

The Importance of Archives for Human Rights: Daily Evidence in the HRWG Newsletter

CRISTINA BIANCHI, Ph.D.

Archivist of the city of Pully, and AAS representative in the Section of Professional Associations of the International Council on Archives, Archives of the City of Pully, av. du Prieuré 2, CH-1009 Pully, Switzerland
e-mail: Cristina.Bianchi@pully.ch

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ABSTRACT

After a short introduction on how the Human Rights Working Group of the International Council on Archives was created and what its activities are, the article will focus on the monthly newsletters written and compiled by the HRWG Chair. The day-to-day work of the archivist seems often very far from the active life, and it looks like it only has a retroactive impact on history, if ever... On the contrary, the articles collected and summarized monthly from paper and electronic newspapers from all over the world by Trudy Huskamp Peterson show how important the good management and appropriate storage of records and archives can change the course of human history and individual life. After an introduction reminding the articles of the Universal Declaration of Human Rights, followed by the Principles of Access to Archives, the author shows in which kind of institutions the related archives can be found. Then, country by country, she details what has happened with records: good news like recovery of war paper which will help people to claim reparation; bad news like floods and fire which have destroyed valuable ownership registries, for example. A good choice of specific archival actions in the IIAS member countries are then mentioned. Link to access the HRWG news: <http://www.ica.org/12315/hrwg-newsletter/list-of-hrwg-newsletters.html>

Key words: archives, human rights, access, news, media

L'importanza degli archivi per i diritti umani: ne è prova ogni giorno la newsletter del Human Rights Working Group

SINTESI

Dopo una breve introduzione su come il gruppo di lavoro per i diritti umani del Consiglio internazionale degli archivi è stato creato e quali sono le sue attività, l'articolo si concentrerà sui bollettini mensili scritti e compilati dalla presidente del HRWG. Il lavoro quotidiano dell'archivista appare spesso molto lontano dalla vita attiva, e sembra che abbia solo un effetto retroattivo sulla storia, se mai... Al contrario, gli articoli mensili raccolti e sintetizzati dai giornali in formato cartaceo ed elettronico provenienti da tutto il mondo da Trudy Huskamp Peterson mostrano quanto siano importanti la buona gestione e la conservazione adeguata dei documenti e degli archivi, che possono cambiare il corso della storia umana e della vita individuale. Dopo una introduzione che ricorda gli articoli della Dichiarazione Universale dei Diritti Umani, seguita dai Principi di accesso agli archivi, l'autrice mostra in che tipo di istituzioni i relativi archivi possono essere trovati. Poi, Paese per Paese, dettaglia quanto è successo con i records: una buona notizia, come il recupero di documenti di guerra che aiuteranno le persone a rivendicare il risarcimento; cattive notizie come inondazioni e incendi che hanno distrutto i registri di proprietà importanti, per esempio. Viene poi menzionata una buona scelta di specifiche operazioni di archiviazione nei paesi membri dell'IIAS. Link per accedere alle notizie HRWG: <http://www.ica.org/12315/hrwg-newsletter/list-of-hrwg-newsletters.html>

Parole chiave: archivi, diritti umani, accesso, notizie, media

Pomen Arhiva za človekove pravice: objava aktualnih poročil v biltenu delovne skupine za človekove pravice (HRWG Newsletter)

IZVLEČEK

Po kratkem uvodu o tem, kako je bila ustanovljena delovna skupina za človekove pravice pri Mednarodnem

arhivskem svetu in kakšne so njene aktivnosti, se članek osredotoča na mesečni bilten, ki ga ureja in pripravlja predsednica delovne skupine. Delovni dan arhivista se zdi pogosto zelo daleč od aktivnega življenja, in izgleda, da ima le retroaktivni učinek na zgodovino, če sploh kakšnega ... Nasprotno pa članki, ki jih mesečno zbira Trudy Huskamp Peterson, in so povzeti mesečno iz tiskanih in elektronskih časopisov iz vsega sveta, kažejo na to, kako pomembno lahko dobro upravljanje in ustrezno shranjevanje dokumentarnega in arhivskega gradiva spremeni potek človeške zgodovine in posameznikovega življenja. Potem ko so v uvodu predstavljeni posamezni členi Splošne deklaracije o človekovih pravicah ter Načela dostopa do arhivskega gradiva, avtorica prispevka podrobneje prikaže, v katerih institucijah je mogoče najti s tem povezano arhivsko gradivo. Nato od države do države podrobneje prikaže, kaj se je zgodilo z arhivskim gradivom, npr. dobre novice, kot je odkritje vojnih dokumentov, ki bo pomagalo ljudem, da zahtevajo povračilo škode in slabe novice kot so poplave in požari, ki so uničili dragocene zemljiško knjižne evidence. V nadaljevanju omenja dobro izbiro posebnih arhivskih ukrepov v državah članicah MIAZ. Povezava za dostop do biltena HRWG: <http://www.ica.org/12315/hrwg-newsletter/list-of-hrwg-newsletters.html>

