



**CUARTO EJERCICIO
OEP 2018-19**

**CUERPO FACULTATIVO DE ARCHIVEROS, BIBLIOTECARIOS Y ARQUEÓLOGOS
(SECCIÓN ARCHIVOS)**

NOTA INFORMATIVA SOBRE LOS TEXTOS DEL CUARTO EJERCICIO

Consistió en una prueba para el idioma principal (inglés o francés), dividida en dos partes: a) una traducción directa al castellano de un texto profesional propuesto por el Tribunal y b) elaboración de un resumen por escrito en el idioma elegido de un texto propuesto por el Tribunal. Y una segunda prueba para el idioma secundario, que consistió en una traducción directa escrita al castellano de un texto propuesto por el Tribunal.

Los textos propuestos para la convocatoria ordinaria del día 19 de abril de 2022 fueron los siguientes:

IDIOMA PRINCIPAL INGLÉS, PARTE A

INTERNATIONAL COUNCIL ON ARCHIVES

HUMAN RIGHTS WORKING GROUP

**BASIC PRINCIPLES ON THE ROLE OF ARCHIVISTS AND RECORDS
MANAGERS IN SUPPORT OF HUMAN RIGHTS**

A working document of the International Council on Archives

INTRODUCTION

Archives are useful for human rights purposes. Many of these archives are essential to secure rights and benefits: personnel records, records of social insurance programs, records of occupational health and safety, records of military service. Other archives help prove civil rights: voter registrations, land titles, citizenship records. Still others provide evidence of the abuse of human rights, such as the records of military, police and intelligence units from periods of dictatorship, even records of prisons, hospitals, morgues and cemeteries.

Archivists and records managers handling archives with human rights aspects deal with concrete legal issues, questions of broad social policy, and matters of personal professional ethics. In many countries, this is complex but manageable using the best professional practice. However,

archivists and records managers in a variety of situations and institutions may find themselves under pressure as they attempt to manage such archives. They may not be permitted to have access to the records for purposes of management or appraisal, they may be pressured to approve the disposal of archives that they believe have human rights implications, they may be instructed not to acknowledge in finding aids that the archives exist, they may not be able to undertake necessary preservation actions on these archives, they may not be permitted to make decisions about public access on these archives or provide them to qualified researchers. And they may fear retaliation if they seek to follow professional principles.

All archivists and records managers look for support from the profession at large as they seek to show the profession in its best, most competent light as they handle archives of importance for human rights. The International Council on Archives adopted a *Code of Ethics* in 1996, which provides a set of ethical parameters within which archivists carry out their professional duties. In 2011 the *Universal Declaration on Archives*, adopted by UNESCO in 2011, gave voice to the significance to the peoples of world of archives and the work of archivists and records managers. These important documents provide a general framework for the responsibilities of the profession; however, the important linkage between human rights and archives makes it important to clearly focus on the ethical and practical problems that are stated only generally in the framework Code and Declaration.

The *Basic Principles on the Role of Archivists and records managers in Support of Human Rights* is organized in two parts: a Preamble and a set of Principles. The Preamble provides the conceptual framework for the Principles. Each Principle is accompanied by explanatory text which is not part of the Principle. The Principles are grouped in five sections. The first two sections cover the basic archival functions; the third covers the special situations of working with archives that appear to document wrongdoing and with displaced archives; the fourth and fifth sections are devoted to the roles and rights of archivists and records managers as professionals.

The *Principles* are followed by definitions of terms used in the *Principles* and a list of international treaties, covenants, agreements, opinions and related matter that serve as foundation for the *Principles*.

