

## News from the ICA Human Rights Working Group

January 2010

Trudy Huskamp Peterson, Chair

Universal Declaration of Human Rights, Article 1. *All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.*

These robust sentences start the list of Articles of the Declaration. Scholars of the Declaration have traced the roots of Article 1 to many sources, notably the French Declaration of the Rights of Man of 1789 and the American Declaration of the Rights and Duties of Man that was adopted by an international conference of American States earlier in 1948. Despite that illustrious parentage, the Article was a late addition to the Declaration, and the delegates discussed placing it in the preamble rather than making it one of the Articles. There were disagreements over language, including over the meaning of the word “born,” an argument that remains part of today’s debates over abortion. In ultimately deciding on the strong phrases and the placement of the sentences as the very first Article, the delegates were mindful of the dark human rights abuses during World War II. French delegate Rene Cassin, who was one of the drafters of the Article, explained to the delegates that it was essential to stress the “unity of the human race” because Hitler “started by asserting the inequality of men before attacking their liberties.” (Quotation from Johannes Morsink’s *The Universal Declaration of Human Rights: Origin, Drafting and Intent*, p. 38)

The principles in Article 1 are discussed further in subsequent Articles, especially Article 15 on the right to a nationality and Article 4 on the prohibition of slavery. But it is the clear, quotable statement of Article 1 that sets the rest of the Articles in context.

Many records in archives help protect these rights. Prominent among them are birth registrations (whether registered by secular or religious bodies) and records of the issuance of identity documents, usually by a governmental entity (local, national, or international). In many parts of the world, the registration of births has been slow to develop; UNICEF estimates that around 51 million births go unregistered every year in developing countries (see [http://www.unicef.org/protection/index\\_birthregistration.html](http://www.unicef.org/protection/index_birthregistration.html)). The records of births stabilize identities. They provide the fundamental underpinning for many rights, from the right to vote and the right to inheritance to the permission to drive and the permission to drink liquor (in countries where driving and drinking are based on age). As archivists responsible for protecting and preserving the documentation of births and identities, whether in ledgers or files or databases, we are handling powerful records indeed.

In a negative sense, the records of slavery in all its forms are part of the records under Article 1, too. Work has been done to locate and preserve the records of the Atlantic slave trade (see, for example, the final report of ICA and UNESCO project on the archives of the slave trade at [http://portal.unesco.org/ci/en/ev.php-URL\\_ID=18318&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/ci/en/ev.php-URL_ID=18318&URL_DO=DO_TOPIC&URL_SECTION=201.html).) Many more records and personal papers exist that document slavery in other parts of the world. And the documentation of slavery goes far beyond logs of voyages, as important as they are (see, for example, the Trans-Atlantic Slave Trade Database

<http://www.slavevoyages.org/tast/index.faces>). The news from Scotland, below, provides an example of the far-flung documentation that sheds light on this abhorrent practice.

Haiti and Article 1 records. As we see the heartbreaking scenes from Haiti in the aftermath of the earthquake, we know that many people have lost their personal copies of identity documents, that offices that held the official copy of identity documents are destroyed and the records lost, and that the identity of infant orphans may never be established. The system of identity documents must be re-established, either by a government program funded by donors or through a direct program by an international aid organization. We hope the government of Haiti and all others involved will make sure that a security copy of old and new documentation is deposited in a location less likely to be affected by natural disasters. And we archivists need to take heed from this disaster and think about the security of the systems of identity documents we manage.

ICA news. The International Council on Archives recently named the Board of Trustees for the Fund for International Archival Development (FIDA), which is established by Article 68 of the ICA Constitution. FIDA's charter is to promote, encourage and support the development of archives in all countries and encourage access to archives, all of which is very important to archives managing records that support human rights. Sarah Tyacke, the former national archivist of the United Kingdom, is the chair, and the Board's first meeting will be in Washington on March 26. Funding for FIDA will come from ICA and, the ICA hopes, through (in the words of ICA's Article 69) "donations from third parties provided these do not compromise the autonomy of ICA."

History and human rights. Antoon De Baets, University of Groningen in the Netherlands, writes to alert the HRWG community to a number of publications. He specializes in the history of the censorship of history and published an article "The Impact of the Universal Declaration of Human Rights on the Study of History" in the journal *History and Theory* 48 (February 2009), 20-43. He is also the webmaster for the Network of Concerned Historians (<http://www.concernedhistorians.org>), and this website, he reports, "contains a lot of information about archives and repression and archives and persecution."

#### Archives in the news.

\*Brazil. Last June Brazil's Congress passed a new law to establish titles to land in the Amazon region. The law is controversial, with opponents arguing that it will impede environmental conservation and discriminate against small holders. The records implication is that the government estimates that clear ownership records exist for less than 4 percent of the millions of acres of land in private hands. The land registration records to be created under the new law will be essential documentation for future assertions of rights. <http://news.bbc.co.uk/2/hi/8220519.stm> and *New York Times*, 27 December 2009, p. 6.

\*Chile. A new research organization, Archivos Chile, has been established in Santiago. Headed by John Dinges, the author of *The Condor Years*, a key resource for information the repression in the Southern Cone, Archivos Chile plans to file requests under Chile's new freedom of information law (Ley de Acceso de Informacion y Transparencia), both to test the effectiveness of the law and to gain access to documents that will help the Archivos' researchers investigate past and present government actions. For further information, see <http://www.nsarchive.org/chile>.

\*France. Hearts Without Borders is a three-year-old French organization dedicated to helping the estimated 800,000 children born to German soldiers during the Nazi occupation of European countries recover their genealogy. According to a story published in the *Washington Post* on 10 December 2009, Jean-Jacques Delorme, the founder of Hearts Without Borders, learned that his father played the cello in a Wehrmacht orchestra, and “contacted an archivist in Berlin, who came up with a list” of members of the orchestra, including his father.

\*Scotland. A ledger kept by a surgeon who sailed in the British Royal Navy and now in the Scottish Catholic Archives has descriptions of the Royal Navy’s involvement in policing the slave trade. The surgeon, when working on ships patrolling the West African coast, was required to assess the health of slaves when a slave ship was boarded. The ledger is a vivid example of how archives of faith-based institutions have records that relate to vital human rights. A news story about the ledger and the Archives is at <http://www.heraldscotland.com/life-style/real-lives/unearthed-journal-gives-eye-witness-account-of-slavery-1.995613>

\*USA. A police academy training new police recruits in the US state of Maryland in courses such as criminal law, searches, use of force and investigations had such poor records that auditors for the police could not tell whether recruits had received instruction or not. Officers whose records at class could not be verified had to take the training again. The records of educational institutions are a significant part of the human rights records that archivists manage. *Washington Post*, 21 December 2009, p. B1.

Please write. If you have any information or news that you would like to share on human rights issues, please write!