Ključne besede: Arhivi, človekove pravice, dostop, novice, mediji

1 Introduction

The 2003 Round Table of the International Council on Archives (ICA) in Cape Town adopted a resolution on archives and human rights violations. In part, this resolution invited ICA and UNESCO to put in place a preservation programme for archival fonds that would document violations of human rights. To implement this resolution, ICA established a Human Rights Working Group (HRWG).

The Human Rights Working Group had difficulty finding a place on the program of ICA in Kuala Lumpur in 2008, and even finding a meeting room was delicate because of the sensitivity of the subject in that country. In the wake of that meeting, the HRWG petitioned the Executive Board of ICA to be recognized as an official constituent part of ICA and obtained it. It also created a page on the ICA website¹.

The Human Rights Working Group disseminates information on the importance of archives to defend human rights and the use of archives in protesting the violations of human rights. It issues a monthly newsletter on archives and human rights, it develops projects to increase the cooperation between ICA and archival services and administrations in the field of human rights, and it supports better and wider use of the archives in the defence of human rights.

Some of its members have written fundamental articles and books on the subject, like Antonio Gonzalez-Quintana (2009)², and Trudy Huskamp Peterson (2012)³, all currently on line.

The HRWG newsletter was launched on December 2009, as sixty-one years before the United Nations had adopted the Universal Declaration of Human Rights (UDHR). The drafters were clear: this was a *universal* declaration, not a *United Nations* declaration. The Preamble of the Declaration begins by proclaiming, "Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world".

As archivists know, records are essential to protecting these rights and to obtaining recourse when these rights are violated. The nexus between human rights and archives is strong and complex. Trudy Huskamp Peterson, HRWG Chair, started the monthly newsletter quoting each time an article of the UDHR, the history of its drafting and approval, and some of the records that were essential to them. Then, reading newspapers and online news, she added monthly news mentioning archives all over the world. The newsletter started with three pages, and is now often 13 pages long. Archives seem to become an inevitable subject in social medias!

1. Interesting information can be found at <http://www.ica.org/3321/about-archives-and-human-rights-group/about-archives-and-human-rights.html>.

2. Written in Spanish, and translated in English and French.

3. This work has been elaborated by ICA's Human Rights Working Group. It suggests the ways in which the standard ISAD(G), the general description framework important for the international exchange of archival information, may be adapted to provide guidelines for archivists undertaking description of human rights records.

2 The HRWG Newsletter and the Declaration of Human Rights⁴

The UDHR having a preamble and 30 articles with sometimes sub-articles, it took the Chair 32 months, until July 2012, to touch and write about all the aspects including archives and human rights. Here are two examples of articles, with the context explained, that are especially meaningful to the archival world.

Universal Declaration of Human Rights, Article 2. *(1) Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (2) Furthermore, no distinction shall be made based on the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.*

Article 2 focuses on non-discrimination in two distinct paragraphs. The first paragraph provides a list of categories that cannot be used to discriminate against persons; this list is an expansion of the UN Charter's prohibition of discrimination based on "race, sex, language or religion." It provides a tool for every human rights campaigner who believes that discrimination has occurred in one of the categories listed. The second paragraph must be read in the context of the times. In 1948, much of Africa and large parts of Asia were still under colonial rule; moreover, other areas were United Nations "trust territories". This paragraph sought to ensure that persons whose country did not have self-rule were afforded all the rights of any person whose country was self-governing.

The archival implications of Article 2 are sweeping. Records of governments, educational and religious institutions, political parties and social groups: all these may contain information on the unequal treatment of persons. Discrimination based on language, for example, may be reflected in the records of courts and whether interpreters are provided if the person speaks a language other than that used by the courts; it also may be reflected in election records and the provisions made for ballots that accommodate persons who are illiterate or who speak a language other than one of the official languages of the country.

The second paragraph leads directly to the records of colonial and trust territory administration. While many of the colonial records were and are held in the colonial seat of government and other records of colonial administration were brought to the governing power from the colony before or at the time of independence, other very important colonial records were left in the former colony. Whether Belgian records in Burundi, British records in Sierra Leone, German records in Tanzania, or Spanish records throughout Latin America, these "left behind" colonial records are as crucial for human rights matters as those sent to London, Madrid or the Archives nationales d'outre-mer in Aix-en-Provence. In addition, the United Nations has the responsibility for oversight of UN trust territories. The Department of Political Affairs administers the oversight through its Decolonization Unit, and the records of that office are part of the UN Archives in New York. Archivists, in both former colonial powers and former colonies, in national governments and the UN, preserve these unique records.