BASIC PRINCIPLES OF THE ROLE OF ARCHIVISTS IN SUPPORT OF HUMAN RIGHTS

PREAMBLE

Whereas the enforcement of human rights and fundamental freedoms to which all persons are entitled under the *Universal Declaration of Human Rights*, the *International Covenant on Civil and Political Rights* and its two Optional Protocols, the *International Covenant of Economic, Social and Cultural Rights* and other international treaties and legal instruments is strengthened by the preservation of archives and the ability of individuals to gain access to them;

Whereas the United Nations High Commissioner for Human Rights' *Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity* asserts that it is responsibility of the State to "ensure the preservation of, and access to, archives concerning violations of human rights and humanitarian law;" proclaims that the right to know, including knowing what is in archives, is both a personal and collective right and that the State has a duty to remember; and emphasizes the importance of archives in ensuring that persons will be held accountable while guaranteeing the fair defense of everyone charged with a penal offense,

Whereas governments have the responsibility to promote and protect the right to seek and receive information as a fundamental prerequisite to ensuring public participation in governance,

Whereas adequate protection of the human rights and fundamental freedom to which all persons are entitled, be they economic, social and cultural, or civil and political, requires that all persons have effective access to archival services provided by independent archival professionals,

Whereas professional associations of archivists and records managers have a vital role to play in upholding professional standards and ethics, providing archival services to all in need of them, and cooperating with governmental and other institutions in furthering the ends of justice and the public interest,

Whereas the preservation of archives and access to them can be guaranteed only if all concerned—institutions and individuals—contribute to such goals, according to their respective responsibilities;

The *Basic Principles on the Role of Archivists and records managers in Support of Human Rights*, set forth below, have been formulated in order to:

- assist institutions that preserve archives in their task of ensuring the proper role of archivists in support of human rights,
- provide guidelines for individual archivists and records managers who, in the course of their everyday work, must take decisions that might affect the enforcement and protection of human rights,
- provide support for professional associations of archivists and records managers, and
- help international officials dealing with human rights issues understand the importance of the issues covered by the Principles and the contribution that professional archivists and records managers can provide to the protection of human rights.

IDIOMA PRINCIPAL INGLÉS, PARTE B

INTERNATIONAL COUNCIL ON ARCHIVES COMMITTEE ON BEST PRACTICES AND STANDARDS WORKING GROUP ON ACCESS

Principles of Access to Archives

PRINCIPLES OF ACCESS TO ARCHIVES

- 1. The public has the right of access to archives of public bodies. Both public and private entities should open their archives to the greatest extent possible.**

Access to the archives of government is essential for an informed society. Democracy, accountability, good governance and civic engagement require a legal guarantee that individuals will have access to the archives of public bodies established by national, self-governing territories and local governments, intergovernmental institutions, and any organization and any legal or natural person performing public functions and operating with public funds. All archives of public bodies are open to the public unless they fall under an exception grounded in law.

Institutions, whether public or private, holding private archives do not have a legal obligation to open the private archives to external users unless specific legislation, legal requirement or regulation imposes this responsibility on them. However, many private archives hold institutional records and personal papers that have significant value for understanding social, economic, religious, community and personal history as well as for generating ideas and supporting development. Archivists working in private institutions and managing the institution's archives encourage their institution to provide public access to its archives, especially if the holdings will help protect rights or will benefit public interests. Archivists stress that opening institutional archives helps maintain institutional transparency and credibility, improves public understanding of the institution's unique history and its contributions to society, helps the institution fulfill its social responsibility to share information for the public good, and enhances the institution's image.

2. Institutions holding archives make known the existence of the archives, including the existence of closed materials, and disclose the existence of restrictions that affect access to the archives.

Users must be able to locate the archival institution that holds material of interest to them. Archivists provide without charge basic information about their institution and the archives it holds. They inform the public of the general rules for use of the holdings in accordance with the institution's legal mandates, policies and regulations. They ensure that descriptions of their archives are current, accurate and comply with international descriptive standards in order to facilitate access. Archivists share draft descriptions of archives with users if final versions are lacking, where this will not compromise the security of the archives or any necessary restrictions on access.

Institutions that give the public access to any part of their archives publish an access policy. Archivists begin with a presumption of openness; if access restrictions are required, they ensure that such restrictions are written clearly to enable the public to understand them and to enhance consistency in their application.

