1993, nationwide life expectancy fell, according to new data from the Centers for Disease Control and Prevention, reported *STAT*. https://www.statnews.com/2016/12/08/life-expectancy-shorten-american/?utm_source=STAT+Newsletters&utm_campaign=c1b19906f4-MR&utm_medium=email&utm_term=0_8cab1d7961-c1b19906f4-149736437

The United Nations Special Rapporteur (SR) on extreme poverty and human rights issued his "Statement on Visit." Using extensive statistics from government and nongovernment sources, the SR said the US "falls far short" on the "indispensable ingredients" for eliminating poverty. He pointed to "an urgent need for data collection on poverty in all indigenous communities" and cautioned about the use of "new information technologies" that impact "the human rights of the poorest Americans" and further inequality. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22533&LangID=E>

In a 5-year study of "more than 1.1 million births" in Pennsylvania, researchers found that women who lived within half a mile of a hydraulic fracturing site "were 25 percent more likely to give birth to low-weight infants than were mothers who lived more than two miles beyond the sites," reported the *Washington Post*. ("Fracking" is the drilling technique that "injects high pressure water laced with chemicals into underground rock to release natural gas.") The researchers chose to study Pennsylvania "because they got access to birth record data that identified 'the exact locations of the mothers and the wells'." https://www.washingtonpost.com/news/energy-environment/wp/2017/12/13/fracking-sites-raise-the-risk-of-low-birth-weight-babies-new-study-says/?utm_term=.e369fdfee8de

Pro Publica "unearthed hundreds of pages containing four-decades-old federal courts data to test the sentencing averages study" that formed the basis of the punishment rules ("guidelines") used by Federal courts. They found that the evidence used for the study "was flimsy and even flat-out wrong," which led to rules for harsher penalties. <https://www.propublica.org/article/suspect-evidence-momentous-supreme-court-decision-criminal-sentencing#nws=mcnewsletter>

Venezuela. The *New York Times* issued a special report on the impact of the current economic crisis on health. The Health Ministry's data show that 30% more children under the age of 1 died in 2016 than in 2015, and between 2012 and 2015 maternal mortality increased "nearly fivefold." Health data was removed from the government's website and there is "a near total blackout of health statistics," with doctors "often afraid to register cases and deaths" and "often warned not to include malnutrition in children's medical records." https://www.nytimes.com/interactive/2017/12/17/world/americas/venezuela-children-starving.html?utm_source=STAT+Newsletters&utm_campaign=cd5ad602b3-MR&utm_medium=email&utm_term=0_8cab1d7961-cd5ad602b3-149736437

Conferences and publications.

The International Association of Sound Archives calls for proposals for presentations at its conference to be held 1-4 October 2018 at the Institute of African Studies, University of Ghana, Accra. The theme is "Access and Accessibility – Archival Policies and Barriers in the Age of Global Information Exchange." The deadline for proposals is 23 February 2018. For further information: <http://2018.iasa-web.org/call-presentations>

Good reads. The impact of the index card: <https://www.theatlantic.com/technology/archive/2017/12/how-the-index-card-catalogued-the-world/547271/?elqTrackId=61b790ab04384711a4dbd9a6f760a91e&elq=e51adfadf3594c11817d87cc7cff6526&elqaid=17054&elqat=1&elqCampaignId=7393>

Whether corporations can be held liable for violations of international law, particularly international criminal law: <https://www.justsecurity.org/47452/corporate-criminal-accountability-international-crimes/>

The impact of the reform of Mexico's justice system, the paperwork changes, and the current chaos: https://www.washingtonpost.com/graphics/2017/world/torn-apart-by-drug-violence-mexico-aims-to-reform-justice-system/?utm_term=.1a9a3d3d64f4

“Hospital Detentions for Non-payment of Fees: A Denial of Rights and Dignity,” a research paper by Chatham House, the U.K.’s Royal Institute of International Affairs: <https://www.chathamhouse.org/sites/files/chathamhouse/publications/research/2017-12-06-hospital-detentions-non-payment-yates-brookes-whitaker.pdf>

Interview with Tom Blanton, the director of the National Security Archive, a U.S. nongovernmental organization, on “the incredible level of absurdity” in the U.S. Federal government’s document classification system: <https://www.bloomberg.com/view/articles/2017-12-09/the-u-s-has-way-too-many-secrets>

Interview with a U.S. journalist who uses the Freedom of Information Act extensively (suggested by Patrick J. Pierce): <https://longform.org/posts/longform-podcast-272-jason-leopold>

The Queer Archives Institute in Warsaw, Poland: <https://hyperallergic.com/416391/researching-queer-archives-from-the-soviet-union/>

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