Universal Declaration of Human Rights, Article 27. *(1) Everyone has the right to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.*

Article 27 seems to both give and take away, to emphasize shared ownership and private ownership. The first paragraph gives everyone the right to "enjoy" and "share" while the second paragraph gives an individual the right to protect the "moral and material interests" in his or her work. However, as broad as the claim in paragraph one appears to be, Johannes Morsink points out that it says the community, thereby implicitly denying that multiple communities exist within states and that minorities have a right to participate within their own cultural communities. The debates over minority rights within the drafting sessions of the UDHR were contentious and complex, but ultimately the Declaration did not include a separate article on minority rights, although minority rights are expressly considered in the Articles on religion and education. (Morsink, *The Universal Declaration of Human*

4. All newsletters can be found in English and French at <http://www.ica.org/12315/hrwg-newsletter/list-of-hrwg-newsletters.html>.

Rights: Origins, Drafting and Intent, pp. 269-280). The second paragraph put the drafters squarely within debates over copyright and patent law, and some delegates argued that these law-based concepts should not be included in the Declaration. The second paragraph also brought into the open conflicting international positions on whether creators have a “moral right” to control their work even after the work is sold or copyright lapses. However, several factors contributed to the final addition of these two paragraphs: the influence of the newly created UNESCO with its emphasis on culture; the June 1948 conference of the Berne International Copyright Convention which revised the moral rights clause in the Convention; and the April 1948 American Declaration of the Rights and Duties of Man which included a copyright provision. Nonetheless, it remains an Article embodying two very distinct ideas.

The 1966 International Covenant on Economic, Social and Cultural Rights followed the Declaration’s lead, writing in Article 15(1)(c) that each state party must “recognize the right of everyone ... [t]o benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he [or she] is the author.” Peter K. Yu (2007) notes, in his in-depth analysis of UDHR’s Article 27, the Covenant’s Article 15 and human rights, that “the meaning of article 27(2) of the UDHR and article 15(1)(c) of the ICESCR has not changed significantly since the adoption of the instruments,” giving them a “significant impact” on the development of property law regimes. The International Council of Archives has a Working Group on Intellectual Property that deals with copyright and related issues, and similar groups are found in organizations representing libraries and related fields. Emphasizing the scientific element in the Article, the American Association for the Advancement of Science established a Scientific Responsibility, Human Rights and Law Program to address “ethical, legal and human rights issues related to the conduct and application of science and technology”⁵.

As archivists know, the issues of cultural life and creator rights are a central theme of our work. Records of UNESCO and the World Intellectual Property Organization are key to understanding the development of these rights, as are those of governmental cultural agencies, patent, trademark and copyright offices, courts and legislatures. Private sector records extensively document these rights, too. For example, the Dartmouth Jewish Sound Archive recently announced its online database of nearly 40,000 songs, broadcasts and interviews that reflect a range of Jewish cultural life⁶. The on-going fight over who owns the rights to the papers of Franz Kafka was in the news in April with an Israeli police investigation of whether some Kafka manuscripts found a month ago were stolen⁷. In addition, in the Philippines, the president directed all government agencies to turn over their original films and other audio-visuals to the National Film Archive to preserve the country’s artistic and historic wealth⁸. Whatever the source, every archives holds items relevant to the rights outlined in Article 27.

Ten years after the Universal Declaration was adopted, Eleanor Roosevelt, the chair of the United Nations Commission of Human Rights, which had drafted the Declaration, appeared before the United Nations to present a guide for community action to support the ideals of the Declaration. She said,

Where, after all, do universal human rights begin? In small places, close to home--so close and so small that they cannot be seen on any map of the world. Yet they are the world of the individual person: the neighbourhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world. (<http://www.udhr.org/history/inyour.htm>)

We can apply this to the preservation of local and regional archives...

5. See <http://shr.aaas.org/>.

6. See <http://thedartmouth.com/2012/04/16/news/archive>.

7. See <http://www.haaretz.com/news/national/israel-police-probing-possible-theft-of-kafka-papers-1.426392>.

8. See <http://www.zambotimes.com/archives/46611-Aquino-orders-preservation-of-all-Philippine-films-and-audio-visuals.html>.