Users have the right to know whether or not a specific series, file, item or portion of an item exists, even though it is withheld from use, or if it has been destroyed. Archivists reveal the fact that closed archives exist through accurate description and insertion of withdrawal sheets or electronic markers. Archivists provide as much information as possible about restricted material, including the reason for the restriction and the date the materials will be reviewed or become available for access, so long as the description does not disclose the information that is the reason for the restriction or violate a binding law or regulation.

3. Institutions holding archives adopt a pro-active approach to access.

Archivists have a professional responsibility to promote access to archives. They communicate information about archives through various means such as Internet and web-based publications, printed materials, public programs, commercial media and educational and outreach activities. They are continually alert to changing technologies of communication and use those that are available and practical to promote the knowledge of archives. Archivists cooperate with other archives and institutions in preparing location registers, guides, archival portals and gateways to assist users in locating archives. They proactively provide access to the parts of their holdings that are of wide interest to the public through print publication, digitization, postings on the institution's website, or by cooperation with external publication projects. Archivists consider user needs when determining how the archives are published.

4. Institutions holding archives ensure that restrictions on access are clear and of stated duration, are based on pertinent legislation, acknowledge the right of privacy and respect the rights of owners of private materials.

Archivists provide the widest possible access to archives, but they recognize and accept the need for some restrictions. Restrictions are imposed by legislation, by institutional policy, either of the archival institution or its parent body, or by a donor. Archivists ensure that the access policies and rules for their institution are published so that the restrictions and the reasons for them are clear to members of the public.

Archivists seek to limit the scope of restrictions to those imposed by law or to identified instances where a specific harm to a legitimate private or public interest temporarily outweighs the benefit of disclosure at the time. Restrictions are imposed for a limited period, either for a specified period of time or until a specified condition, such as the death of a person, has occurred.

General restrictions apply to all the archival holdings; as appropriate to the nature of the institution, they cover the protection of personal data and privacy, safety, investigatory or law enforcement information, commercial secrets, and national security. The scope and duration of the general restrictions must be clear.

Specific restrictions apply only to designated bodies of archives; they apply for a limited duration. A clear statement of the specific restriction is included in the public archival description of the designated materials.

Access to donated records and personal papers is limited by the conditions established in the instrument of transfer such as a deed of gift, a will, or an exchange of letters. Archivists negotiate and accept donor restrictions on access that are clear, of limited duration and can be administered on equitable terms.

IDIOMA PRINCIPAL FRANCÉS, PARTE A

CONSEIL INTERNATIONAL DES ARCHIVES

GROUPE DE TRAVAIL SUR LES DROITS DE L'HOMME

PRINCIPES DE BASE RELATIFS AU ROLE DES ARCHIVISTES ET DES GESTIONNAIRES DE DOCUMENTS POUR LA DEFENSE DES DROITS DE L'HOMME

Un document de travail du Conseil international des Archives

INTRODUCTION

Les archives sont utiles pour la défense des droits de l'Homme. Un grand nombre de ces documents sont essentiels pour garantir des droits et des prestations : dossiers de personnel, archives de programmes d'assurances sociales, dossiers de santé et de sécurité du travail, dossiers de service militaire. D'autres documents d'archives servent à prouver des droits civils: listes électorales, titres de propriété, dossiers de citoyenneté. D'autres encore constituent les preuves de violations des droits de l'Homme, comme les archives des unités militaires et policières et celles des services de renseignement des périodes de dictature, et même celles des prisons, des morgues et des cimetières.

Les archivistes et les gestionnaires de documents qui traitent des archives ayant des implications pour les droits de l'Homme ont à régler des problèmes juridiques concrets, des questions ayant trait à la politique sociale au sens large et des points de déontologie professionnelle personnelle. Dans beaucoup de pays, c'est un sujet complexe mais qui peut être traité en utilisant les bonnes pratiques professionnelles. Toutefois les archivistes et les gestionnaires de documents dans différentes situations et organismes peuvent subir des pressions quand ils essaient de gérer de

telles archives. Ils peuvent se voir refuser l'accès aux documents à des fins de gestion ou d'évaluation, ils peuvent subir des pressions pour approuver l'élimination d'archives dont ils considèrent qu'elles ont des implications sur les droits de l'Homme, ils peuvent recevoir des instructions pour ne pas signaler l'existence de ces archives dans les instruments de travail, ils peuvent ne pas être en mesure d'entreprendre les actions de préservation nécessaires pour ces archives, ils peuvent ne pas être autorisés à prendre des décisions concernant l'accès public à ces archives ou à les communiquer à des chercheurs qualifiés. Et ils peuvent craindre des représailles s'ils cherchent à suivre les principes professionnels.

