“When we first got the [satellite] photos, we had no idea they were prison camps. The North Korean gulags are work gulags, but the prisoners are forced to work and live in what look like North Korean villages. It wasn’t until we began interviewing former prisoners that we knew what we were looking at,” a senior scientist at the Natural Resources Defense Council (NRDC) told me during an interview I conducted with him in 2008. The scientist in question has a PhD in experimental physics and oversees the NRDC’s nuclear nonproliferation programs. The NRDC scientist was also the technical adviser for a path-breaking human rights research project on North Korea, which is why I contacted him.

At the time, I was involved in a mapping project that would employ satellite imagery for human rights verification purposes. The goal was to identify the likely route of the Shwe Pipeline, which the then lead joint venture partner, South Korea’s Daewoo International, had not yet publicly announced. Once built, it would pump oil and natural gas from an offshore site in the Gulf of Bengal across Myanmar to southwestern China—a distance of nearly twenty-four hundred kilometers, with some sections of it passing through areas contested by different non-state armed groups (NSAGs). The project was strategically important. The pipeline would enable China to diversify the routes it used to import oil and gas from the Middle East and to avoid the Straits of Malacca, which is narrow, crowded with tankers, and easily blocked if armed conflict were to break out. Cutting the transport distance would significantly reduce time and costs as well. The joint venture project

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Introduction

Finding a fact means determining that its existence is more probable than its non-existence.
—American Law Institute
would further provide much-needed hard currency to the State Peace and Development Council (SPDC), the military-led regime then in power. (Economic sanctions, imposed by several Western governments, made it very difficult for the regime to access such currency at the time.) Given the regime’s terrible human rights record, advocacy groups were very concerned that pipeline construction would result in large-scale violations, including the forced relocation of villages without compensation and forced labor to cut construction costs, as had transpired with previous infrastructure projects.

EarthRights International (ERI), the nongovernmental organization (NGO) that I worked for at the time, set out to map the environmentally sensitive areas and population centers that were potentially at risk. To plot possible routes, we used a combination of satellite imagery, digital mapping tools, and an atlas of existing roads and rail networks, as well as information from advocacy groups, such as the Shwe Gas Campaign, that conducted research on the ground.

We planned to present the information to the South Korean Human Rights Commission in the hopes that this body could pressure Daewoo to pay for an independent third party to monitor construction using remote sensing (an assemblage of high-resolution satellite imagery, geographic information systems, and Google Earth, which combines them both). The financial cost of such “deterrent” monitoring, we maintained, was minimal when compared to the possible expense of a lawsuit, as had occurred in the recent past. Unocal and Total Oil had paid many millions of dollars each in 2005 as part of separate out-of-court settlements for their role in “aiding and abetting” human rights abuses during the construction of the Yadana and Yeta-gun Pipelines in the southeastern part of the country.1

The primary goal of my conversation with the NRDC scientist was to learn what we would have to bear in mind if we moved forward with the monitoring proposal. But his answers to my questions also inform the focus of this book, which concerns human rights “fact” production. In it, I examine different types of human rights documentation, the archival formations that result from them, and the effects both have upon transnational advocacy. All three types of documentation center on disparate efforts to prove that the country’s armed forces (Tatmadaw) routinely committed crimes against humanity and, in many cases, war crimes, against civilians in southeastern Myanmar over the course of decades. I devote special attention to the epistemological, methodological, and ethical issues that arise when we
recognize the extent to which human rights “facts” are, in fact, fashioned rather than found, as the North Korean example will make clear.