3 The HRWG Newsletter and the Principles of Access to Archives

The archival world was used to receiving such interesting news and wondered if it would continue... In August 2012, Trudy Huskamp Peterson decided to go on with a new theme that she had just created and proposed to the ICA the Principles of Access to Archives:⁹

As researchers tell it, when they ask archivists for access to sensitive material, they usually get one of four responses: “Those sorts of records were never created.” “Those records were destroyed.” “We don’t have those records.” “You can’t see those records.” For persons denied access to records important to them, for whatever reason, access is urgent and access reform is unfinished business.

The International Council on Archives, in a step that should put the review of access policy on the table at every archives, adopted the Principles of Access to Archives at its August 2012 annual general meeting. The Principles, ten in number with accompanying explanatory text, address access issues in both public and private archives, in archives of businesses and faith-based organizations, in educational institutions and in archives holding private papers. The Principles are accompanied by an introduction that discusses the purpose and scope of the Principles and the shared responsibilities for implementing them. The Introduction summarizes the ethos of the Principles in the opening paragraph:

“Archives are preserved for use by present and future generations. An access service links archives to the public; it provides information for users about the institution and its holdings; it influences whether the public will trust the custodians of archives institution and the service they provide. Archivists support a culture of openness, but accept restrictions as required by laws and other authorities, ethics, or donor requirements. When restrictions are unavoidable, they must be clear and limited in scope and duration. Archivists encourage responsible parties to formulate clear mandates and consistent rules for access, but in the absence of unambiguous guidelines, archivists determine appropriate access by considering professional ethics, equity and fairness, and legal requirements. Archivists ensure that restrictions are fairly and reasonably applied, prevent unauthorized access to properly restricted archives, and provide the widest possible use of archives by monitoring restrictions and promptly removing those no longer warranted. Archivists adhere to the Principles of Access to Archives in formulating and implementing access policies.”

To facilitate the use of these principles, a *Technical Guidance on Managing Archives with Restrictions* was then written by the Working Group on Access of the ICA Committee on Best Practices and Standards.¹⁰

The HRWG became also increasingly aware of the complex problems facing archivists as they encounter human rights issues. It worked on a new set of rules named *Basic Principles on the Role of Archivists in Support of Human Rights*, inspired from the United Nations “Basic Principles on the Role of Lawyers”. Archivists handling records with human rights aspects deal with concrete legal issues, questions of broad social policy, and matters of personal professional ethics. In many nations, this is complex but manageable using the best professional practice. However, archivists working in nations with weak or failing political arrangements may find themselves under pressure as they attempt to protect such records. In addition, all archivists look for support from the profession at large as they seek to show the archival profession in its best, most competent light.¹¹

Over the next ten months, HRWG News looked at each of the Principles, as it had done for the UDHR articles.

“Access to particular bodies of records and for particular users will always be problematic. Ma-

9. The Principles as adopted are found here: <http://icarchives.webbler.co.uk/13619/toolkits-guides-manuals-and-guidelines/draft-principles-of-access-to-archives.html>.

Note: A coalition of freedom of information organizations from around the world, known as the FOI Advocates Network, promoted September 28 as International Right to Know Day. See <http://www.freedominfo.org/regions/global/rtk-day/>.

10. This document can be downloaded at <http://www.ica.org/15369/toolkits-guides-manuals-and-guidelines/technical-guidance-on-managing-archives-with-restrictions.html>.

11. These *Basic Principles on the Role of Archivists in Support of Human Rights* will be put on the ICA website in summer 2014 for comments, and hopefully adopted at the ICA Annual Conference in Girona, Spain, in October 2014.

naging access is never easy, but with the Principles researchers and archivists have a document to use to have a meaningful conversation about the availability of records for consultation as a result both of legal authorization and the existence of finding aids”.

Here are two examples of articles on the Principles of Access to Archives with their context, although all of these principles are interesting, mentioning access to the records of public and private bodies, adopt pro-active approach to access, make known the existence of archives, have equal and fair access, have clear stated restrictions and how to appeal, ensure preservation and state operational constraints.

Principle 7. Users have the right to appeal a denial of access.

Each archival institution has a clear policy and procedure for appeals of initial denials of access. When a request for access to archives is denied, the reasons for the denial are stated clearly in writing and conveyed to the applicant as soon as possible. Users denied access are informed of their right to appeal the denial of access and the procedures and time limits, if any, for doing so.

For public archives, several levels of appeal may exist, such as a first internal review and a second appeal to an independent and impartial authority established by law. For non-public archives, the appeal process may be internal, but it should follow the same general approach. Archivists who participate in the initial denial provide the reviewing authority with information relevant to the case but do not take part in the decision-making on the appeal.