Tous les archivistes et les gestionnaires de documents cherchent à être soutenus par l'ensemble de la profession parce qu'ils s'efforcent de montrer la profession sous son jour le meilleur et le plus compétent quand ils traitent des archives importantes pour les droits de l'Homme. Le Conseil international des Archives a adopté un *Code de déontologie* en 1996, qui fournit un ensemble de paramètres éthiques conformément auxquels les archivistes effectuent leurs tâches professionnelles. La *Déclaration universelle des Archives*, adoptée par l'UNESCO en 2011, a proclamé l'intérêt des archives et du travail des archivistes et des gestionnaires de documents pour les peuples du monde. Ces documents importants fournissent un cadre général pour les responsabilités de la profession : cependant, le lien étroit entre archives et droits de l'Homme rend important le fait de clairement se concentrer sur les problèmes éthiques et pratiques qui ne sont mentionnés que d'une façon générale dans le Code et la Déclaration cadres.

Les *Principes de base relatifs au rôle des archivistes et des gestionnaires de documents pour la défense des droits de l'Homme* sont organisés en deux parties : un préambule et un ensemble de principes. Le préambule donne le contexte conceptuel des principes. Chaque principe est accompagné d'un texte explicatif qui n'en fait pas partie. Les principes sont regroupés en cinq sections. Les deux premières couvrent les fonctions archivistiques de base ; la troisième concerne la situation particulière du travail sur des archives susceptibles de documenter des actes répréhensibles et sur des archives déplacées ; les quatrième et cinquième sections sont consacrées au rôle et aux droits des archivistes et des gestionnaires de documents en tant que professionnels.

A la suite des *Principes* vient la définition des termes employés dans les *Principes* ainsi qu'une liste des traités internationaux, conventions, accords, opinions et autres textes qui servent de fondement aux *Principes*.

PRINCIPES DE BASE RELATIFS AU RÔLE DES ARCHIVISTES ET DES GESTIONNAIRES DE DOCUMENTS POUR LA DÉFENSE DES DROITS DE L'HOMME

PRÉAMBULE

Attendu que la mise en œuvre des droits de l'Homme et des libertés fondamentales auxquels chacun a droit conformément à la *Déclaration Universelle des droits de l'Homme*, au *Pacte international relatif aux droits civils et politiques* et à ses deux protocoles facultatifs, au *Pacte international relatif aux droits économiques, sociaux et culturels* et aux autres traités et instruments juridiques internationaux est renforcée par la préservation des archives et la capacité de chacun à y accéder,

Attendu que *l'Ensemble de principes actualisé pour la protection et la promotion des droits de l'homme par la lutte contre l'impunité* du Haut-Commissariat des Nations Unies aux droits de l'Homme affirme qu'il est de la responsabilité de l'Etat «de préserver les archives relatives aux violations des droits de l'Homme et du droit humanitaire et de permettre l'accès à ces archives», proclame que le droit de savoir, y compris de savoir ce qu'il y a dans les archives, est un droit individuel aussi bien que collectif et que l'Etat a un devoir de mémoire, et souligne l'importance des archives pour assurer que les personnes devront rendre des comptes tout en garantissant la défense équitable de toute personne inculpée d'une infraction pénale,

Attendu que les pouvoirs publics ont la responsabilité de promouvoir et de protéger le droit de chercher et de recevoir les informations comme condition fondamentale de la participation du public à la gouvernance,

Attendu que la protection adéquate des droits de l'Homme et des libertés fondamentales auxquels chacun a droit, qu'ils soient économiques, sociaux et culturels, ou civils et politiques, exige que chacun ait un accès effectif aux services archivistiques procurés par des professionnels indépendants,