My analysis of the investigative decisions made, field methods employed, analytical practices utilized, and advocacy strategies mobilized demonstrates how “fact” production occurs and why it matters to human rights claims. Sociologist Howard Becker, in a recent work on the philosophy of knowledge, makes an important point that applies here: “The word accepted in accepted fact reminds us that the evidence has to convince someone of its validity, its weight, to become evidence.”2 Persuasion, in other words, is an inescapable element of human rights documentation from the very start. (“Facts are argumentative practices,” as another human rights philosopher bluntly put it.)3 Becker’s point is a useful reminder that it is not information per se that matters, but rather “what kind of information, produced by whom, and authorized by what symbolic and material powers that make it persuasive.”4 When a fashioned “fact” becomes accepted as fact, it does not mean that social constructivism has triumphed over positivism, however. The belief that one can be easily distinguished from the other in the context of human rights documentation is a specious one, as neither exists in complete isolation from the other. A process-oriented account thus enables us to examine the interplay between what happened in empirically verifiable terms and what is said to have happened. Focusing on the interplay, which may at occur at several different moments in the life cycle of a human rights “fact,” disrupts conventional binary views that conceive of positivist approaches to human rights documentation as “true” and constructivist ones as, if not “false,” then at best politically biased.

The point of departure for such an investigation begins with what is generally assumed to be a straightforward element fundamental to human rights praxis: fact-finding. In recent years, calls have grown stronger to establish more uniform “codes, rules, manuals, and guidelines” to help standardize human rights fact-finding practices, which remain quite diverse.5 However, the increased interest in this area overwhelmingly overlooks the assumptions that underlie efforts to achieve greater standardization, and this neglect poses an opportunity to subject the current “turn to the factual” in human rights documentation to much-needed scrutiny.6 Fact-finding, as conventionally understood, entails a determination of what transpired, who bears responsibility for it, and what kinds of action are recommended in response. Yet the means by which the conclusions are reached rarely receive
critical reflection beyond informal conversations among practitioners. This situation is finally beginning to change, and this book adds to those efforts. According to human rights philosopher Frédéric Mégret, three debates about the nature of “facts” have emerged recently in the field of human rights documentation. The first debate concerns the procedures that should be used to identify human rights facts. While a welcome development, a narrow focus on procedural issues can obscure the extent to which purportedly factual statements are propositions—that is, assertions that express a judgment or opinion. Some facts, for example, may be true propositions, such as “informant A” personally witnessed army “officer X” order an attack on civilians. Other facts are plausibly true exemplifications; that is, they possess qualities or stand in relation to other facts yet are subject to interpretation and thus disagreement. Civilians, to offer another relevant example, are only civilians if they possess the qualities or relations that define a noncombatant under international humanitarian law. But in contexts of asymmetric warfare, such as insurgencies, distinguishing civilians from combatants when they outwardly resemble one another and may participate in some similar practices can be extremely difficult. Still other facts refer to states of affairs, in other words, the way the actual world must be in order to make a given proposition about the world true. In the case of “officer X,” he can be deduced to be a war criminal because his actions, killing civilians, make him so. In sum, the first type of human rights “fact” is logical, the second is epistemological, and the final one is ontological in nature. Despite significant differences, all three types of facts unavoidably rely on what Mégret refers to as “mental operations that tie them together,” which include “presumptions, deductions, inferences, and extrapolations.” As this book demonstrates, these operations are not incidental to human rights documentation. They are instead fundamental to it.

The second debate revolves around the credibility of a “fact” as conveyed by a witness. Typically, a witness is deemed to be credible if recognized by others as a source of reliable information regarding someone, an event, or a phenomenon. But other factors have a bearing on credibility, such as evaluations by others of witness confidence, accuracy, and intentions, all of which are, to a greater or lesser degree, subjective in nature. A witness, in other words, is judged on their performance, specifically the degree to which their comportment and statements align with the “formal and pragmatic dimensions” the context requires. (A witness who “recites a myth in response
to a lawyer’s request for a factual account” would not be deemed credible in a court of law, for example.)\textsuperscript{12} Trustworthiness, another key element of credibility, is similarly difficult to measure in objective terms, though an established track record of reliability can help buttress witness claims, as can official “proof,” such as credentials and certifications in the case of experts. But the fact remains that the credibility of the witness is not solely defined by the witness; rather, it is determined, in large part, by others, which is why the “facts” are, especially in legal settings, subject to contestation.\textsuperscript{13}