An appeal makes sure that an arbitrary decision can be challenged and potentially reversed. A senior official reviewing an initial denial may be more willing to see the public benefits of releasing information than is the initial reviewer who often believes that he has no flexibility in following the restriction guidelines. In addition, an appeal is an opportunity to do more extensive research about the contents of the document: is the person whose privacy might be invaded already dead, has information on the event already been officially released.

In a case reported in the news on United States, a son discovered that the U.S. Central intelligence Agency and the Federal Bureau of investigation had spied on his father. The son was able to get the FBI documents, but the CIA denied access. He is now appealing the CIA withholding to an inter-agency body that includes the National Archives, hoping that he will finally get the documents on his father. The appeal gives him a second chance, and one outside the total control of the creating agency.

In many countries, the government’s freedom of information law guarantees that the requester will get a chance to plead his case for access if he is turned down when he makes his first request for access. The United Kingdom has a freedom of information act that includes the right to appeal. The U.K. FOIA statistics for 2011 show that of the 37 appeals from denials by “monitored bodies” that were decided in 2011, the information commissioner upheld 24 denials in full, overturned five in full, and overturned eight in part. In other words, in 35% of the cases, an appeal resulted in the release of more information¹². That is an appeal worth making.

Principle 9. Archivists have access to all closed archives and perform necessary archival work on them.

Archivists have access to all closed archives in their custody in order to analyse, preserve, arrange and describe them so that their existence and the reasons for their restriction are known. This archival work helps prevent the archives from being destroyed or forgotten advertently or inadvertently and helps assure the integrity of the archives. Preservation and description of closed archives promotes public confidence in the archival institution and in the archives profession, for it enables archivists to assist the public in tracing the existence and general nature of closed records and learning when and how they will be available for access. If the closed archives have national security classifications or other restrictions that require special clearances, archivists comply with the requisite clearance procedures to gain access.

The archives of the United Nations hold the records of the Truth commissions in El Salvador and Guatemala. Under the terms of the deposits, the records are closed to public access. However, the

12. See <http://www.justice.gov.uk/downloads/statistics/mojstats/foi-statistics/foi-stats-bulletin-q4-2011.pdf>.

UN interprets this as a ban on any kind of work in the records: preservation, arrangement and description. Consequently, the records, which include fragile electronic and audio-visual records, are deteriorating.

In too many countries the national archives is in theory responsible for the records of the government but does not have access-even for preservation purposes-to inspect storage conditions or even ascertain the volume and condition of some records including those of the current and past heads of state. These are impossible situations. Archivists must be trusted to ensure that records are preserved and described, whether the records must be restricted from public access.

4 The current HRWG Newsletter

Since July 2013, after having checked with her board, Trudy Huskamp Peterson decided to continue the compilation of news but remain more general in the introduction of her newsletter and write commentaries on the main issues found in the monthly newspapers, like biometric databases, records concerning identity, international justice, archives used in trials and created by the court during case for crimes against humanity, photographs, security services archives, or prosecution and fear of causing destruction of archives. These commentaries are, as before, followed by an alphabetical list of news found in countries all over the world.

Since the beginning, the news have been translated into French (by the author of this article), and now in Spanish. An annual index has been created to facilitate the retrieval of information. An amazing choice of news has been compiled since 2009 about countries dealing with information, archives and human rights. They are often tragic, sometimes miraculous, not always positive, always amazing, but above all they show how important the good management and appropriate storage of documents can change the course of human history and individual life.

When we think about it, the day-to-day work of the archivist often seems very far from the active life, and its result only having a retroactive impact on history, if ever... These pieces of news show monthly the importance of the archival “ant” work.

Examples of recent news concerning countries linked with the IIAS program

IIAS is hosted by the Italian State Archives in Trieste, and gathers at present nineteen member countries: Austria, Bosnia-Herzegovina, Canada, China, Croatia, Czech Republic, France, Germany, Great Britain, Hungary, Israel, Italy, Montenegro, Poland, Slovak Republic, Russia, Serbia, Slovenia, Spain, and Ukraine. Here are the most recent news on these countries, together with the electronic link to the consulted articles and blogs:

Austria (News of January 2013). In an unusual twist, Vienna’s Jewish Museum is reviewing its records to determine whether it holds books and works of art that had been seized by the Nazis and eventually acquired by the museum rather than returned to the original owners or their heirs, *Reuters* reported¹³.

Bosnia (News of March 2014). Bosnia’s High Judicial and Prosecutorial Council recommended overturning the 2012 decision not to release the full names of persons in court documents in war crimes cases and to record only ten minutes of each hearing. The recommendation goes to courts and prosecutors for their comments and then will be submitted to the legislature for adoption, *BIRN* said¹⁴.