Attendu que les associations professionnelles d'archivistes et de gestionnaires de documents ont un rôle vital à jouer en faisant respecter les normes et la déontologie professionnelles, en offrant des services archivistiques à tous ceux qui en ont besoin et en coopérant avec les organismes publics et autres pour poursuivre les objectifs de justice et d'intérêt général,

Attendu que la préservation des archives et l'accès aux archives ne peuvent être garantis que si toutes les parties concernées – institutions et particuliers – contribuent à de tels objectifs, selon leurs responsabilités respectives;

Les *Principes de base sur le rôle des archivistes et des gestionnaires de documents pour la défense des droits de l'Homme*, énoncés ci-dessous, ont été formulés pour:

- aider les services qui conservent des archives à assurer le rôle spécifique des archivistes pour la défense des droits de l'Homme;
- donner des lignes directrices aux archivistes et aux gestionnaires de documents qui, dans l'exercice de leur travail quotidien, doivent prendre des décisions qui pourraient affecter la mise en oeuvre et la protection des droits de l'Homme;
- apporter un soutien aux associations professionnelles d'archivistes et de gestionnaires de documents;
- aider les responsables internationaux qui ont à traiter de questions liées aux droits de l'Homme à comprendre l'importance des questions couvertes par les Principes et la contribution que les archivistes et les gestionnaires de documents professionnels peuvent apporter à la protection des droits de l'Homme.

IDIOMA PRINCIPAL FRANCÉS, PARTE B

CONSEIL INTERNATIONAL DES ARCHIVES

COMITE DES BONNES PRATIQUES ET DES NORMES

GROUPE DE TRAVAIL SUR L'ACCES

Principes relatifs à l'accès aux archives

PRINCIPES D'ACCES AUX ARCHIVES

- 1. Le public dispose du droit d'accès aux archives des organismes publics. Tant les organes publics que privés devraient ouvrir leurs archives de la façon la plus large possible.**

L'accès aux archives de l'administration publique est essentiel pour une société informée. La démocratie, la capacité à rendre des comptes, la bonne gouvernance et l'engagement civique exigent la garantie juridique que les personnes auront accès aux archives des organismes publics

produites par des gouvernements nationaux, des territoires autonomes et des administrations locales, des institutions intergouvernementales, et par toute organisme et toute personne physique ou morale exerçant des fonctions publiques ou fonctionnant avec des fonds publics. Toutes les archives des organismes publics sont ouvertes au public sauf si elles relèvent d'une exception juridiquement fondée.

Les institutions tant publiques que privées détenant des archives privées n'ont pas l'obligation légale d'ouvrir leurs archives à des usagers externes, sauf législation spécifique, exigence ou règlement juridique leur imposant cette responsabilité. Cependant de nombreuses archives privées détiennent à la fois des documents institutionnels et papiers personnels qui ont une valeur importante pour comprendre l'histoire sociale, économique, religieuse, communautaire et personnelle, ainsi que pour faire progresser la pensée et soutenir le développement. Les archivistes travaillant dans des institutions privées et gérant leurs archives les encouragent à fournir au public l'accès aux archives, en particulier si ces institutions détiennent des archives dont la connaissance permettra de protéger des droits ou de profiter à l'intérêt public. Les archivistes mettent l'accent sur l'importance de l'ouverture des archives institutionnelles pour contribuer à assurer la transparence et la crédibilité de l'administration, améliorer la compréhension par le public de l'histoire unique de l'organisation et de ses apports à la société, aider l'institution à assumer sa responsabilité sociale de partage de l'information pour le bien public, et améliorer l'image de l'institution.

2. Les institutions d'archives font connaître l'existence des archives, y compris celles qui ne sont pas communicables, ainsi que l'existence de mesures limitant la communicabilité des archives.