The third debate, Mégret explains, revolves around the impact human rights “facts” are intended to have on a specific audience, which in turn hinges upon the standards of proof required. Such standards vary depending on the purpose of the fact-finding and the thresholds different researchers rely upon (reasonable suspicion, sufficient evidence, and conclusive evidence, for example) to calculate the probabilities of each. However, these evidentiary thresholds are defined in nonuniform ways, which hampers comparative analysis across fact-finding methods and again invites conflicting interpretations of what the presented “facts” mean.\textsuperscript{14}

I engage with all three of the debates that Mégret identified to analyze the fact-finding practices different organizations used to document state-sponsored violence in Myanmar, long considered a human rights pariah. My discussion of fact-finding, although focused on the situation in the south-eastern part of the country, is relevant beyond it. Human Rights Watch is an excellent example due to its global reach and considerable financial resources. Human Rights Watch documents violations and conducts advocacy on abuses in more than eighty countries annually. Its researchers also conduct fact-finding on nearly a dozen other cross-cutting issues, such as women’s rights, international justice, and military affairs. The work is made possible by private donations and foundation grants. In 2019, such funding enabled Human Rights Watch to spend almost US$63 million on its programming.\textsuperscript{15} Human Rights Watch is among the largest nongovernmental producers of human rights “facts” in the world for these reasons. Yet no documents are publicly available on the types of training its fact finders receive and the research methodologies they use, two issues that raise questions about how documentation is carried out and the representativeness of the “truth” claims made.

The North Korea mapping project, mentioned earlier, which requires minimal contextual knowledge to understand what I mean by “fact”
production, illustrates why organizational silences on such issues matter. Representatives of the US Committee for Human Rights in North Korea approached the NRDC scientist I interviewed in 2008. They asked whether he could help them interpret some high-resolution commercial satellite images of seven suspected “political penal-labor colonies” located in the country’s remote mountainous areas near the border with the People’s Republic of China. He regularly used satellite imagery to monitor nuclear programs, and he agreed to assist the research team with image analysis. But the NRDC scientist quickly found the process to be far more complicated than anticipated. The images, despite the impressive amount of detail they contained (roads, railways, rivers, fences, fields, and so on, down to one-meter resolution), were meaningless on their own for a simple reason. The research team could not readily distinguish real villages from “political penal-labor colonies” disguised as real ones—even with the information David Hawk, the report’s lead author, had elicited from former prisoners and guards living in exile whom he had interviewed while preparing it. The informants had provided context concerning the history of the penal colonies and their inner workings. The details, however, did not solve the central problem the team faced: how to determine which buildings were used for what purposes when they outwardly looked the same, and whether the economic activities also visible in the images—primarily logging, mining, plantation agriculture, textile manufacturing, and cement production—were legitimate or performed though forced labor by political prisoners.

The problem persisted, the NRDC scientist told me, because the informants could not easily place themselves in the two-dimensional pictures. Confused, I asked what he meant. The informants, he explained, had always moved horizontally through these spaces, whereas we were asking them to tell us what they saw from a vertical perspective. To solve this problem, the report’s research team decided to dramatically enlarge the images until each of them was twelve feet by three feet in size. They then pieced the separate images together. The result was a meta-image of the suspected political penal-labor colonies, one that added a third dimension to the composite whole, as it enabled the informants to walk around “inside” the villages, identifying the structures and the nature of the work carried out in them while they did so.

Geo-spatial and digital visualization technologies, such as the ones the NRDC scientist used while putting together the 2003 report The Hidden
Gulag, now provide an important method for documenting human rights violations in conflict zones from “afar.” Visual evidence, many NGOs assert, provides purportedly objective proof of state-sponsored violence, especially in remote areas, by making visible the material traces it leaves behind, such as charcoal scars where villages previously stood before armed actors burned them to the ground. The reality is considerably more complicated, however. Nevertheless, visual evidence, when it corroborates eyewitness testimony, provides a powerfully persuasive tool, not only for identifying the size and scale of forced displacement but also for monitoring high-risk areas as a potentially preventative measure, which is what ERI sought to do with the Shwe pipeline mapping effort in Myanmar. Unfortunately the proposed pipeline monitoring project did not go forward due to a political shift in the leadership of the South Korean Human Rights Commission and the decision by Myanmar’s military regime to grant China the rights to construct the US$2.5 billion project, which finally went online in 2015. Fortunately, large-scale abuses did not occur during the construction phase, though widespread complaints suggest that inadequate compensation to affected villagers for the land they lost to the project was a significant problem.