Canada (News of March 2014). *CBC News* reported that the personal details of 5500 patients “including names, dates of birth and diagnostic reports” were on a laptop that was stolen from Etobicoke General Hospital¹⁵.

13. For the original article in Der Standard, see <http://derstandard.at/1356426789553/Ungeklarte-Provenienzen-im-Juedischen-Museum>; for the Reuters story see <http://uk.reuters.com/article/2013/01/05/uk-austria-museum-idUKBRE90408R20130105>.

14. For background, see HRWG News 2013-08. http://www.balkaninsight.com/en/article/bosnia-to-reallow-publishing-of-indictments-and-verdicts?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=508da59576-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-508da59576-311109073.

15. See <http://www.cbc.ca/news/canada/toronto/laptop-theft-exposes-thousands-of-hospital-records-1.2561617>.

China/Japan/ Korea (News of March 2014). The Jilin Provincial Archives in northeast China released another set of World War II era captured Japanese records, providing Korean media with “25 sets of documents related to comfort women,” reported Korea’s *JoongAng Daily*, including a military police report from February 1938 saying “there was a need to ‘recruit more comfort women because there is a shortage on location’” and bank records detailing expenditures on comfort women between December 1944 and March 1945¹⁶.

Croatia (News of May 2013). In an illustration of the importance of records of journalists in war crimes trials, a journalist who interviewed a member of a unit whose leader, Tomislav Mercap, is on trial said that the man interviewed “personally signed every page of the interview to approve it.” In the interview the man said, “That Mercap knew about more than 280 killings perpetrated by his unit,” *BIRN* reported¹⁷.

Czech Republic (News of March 2014). The *New York Times* published a warm tribute to Jiri Fiedler, a Czech man who collected documents and information on the history of the Jewish community in the Czech lands. Fiedler was murdered in Prague on January 31¹⁸.

France/Southern Europe/Northern Africa (News of February 2013). *Agence France Press* reported that declassified French documents show the “radioactive spread from French nuclear tests in Algeria in the 1960s” was much greater than previously acknowledged, stretching “across all of West Africa and up to southern Europe”. Military veterans believe they have health problems stemming from the exposure to radiation, and Algerians against France have filed “a number of civil cases”¹⁹.

Germany *Pro Publica* published a diagram hand-drawn by the Stasi, the East German secret police, showing the 46 social connections “the Stasi gleaned about a poet they were spying on”. The author of the book *Dragnet Nation* obtained the document; it is a fascinating example of linkages as seen by surveillance operatives²⁰.

Great Britain-United Kingdom/Former Colonies (News of February 2014). The so-called “Special Collections” archives of the Foreign and Commonwealth Office (FCO) continue to make news. In answer to a question in Parliament, Foreign Office minister Baroness Wars announced that an “FCO Records Day” would be held 9 May to provide “a further opportunity for interested historians to discuss the Special Collections and other archive records issues with FCO officials who are responsible for the management and release of FCO archive records”. *The Independent* reported that Tony Badger, appointed in December as the “independent reviewer” of the archives, is concerned that not enough people are assigned to review the documents. The *Gibraltar Chronicle* noted that a number of files in the Special Collections relate to the enclave, including files “on a 1970 inquiry into the Gibraltar Police force”²¹.

Hungary (News of January 2014). The deputy leader of the governing party said the Socialist party must turn over its archives from the 1944-1989 period to the Hungarian National Archives, reported *MTI*. The archives are currently held in the Institute of Political History created by the Socialist party. A commentator on the article wrote, “They should publish them all online before they hand them over. Once they are in the hands of the Hungarian State Archives, they’ll never be seen again”²².

16. See <http://koreajoongangdaily.joins.com/news/article/article.aspx?aid=2986897&cloc=joongangdaily|home|newslist2>.

17. See http://www.balkaninsight.com/en/article/journalists-testify-at-mercep-trial?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=7a3b6b8e14-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-7a3b6b8e14-311109073.

18. See http://www.nytimes.com/2014/03/09/opinion/sunday/eulogy-for-a-source.html?_r=0.

19. See <http://www.france24.com/en/20140214-map-shows-huge-radiation-spread-french-saharan-nuclear-tests/>.

20. See <http://www.propublica.org/article/how-the-stasi-spied-on-social-networks>.

21. See <http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/140204w0001.htm>; <http://www.independent.co.uk/news/uk>

[politics/a-new-excuse-for-burying-bad-news-cambridge-professor-seeks-assurances-from-foreign-office-over-declassification-of-its-archives-9117073.html](http://www.independent.co.uk/news/uk/politics/a-new-excuse-for-burying-bad-news-cambridge-professor-seeks-assurances-from-foreign-office-over-declassification-of-its-archives-9117073.html); http://www.chronicle.gi/headlines_details.php?id=32809.

