

DRAFT MINUTES

FORUM OF NATIONAL ARCHIVISTS 2013

Royal Library Auditorium, Brussels, Belgium

Friday November 22nd 2013, 08:30 – 13:00

1. Opening Formalities

Mr Patrick Lefevre, Director-General of the Royal Library of Belgium, welcomed members to the Royal Library. He congratulated the ICA on the establishment of FAN and observed similarities between the archives and libraries professions.

The host, Mr Karel Velle National Archivist for Belgium, noted that this Forum demonstrates the ICA's responsiveness to needs of members and encouraged those members present, representing every continent and world region, to share concerns and solutions and to maximise the potential to influence change.

The acting President noted that this was the first meeting of FAN since being formalised by the ICA Constitution and acknowledged the good work of Daniel J. Caron in establishing the Forum.

Mr Fricker introduced the meeting as a forum where all members are encouraged to participate and contribute to outcomes.

2. Organisation and Constitution

FAN is established by the ICA Constitution which also establishes the parameters of a FAN Bureau.

An election to establish the FAN Bureau was conducted by the interim FAN Secretariat between September and October 2013. A call for Bureau nominations from each world region resulted in the election of Mr Joel Tembe (Mozambique) representing the Africa and the Arab Countries world region and Mr David Fricker (Australia) representing the Asia and Oceania world region.

Mr Fricker will be FAN President and Mr Tembe will be FAN Secretary for 2013 – 2017. Mr Fricker and Mr Tembe will work together to co-opt representatives from the Europe and North America, and Latin America and the Caribbean world regions to the FAN Bureau. Eligible members were invited to discuss Bureau membership with the President or Secretary.

Members discussed the principles of FAN Terms of Reference with most of the discussion focusing on tangible outcomes.

Members present expressed a strong desire for FAN to maintain autonomy from the ICA Executive Board but it was noted that the Constitution required FAN to seek Executive Board approval prior to the use of ICA resources in any program or activity.

It was considered important to achieve visibility amongst the general ICA membership through effective communication rather than the ICA governance structure. Reporting to the General Assembly and Annual Conferences are examples of how this can be achieved.

3. Presentations

Members heard presentations from Martin Berendse (ICA President and National Archivist of the Netherlands), the Hon John Bannon (Chairman of the National Archives of Australia Advisory Council) and Jaime Antunes da Silva (National Archivist of Brazil) on the theme “Open Government and Data Protection”.

Mr Berendse presented the ICA’s strategic view of the theme. He introduced the theme by reminding members of relevant ICA policy papers such as the Universal Declaration on Archives, the Code of Ethics (particularly numbers 4, 6 and 7) and the Principles on Access (particularly numbers 4, 8 and 10), and promoted them as useful to archivists at the national, regional and international level.

He described open government as a concept that could help archival institutions influence the creation of records if they chose to accept that challenge. He described data protection as presenting a contradiction between the archival principle of the right to remember or be remembered versus the more personal principle of the right to be forgotten or to forget. He noted that the contradiction is challenging but critical.

He finished by describing open data as a concept with strong presence in Europe. It will move archives from “keeping” to “sharing” information and noted that sharing information would happen even without access principles. He added that open data wasn’t just about principles and policies but technology and the relationship between archives and other government agencies.

The Hon John Bannon used his experience as a former South Australian Premier to discuss the role of archives in open government. He observed that a state archive is the ultimate keeper of official records which is very different to the role of an agency that creates them. The government and agencies have a vested interest in the record, an archive is objective and without that open government can’t prosper.

Open government demonstrates the need for records and therefore archives but a state archive needs to deliver government policy, battle for resources and operate ethically.

A state archive needs the broad confidence of government and the ability to ensure high quality data in many formats. He suggests that an archive should work to:

- Stay close to government and offer solutions;
- Publicise and promote its service, demonstrate its relevance to the public;
- Avoid compartmentalisation in government, an archive is an over-arching government agency with whole of government interest;

- Establish good partnerships across the bureaucracy such as with information commissioners; and
- Build networks of advocates at government level eg use the independent reporting role of an advisory council to advocate to the minister.

Mr Antunes reported on Brazil's laws on access to public data, established by the Citizens Constitution. The Constitution also includes principles of obligation for the state to hold records.

Protection of data was critical in the development of the legislation governing access but the shortest possible terms of closure have been implemented. Documents are classified as containing ultra-confidential information (closed for 25 years), confidential information (closed for 15 years) and reserved information (closed for 5 years). It is possible to extend the period of closure for ultra-confidential only and information may be available earlier than the determined period of closure for any classification.

Government bodies and public companies must publish information relating to the information they create and control, and certain information cannot be considered confidential. Procedures for access to personal data are established and people are being made aware that they may make a specific request in writing to the National Archives of Brazil to have their personal information protected. Information about the President is transparent and unrestricted as is information like wages.

A panel discussion following the paper raised related points including:

- Constitutional rights must be supported by explicit law and procedures to be effective;
- The South African constitution declares access to information as a basic human right and is supported by legislation and rules such as those governing access to information;
- Administrative documents in Mali are required to be published without delay under freedom of information legislation;
- In Brazil, even ultra-confidential documents may be released after as little as one year. Even when documents are disclosed, information about them is made available in an effort to prevent abuse of the terms of protection;
- There needs to be a balance between reducing terms and providing adequate protection otherwise decisions go underground.

4. FAN Program for next 12 months

From discussion on how FAN can be effective, the following ideas were offered on the form that FAN's strategic responses could take:

- **Policy statements**
 - Could be developed for topics of strong interest to FAN
 - Intended for use by members to assert influence in their own jurisdictions
 - Would emerge from discussion amongst members
 - Published on the FAN pages of the ICA website

- **Position statements**
 - Could be developed in cases where a policy does not exist
 - Published through traditional and online channels
- **Model policies**
 - Intended for use by members to further develop policy frameworks
 - Includes best practice
- **Partnerships**
 - FAN is the most powerful group in the Archives community
 - Strength through a single voice on issues
 - Advocacy – elevating the profile of archives, high level delegations to assist with ministerial engagement
 - Capacity building through staff exchanges

Contemporary challenges worthy of prioritisation were suggested to be:

- **Legislation**
 - Bring together best examples of relevant legislation as models
 - Copyright
- **Digital records**
 - Best practice models for access to digital information
 - Best practice for managing digital records (starting with email)
 - Authenticity
 - Best practice model for creating digital copies of records in analogue format (digitisation)
 - Declassification
 - Using a single voice with IT policy makers and software vendors
- **Standards**
 - Best practice model for implementation of international standards
 - Develop standards or best practice relating to Principles on Access

The President will now work with the FAN Bureau to finalise the Terms of Reference, shortlist the suggested priorities and decide how to develop effective and tangible products. The relationship with the ICA's Programme Commission may be one of the most important in terms of achieving products.

5. Next Meeting

The next FAN meeting will be in Girona, Spain during the ICA Annual Conference 2014.