Importantly, the effort to map North Korean political penal-labor colonies relied on a number of translations, each of which produced different types of “facts,” which is why I used this example to introduce what I explore at length in this book. In this example, translation has two connotations. The literal process for transforming words expressed in one language into another and the technical process of moving something from one contextual place to another affect meaning-making. The “fact” of what happened required distinguishing the political penal-labor colonies from ordinary ones, and this outcome was produced through a number of steps. Very few of the steps were the result of advance planning, however. Instead, the researchers had to develop strategies on an ad hoc basis to overcome the problems they encountered along the way when trying to link informant testimonies with specific locations and particular practices.

The translation of the oral testimonies from the North Korean dialect into English was obviously the first challenge. Next, the researchers sought to connect the testimonies with the satellite images. When that effort failed, they created a meta-image that the former guards and prisoners could physically walk around “in.” The process of moving through the two-dimensional visual representation of the political penal-labor colonies triggered their
three-dimensional embodied memories of place. By connecting the two forms of sensory experience, the informants were able to identify the divergent functional purposes of structures that outwardly looked the same. Having done so, the researchers then rendered the specific buildings that the defectors identified into computer-generated schematic drawings depicting the spatial organization of forced labor within them. The end result was a path-breaking report that became “a textbook on political imprisonment in North Korea” and a key tool for international advocacy efforts in the years that followed. But the process by which this occurred, as the NRDC scientist explained to me, was far from straightforward. The creative problem-solving approach the team devised, details of which did not appear in the report, was the condition of possibility for answering the central research question, as the satellite images and testimonies from defectors were insufficient on their own.

My summary of the process of identifying the North Korean labor camps broadly captures some of the complex issues that arise when we carefully examine how human rights–related “facts” are produced as well as found. This book explores these dynamics and their afterlives in the form of reports written, archives established, and the artifacts advocacy campaigns deployed. Close attention to these dynamics, I argue, foregrounds the importance of fact-finding, which continues to be an underexamined element of human rights practice despite its centrality to the entire project. Why is this important? Foregrounding fact-finding in critical yet constructive ways prompts long overdue conversations about the possibilities and limits of human rights documentation as a mode of truth-seeking. Such conversations are particularly urgent in an era when the perpetrators of large-scale human rights violations exploit misinformation, weaponize disinformation, and employ outright falsehoods, including deepfakes, to undermine the credibility of those who document abuses and demand that they be held accountable for them in the court of public opinion and in courts of law. To respond to such attacks, practitioners and scholars alike need to be more transparent about and accountable for how human rights “fact” production works, why it is important, and when its use should prompt concern.

Here, it is worth quoting at length why such theoretical, methodological, and ethical labor is essential. John Van Maanen and Brian Pentland, in their work on the “rhetoric of records,” explain:
Records are not factual, neutral, technical documents alone, although while serving legitimate ends they must appear this way, and while serving illegitimate ones even more so. They are designed—implicitly or explicitly—to produce an effect in some kind of audience, which itself actively uses records to interpret events. This is not to suggest conscious deceit or cynicism on the part of either record keepers or uses (although . . . this is certainly possible). Rather it is simply to acknowledge and open up for analysis the conditions under which organizational records are produced and used.21

Human rights “facts” are no different. In fact, given the often life or death stakes involved in human rights documentation and advocacy, the slowly growing call to open up these processes to examination is all the more pressing if efforts to hold perpetrators accountable is to succeed in an increasingly “post-truth” era.