22. See <http://www.politics.hu/20140112/kdnp-calls-on-socialists-to-hand-over-communist-era-files/>.

Israel/Palestine (News of February 2014). The Palestinian Authority (PA) decided to stop including religious affiliation on national ID cards “so that there will no longer be any differentiation between Muslims and Christians on the IDs,” Al-Monitor reported. However, religion is still on the person’s birth certificate. “Israel has objected to abolishing religion on Palestinian IDs because it controls their official records, IDs and passports and the PA does not have the right to make amendments to this effect without the prior approval of Israel, according to the Oslo Accords,” said the undersecretary of the PA Ministry of Interior²³.

Italy (News of February 2013). Proving that arrest warrants are eternally interesting, the *Huffington Post* reported that a researcher in Italy seems to have found the original arrest warrant from 1513 for Niccolò Machiavelli, the famous author of *The Prince*²⁴.

Italy’s Supreme Court of Cassation ruled in late January that the government must compensate the families of the 81 people killed in an airplane crash in the sea off Sicily in 1980. The crash has led to “three decades of inquiry boards, parliamentary commissions, countless expert reports, and one of the longest judicial inquiries in recent Italian history,” the *New York Times* wrote. Although the Court said that, it was “abundantly” clear that a missile shot down the plane, the perpetrators remain unknown. Prosecutors in Rome have sent legal requests for documents relating to the crash, called letters rogatory, to Belgium France, Germany and the United States²⁵.

Montenegro (News of October 2013). The Council of Europe expressed “major concern” that “part of Montenegro’s RAE [Roma, Ashkali and Egyptian] population still do not have proper papers” that will allow them to get work, healthcare and education, BIRN reported²⁶.

Poland/Russia/United States (News of March 2014). The U.S. National Archives announced it was releasing an additional 205 pages relating to the Katyn Forest Massacre of Polish military by Soviet secret police units in 1940²⁷.

Russia/Ukraine (News of March 2014). On March 1, during the Russian occupation of the Crimea, “gunmen in masks” forced their way into the Crimean Center for Investigative Journalism (CCIJ), whose staff members managed to flee with only part of their files. According to the *Global Investigative Journalism Network*, the Internet Archive’s Archive-It service managed to back up the Center’s entire website. According to blogger Ian Milligan, between March 1 and 19 Archive-It captured and preserved 5185 CCIJ videos²⁸. At a meeting of the United Nations Security Council on March 3, the Russian Ambassador held up a letter from ousted Ukrainian president Viktor Yanukovich to Vladimir Putin “asking him to use military force in Ukraine to restore law and order,” reported *RT* and other media sources²⁹.

Serbia (News of March 2014). The Commissioner for Information of Public Importance, acting on an appeal by the Humanitarian Law Center, ordered that “the practice of anonymization of judgments” in war crimes cases violate existing law³⁰.

Slovenia (News of February 2014). The national archives posted online the first batch (10,000 out of 5 million pages) of Communist-era Yugoslav secret service (UDBA) records and “a list of surveillance equipment” used by the service from 1942 to 1951. The archives’ director said, “Amending the legislation on the state archives could enable the digitalization of the entire UDBA materials with

23. See http://www.al-monitor.com/pulse/originals/2014/02/palestinian-authority-amas-national-id-religion.html?utm_source=Al-Monitor+Newsletter+%5BEnglish%5D&utm_campaign=193f1ae499-January_9_20141_8_2014&utm_medium=email&utm_term=0_28264b27a0-193f1ae499-93088897.

24. See http://www.huffingtonpost.com/2013/02/26/machiavelli-arrest-warrant_n_2765671.html?view=screen.

25. See <http://www.italymag.co.uk/italy/plane-crash/italy-s-supreme-court-rules-ustica-plane-struck-missile>.

26. See http://www.balkaninsight.com/en/article/part-of-montenegro-s-refugees-still-lacks-basic-papers?utm_source=Balkan+Transitional+Justice+Daily+Newsletter&utm_campaign=a2e15acald-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_561b9a25c3-a2e15acald-311109073.

27. See <http://blogs.archives.gov/ndc/2014/03/25/new-katyn-documents-declassified-in-2013-and-2014/>.

28. See <http://www.poynter.org/latest-news/mediawire/241793/journalism-group-quietly-preserves-crimean-news-services-archives-after-armed-incursion/>; <http://activehistory.ca/2014/03/preserving-history-as-it-happens/>.

