

## **Archives and Human Rights**

Public Archives were born as tools for providing rights for citizens. These new institutions appeared in History in close connection with those changes produced by the Liberal Revolutions in Europe and America in the field of civil rights recognition.

It was shortly after the approval of The Declaration of the Rights of Man and the Citizen in France (1789), during the early stages of the French Revolution, that the National Archives Bill was approved, opening French records for citizens (7th Thermidor 1794). Since that moment, civil rights and public records and archives have followed a parallel path in their development. Records and archives administrations have had to adapt their structures and rules, because social and political changes made the adaptations necessary to satisfy the claims coming from their users in order to ensure their new rights, for instance the rights to identity (The Register Office) or the right to property (Land Registry and Business Registry). Probably it is no coincidence that International Council on Archives (ICA) was founded in 1948 (on June 9th, the date of our International Archives Day), the same year in which United Nations adopted the Universal Declaration on Human Rights.

The link between Archives and Human Rights has often been limited to their role as provider of evidence on gross Human Rights violations, although archives and records are also irreplaceable tools for many business and personal affairs of our everyday life. The value of records and archives in making citizens' rights available, mainly those considered as Human Rights (Universal Declaration of Human Rights, United Nations, 1948) has been noted in many different official statements and academic works, and the conviction that archives and archivists play a central role in supporting human rights has grown greatly over recent decades.

But archives have really become a major issue for the United Nations bodies in charge of Human Rights policy through the fight against impunity; and when such a fight has been supported by two "new rights": the right to know and the right to truth. The need to safeguard records which provide evidence of genocide, crimes against humanity or other Human Rights violations was considered by the United Nations Human Rights Commission, for judicial proposes in their different models (transitional justice, criminal courts, International Tribunals...). Archives and records had to be one of the main tools used for trying perpetrators and their accomplices and for restoring the

dignity of victims. The International Council on Archives, as the main international professional organization of archivists has also expressed its concern and interest on this issue, over the past 25 years. At its thirty-seventh session, in Cape Town, 2003, the International Conference of the Round Table on Archives (CITRA) passed a resolution on Archives and Human Rights Violations in which, taking into account the fundamental importance of archives in all countries as “evidence supporting victims’ rights for reparation; as an essential element of collective memory; as a means of determining responsibilities for rights violations; and as a basis for reconciliation and universal justice”, it recommended that government authorities and international organizations should facilitate the effective exercise of the right to know, by taking steps to ensure the preservation and conservation of archives of all kinds which document these crimes, make the existence of these archival *fonds* known and facilitate access to them by adapting or creating adequate legal frameworks for their accessibility while ensuring that these arrangements respect both privacy and the need to make the truth known.

Another decision taken at that Conference was the creation of a Working Group on Archives and Human Rights within the structure of the International Council on Archives. Since the Cape Town International Council on Archives Conference the working group has grown to 35 active members, and has produced a good number of publications, notably its monthly Newsletter, that has been published in English, French and Spanish since 2009. The working group has also published the book *Archival Policies in the Protection of Human Rights*; and in 2016 the *Basic Principles on the role of Archivists and Records Managers in Support of Human Rights*, prepared by International Council on Archives-Human Rights Working Group, was endorsed by the Programme Commission as an International Council on Archives working document, and it has been adopted by different national associations of archivists as well as by the International Council on Archives Regional Branch of Latin America (ALA). Seminars, conferences and advisory works have been also developed all around the world by the Working Group’s members, on many occasions in close collaboration with other archival institutions and human rights organizations. Recently, the Working Group has decided to begin the process of converting into an International Council on Archives Section, due to its growing number of members and the extension of its goals and its work.

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