HUMAN RIGHTS ARCHIVES

Transitional justice initiatives, although originally focused on questions of criminal accountability and dominated by legalistic approaches, have expanded since the 1990s into a multidisciplinary field of practice and scholarship.22 Not surprisingly, the proliferation of official and unofficial transitional justice and truth-telling projects globally has contributed to a diverse array of human rights–related archival projects—all of them based on fact-finding in one form or another.23 Many of the projects are practical in orientation and focus on the mechanics of documentation. The Lund-London Guidelines, perhaps the best-known example, outline international best practices for NGO-led fact-finding visits and reports.24 Prepared by the International Bar Association in 2009 and updated in 2015, the purpose of the guidelines is to provide the “basis for improving the accuracy, objectivity, transparency, and credibility in human rights fact-finding by NGOs.”25 But many competing examples of best practices exist. The Human Rights Information and Documentation Systems International (HURIDOCS) posts how-to manuals online to help activists standardize their data collection methods, and it conducts peer-to-peer training to assist them in more effectively disseminating their findings.26

Benetech and the Human Rights Data Analysis Group, like HURIDOCS, support these efforts by making open-source software for information
management, especially quantitative data, publicly available. Archivists Without Borders offers yet another example. Its experts work globally to help professionals repurpose state archives, originally created and used by authoritarian regimes as “tools of control and repression,” into ones that can “promote social justice and respect for human rights.”

These practitioner-oriented initiatives and the conflict-specific archives that result from them (e.g., the Truth and Reconciliation Commission of South Africa and the National Commission on the Disappearance of Persons in Argentina) have prompted a growing body of critical scholarship. This scholarship—Archivaria and Archival Science are the key English-language forums for such discussions—raises provocative questions regarding how power, memory, and ethics shape the creation and utilization of human rights archives. Typically, scholars categorize these archives by what they contain, ranging from self-declared human rights archives (e.g., the Kigali Genocide Archive in Rwanda), to archival projects internal to human rights organizations (e.g., Amnesty International’s Archive Project), to archives with human rights–related holdings (e.g., University of Texas–Austin’s Human Rights Documentation Initiative). These categorizations,
while helpful, nevertheless narrowly frame archives as repositories that contain records relevant to criminal accountability and not as sites of knowledge production.

By contrast, Ann Stoler, whose scholarship crosscuts the disciplinary divisions that separate anthropology and history, advocates an analytical and methodological shift from “archive-as-source” to “archive-as-subject.” Archives, including human rights ones, are cultural agents of “fact” production, of taxonomies in the making, and of state authority, she argues. Ann Stoler, whose scholarship crosscuts the disciplinary divisions that separate anthropology and history, advocates an analytical and methodological shift from “archive-as-source” to “archive-as-subject.” Archives, including human rights ones, are cultural agents of “fact” production, of taxonomies in the making, and of state authority, she argues. Michel-Rolph Trouillot, who also worked at the intersection of both disciplines, made a related point regarding the power of silences. Trouillot argued that silences—what is excluded or repressed—shape historical production at four key moments: “the moment of fact creation (the making of sources); the moment of fact assembly (the making of archives); the moment of fact retrieval (the making of narratives), and the moment of retroactive significance (the making of history in the final instance).” Consequently, the distinction between “what happened” and “that which is said to have happened” is not always clear, according to Trouillot. Silences do not simply foreclose other narratives, however. The four moments Trouillot identified, as the gerund “making” suggests, also produce “facts.” The moments do so, as historian Hayden White famously observed, because their content is to a significant degree shaped by the documentary forms used: in this case, the fact-finding methods NGOs employ to record violations, to compile the field data into searchable categories, and to make this information available to different audiences, most often packaged as reports. In sum, these three scholars are centrally concerned with the politics of epistemology. To understand these politics, they explain, it is necessary to critically engage with methodology, that is, the making of archives themselves: their collection protocols, organizational logics, custodial practices, modes of access, and so on. Unfortunately, little of the scholarship on human rights archives explores these interrelated topics in depth, even though “every archive is the product of ongoing struggles over the production, politicization, and institutionalization of knowledge,” to quote Renise Mawani, a scholar of law and society. Indeed, most studies still merely portray these archives as repositories of evidence.