29. See For a photo of the Ambassador and the letter, see <http://rt.com/news/churkin-unsc-russia-ukraine-683/>.

30. See <http://www.hlc-rdc.org/?cat=221&lang=de>.

the prior erasing of names and sensitive data from documents that are to be posted on the internet”³¹.

(News of March 2014). Preservation of and access to the records of the communist-era secret police was in the news. Early in the month, the Culture Minister said he “suspected unlawful destruction of documents of the Yugoslav-era secret service SDV” and had referred the question to the government prosecutors. Late in the month, the opposition political party filed signatures with the government requesting a referendum on a measure requiring the preservation of and access to the records of the secret police, reported *STA*³².

Slovakia (News of October 2013). The Slovak government’s Institute of National Memory was established to provide access to the records of the activities of the secret police of Czechoslovakia between 1939 and 1989. TASR reported that the members of the Institute’s board “unanimously approved a resolution” against the board chairman “who in the long term disrespects the position and tasks of the institute’s bodies”³³.

Spain (News of January 2014). The last Republican leader of Spain, Juan Negrin, took 150,000 records with him when he went into exile in France in 1939. Now the records have been brought to the Juan Negrin Foundation in Las Palmas, with copies deposited at the French National Archives and Spain’s Documentary Center for Historical Memory in Salamanca. According to Negrin’s biographer, the records include “practically intact, material from the President’s Office, the Treasury Ministry and the Defence Ministry”. Given the still unanswered questions about the Spanish civil war, the opening of these records (which will be controlled by the Foundation) could provide important information on human rights matters³⁴.

And finally a very good news from

Switzerland (News from November 2013). The Swiss Federal Council approved the total revision of the Law on the Protection of Cultural Property. Among the important new provisions is the legal authority to provide a “safe haven” for the temporary storage of cultural property, including archives, seriously threatened in other countries, including in disaster and emergency situations. By enacting this much-needed law, Switzerland became the first country in the world to offer this official protection. On behalf of colleagues worldwide, thank you, Switzerland³⁵.

5 Conclusion

Welcome to the news world of archives and Human rights. The media that are more social talk about archives, the better for the profession. It raises awareness at the political, economic and societal level and therefore becomes an important part, although indirectly, of the program of “advocacy” that the ICA would like to develop about the archival profession.

You can also decide to be active and participate by sending national news at the following addresses:

trudy@trudypeterson.com or j.boel@UNESCO.org. Please share news with them!

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/hrg3_042010.php

Previous issues of the Newsletter are online at <http://www.ica.org/12315/hrwg-newsletter/list-of-hrwg-newsletters.html> and <http://128.121.10.98/coe/main.jsp?smd=2&nid=569829>.

31. See <http://www.mia.mk/en/Inside/RenderSingleNews/363/115064526>.

32. See <http://www.sta.si/en/vest.php?s=a&id=1993077>.

33. See http://spectator.sme.sk/articles/view/51715/10/upn_head_accused_of_sabotaging_institute_responds_its_part_of_discrediting_campaign.html.

34. See http://elpais.com/elpais/2013/12/26/inenglish/1388070929_144060.html.

35. See For the text, see <http://www.bevoelkerungsschutz.admin.ch/internet/bs/fr/home/dokumente/mitteilungen/20131112a.html>.

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SUMMARY

After a short introduction on how the Human Rights Working Group of the International Council on Archives was created and what its activities are, the article will focus on the monthly newsletters written and compiled by the HRWG Chair. The day-to-day work of the archivist seems often very far from the active life, and it looks like it only has a retroactive impact on history, if ever... On the contrary, the articles collected and summarized monthly from paper and electronic newspapers from all over the world by Trudy Huskamp Peterson show how important the good management and appropriate storage of records and archives can change the course of human history and individual life. The first chapter mentions the series of 30 articles based on the Universal Declaration of Human Rights, with two meaningful examples. The second chapter speaks about the ten Principles of Access to Archives with also two examples especially chosen. As in the first, the author describes in which kind of institutions the related archives can be found. The third chapter explains how the current newsletter is organized, with a translation in French and Spanish. The fourth chapter gives an overview, country by country, on how the HRWG Chair details what has happened with records: good news like recovery of war paper which will help people to claim reparation; bad news like floods and fire which have destroyed valuable ownership registries, for example. A good choice of specific and current archival actions in the IIAS member countries are mentioned. Finally, the conclusion reminds us that the archival work needs to work on awareness and advocacy, for which social media is a good channel. Link to access the HRWG news: <http://www.ica.org/12315/hrwg-newsletter/list-of-hrwg-newsletters.html>.

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