Katherine Weld’s book Paper Cadavers offers another good example of why such portrayals are problematic. Weld put the practitioner-oriented human rights documentation manuals that prescribe best practices in
archival information science in conversation with the critical academic literature on archives as discursive formations. This conversation emerged out of her research on the Guatemalan civil war (1960–1996). In 2006, an explosion at a military base in Guatemala’s capital led to the unexpected discovery of the nearly eighty million documents the national police had generated during the war. The primary focus of Weld’s project was to document the processes of documentation shaping the ongoing rescue, preservation, organization, and systematization of the materials into what one of her informants evocatively called an “archive of pain.” “Archives of pain,” Weld explains, are based largely on written documents such as case files, memos, and other forms of official correspondence, the contents of which delineate the micro-dynamics of state-sponsored terror. By contrast, “archives as weapons” are based primarily on oral accounts. Victims’ testimonies about their own experiences, as well as those of the dead and disappeared, who cannot speak for themselves, are the two most common examples. Archives as weapons thus bear witness and are the claimed evidentiary point of departure for efforts to counter the state’s narratives that justify violence or deny its involvement in it altogether.

These archives, Weld points out, operate according to different logics: repression on the one hand and rescue on the other. The two archives also rely on different forms of evidence (written vs. oral), as well as standards of proof, to support their conclusions. But the two archives and the competing accounts of the country’s past cannot be read in isolation. Instead, Weld asserts, the archives must be put into dialogue with one another to understand the silences, omissions, and other types of patterned bias that structure them both. Otherwise, she contends, it will remain impossible for people to challenge impunity, to seek restorative justice, to conduct truth and reconciliation proceedings, and to engage in successful memory projects.

The archives as object and archives as subject debate, which I have summarized here, illustrates the two perspectives that dominate how archives in general are constructed, curated, and utilized. Both are relevant to understanding human rights “fact” production more broadly. The life-cycle approach, which emerged in the late nineteenth century, carefully documents the creation, receipt, classification, maintenance, and disposition of information in the form of records. The relationship of these records to one another is fixed according to the principle of respect des fonds and the
subprinciples of order and provenance that follow from it. Trained experts manage these records, and they possess the ability to help (or hinder) the ability of others to access the archive that contains them. As I suggested, human rights “facts” are customarily treated in this manner, as their evidentiary power emerges out of the extent of their verifiability. Proof, in other words, rests heavily on the degree to which a witness can convince others what violation(s) occurred, when, and where, and—to the degree possible—the identity of the person(s) that committed it/them. Proof further depends on the credibility of the organization that publicizes the account as well as the manner in which it does so, a relationship that contributes to what legal scholar Jennifer Mnookin calls “reputational knowledge.”

By contrast, the continuum approach, which emerged in the late twentieth century, confronts the challenge of managing records, especially digitized ones, in a rapidly changing technological environment. From this perspective, the relationship of these records to one another is not fixed. Rather, as Sue McKemmish, an expert in social informatics puts it, “records are always in the process of becoming.” By this she means that we need to develop more reliable and trustworthy ways to update archival descriptions as our views on the records they contain evolve over time, and an audit mechanism, often called metadata, to track these changes over time. The people involved in the construction of archival collections, McKemmish continues, must always consider “the unknowns of unspecifiable future needs,” that is, the possibility that others will wish to use the records in ways not initially intended. Such approaches, often called participatory archives, regardless of whether or not they are digital in form, encourage a reconceptualization of the rights of communities affected by violence. The goal, among those who share this view, is to create processes for community members to have a meaningful say in how records are acquired, managed, and made accessible to others. The reconceptualization also has significant implications for transitional justice proceedings where suffering, be it personal or collective, becomes a form of property, prompting debates over who “owns” the information, a topic I revisit at the end of the book.

In sum, the life-cycle approach is most closely associated with the “archive as object” understanding of fact retrieval, and the continuum approach is more akin to the “archive as subject” as a consequence of the divergent ways different actors produce and utilize records after their creation. Both approaches—the former privileges a custodial relationship, the latter a stewardship
model—have their respective strengths and weaknesses. Increasingly, human rights archives exhibit aspects of both approaches, which—with my apologies to archivists everywhere—I have outlined in highly schematic and oversimplified terms. I situate this book at the intersection of these two approaches, which requires me to write both with and against the archival grain. On the one hand, I must craft a sufficiently coherent narrative for my account of the creation and utilization of the archives featured in the book to be intelligible to others. On the other hand, I have to unwrite this same narrative, to the degree possible, to illustrate how some human rights “facts” are fashioned rather than simply found, then convey the significance of this being the case. The reader can judge whether or not I have succeeded.

One additional explanatory note is needed before moving forward. “What’s in a name?” asked Kenneth Price, the head of the Center for Digital Research in the Humanities, in 2009. Price set himself the task of distinguishing several widely used terms in the field, all of which he finds problematic given the complicated relationships of the past, present, and future to one another in contemporary textual studies. He explains: “Project is amorphous; archive and edition are heavy with associations carried over from print culture; database is both too limiting and too misleading in its connotations; and digital thematic research collections lacks a memorable ring and pithiness.” A great deal has changed since he posed his question, particularly in the field of digital humanities. Nevertheless, this definitional problem persists. How should we differentiate these concepts, and what are the consequences of how we do so? For the purposes of this book, three terms matter: the archive, archives, and collections.

The “archival turn” in many disciplines (history and law being the notable exceptions) owes much to social theorist Michel Foucault, who argued that the archive is a system that “governs the appearance of statements as historical events.” It does so, he explained, because it consists of “enunciative possibilities and impossibilities,” by which he meant that the archive establishes the epistemological conditions for what can and cannot be said about events at a given moment in time. From this perspective, the archive possesses a “historiographic function in addition to a preservationist one.” By contrast, archives and collections are housed in specific locations, traditionally physical edifices, but now more commonly on computer servers. Both archives and collections contain records, a generic term for recorded information. However, these records often differ significantly in
terms of their “transactional and contextual nature, evidential qualities, intents, purposes, and functionality rather than physical characteristics,” as archivists point out. The differences reflect the radically different logics of archives when compared to collections. Archives seek to maintain elements of the contexts that produced the records. They are “about reference,” as Penelope Papailias stated in her study of the poetics of recollection in modern Greece, which is why archival respect for provenance is essential and entrance to archives is regulated. Collections, however, do not “revere tradition and its authority.” Instead, she explains, “collections are set on shattering the inheritance of the past,” which their creators do by removing materials from one context and ordering them in another, usually with the goal of public display.

I use all three of these concepts, as defined here, throughout the book to illustrate the interplay between facts produced and facts found in the context of human rights documentation and advocacy.

**WHY MYANMAR?**

For more than a quarter century, dozens of advocacy groups have documented large-scale human rights violations in Myanmar and then conveyed their findings to the relevant UN bodies, most commonly the General Assembly, Commission on Human Rights (now Human Rights Council), International Labour Organization (ILO), Committee on the Elimination of Discrimination against Women, and Security Council. The UN bodies have drawn and still draw upon the reports these advocacy groups submit to inform UN resolutions on Myanmar. Resolutions are a specialized genre of document that consist of a combination of polite acknowledgments, measured judgments on degrees of noncompliance with international human rights, refugee, and humanitarian law, and aspirational recommendations for rectifying the situation. As a consequence, preambulatory phrases (e.g., “declaring, “affirming,” “having considered,” and “noting) and operative ones (e.g., “further requests,” “accepts,” “endorses,” and “reaffirms”) predominate. The General Assembly and the Human Rights Commission issued nearly three dozen such resolutions on Myanmar between 1992 and 2008, the primary period of documentation covered in this book. Special envoys and UN special rapporteurs also traveled to Myanmar more than forty times during these same years to gather information regarding the situation on the ground, to convey messages from the secretary-general to high-ranking