Les usagers doivent être en mesure de localiser l'institution d'archives conservant les documents qui les intéressent. Les archivistes fournissent gratuitement des informations sur leur établissement et les archives qu'il détient. Ils informent le public des clauses générales d'utilisation des fonds en accord avec les mandats légaux, les politiques et les règlements de l'institution. Ils veillent à ce que les descriptions des fonds d'archives soient à jour, exactes et conformes aux normes internationales de description. Les archivistes partagent avec les usagers les versions non définitives des descriptions des archives si les versions finales font défaut, sous réserve que cela ne compromette pas la sécurité des archives ou n'aille pas à l'encontre de mesures nécessaires limitant la communicabilité.

Les institutions qui permettent la consultation publique d'une partie quelle qu'elle soit de leurs archives publient une politique d'accès. Les archivistes partent du principe que les archives sont communicables ; ils veillent à ce que les clauses de non-communicabilité soient rédigées de façon claire afin que le public puisse les comprendre, et qu'elles soient appliquées de façon cohérente.

Les usagers ont le droit de savoir si oui ou non une série particulière, un dossier, un document ou une partie d'un document existent, même s'ils sont exclus de la consultation ou ont été détruits. Les archivistes rendent public le fait qu'il existe des archives non communicables par le biais de descriptions précises, de l'insertion de témoins ou l'utilisation de marqueurs électroniques. Les archivistes fournissent le maximum d'informations sur les documents non communicables, y compris le motif de la non-communicabilité et la date à laquelle les documents seront examinés pour voir s'ils sont communicables ou deviendront communicables, à condition que la description ne révèle pas l'information sur laquelle porte la non-communicabilité, ou ne viole pas une loi ou un règlement contraignants.

3. Les institutions d'archives ont une attitude proactive en ce qui concerne l'accès aux archives.

Les archivistes ont la responsabilité professionnelle de promouvoir l'accès aux archives. Ils communiquent des informations sur les archives par de nombreux moyens dont l'Internet, des publications sur papier et en ligne, des programmes publics, les médias commerciaux et des activités de formation et de sensibilisation. Ils sont sans cesse attentifs à l'évolution des technologies de communication et utilisent celles qui sont disponibles et pratiques pour promouvoir la connaissance des archives. Ils coopèrent avec d'autres services d'archives pour élaborer des index de localisation, des guides, des portails et des points d'accès pour aider les

usagers à trouver les documents qu'ils recherchent. Ils communiquent de façon proactive les parties des fonds qui ont un grand intérêt pour le public à travers des publications, la numérisation, des informations sur le site internet ou en contribuant à des projets externes de publication. Les archivistes prennent en compte les besoins des usagers lorsqu'ils décident comment les archives sont publiées.

4. Les services d'archives veillent à ce que les clauses de non-communicabilité soient claires et d'une durée établie, à ce qu'elles soient fondées sur une législation appropriée, à ce qu'elles reconnaissent le droit à la protection de la vie privée, et à ce qu'elles respectent les droits des propriétaires d'archives privées.

Les archivistes fournissent l'accès le plus large possible aux documents, mais ils reconnaissent et acceptent la nécessité d'établir certaines restrictions d'accès. Celles-ci sont imposées par la loi ou par la politique institutionnelle, soit celle du service d'archives, soit celle de son institution de tutelle, ou celle d'un donateur. Les archivistes veillent à ce que les politiques et règles d'accès applicables aux archives de leur institution soient publiées de sorte que les clauses de non-communicabilité et leurs motifs soient clairs pour le public.

Les archivistes cherchent à limiter les restrictions d'accès à celles imposées par la loi, ou à identifier les cas où un préjudice particulier porté à un intérêt privé ou public légitime l'emporte provisoirement sur le bénéfice qu'il y a à ouvrir les archives à ce moment-là. Les clauses de non-communicabilité sont imposées pour un temps limité, qu'il s'agisse d'une période spécifique de quelques années, ou jusqu'à ce qu'un événement particulier, comme le décès d'une personne, se produise.

Des clauses générales de non-communicabilité s'appliquent à tous les fonds d'archives; en fonction de la nature de l'institution, elles couvrent la protection de la vie et des données privées, la sécurité, les informations en matière d'enquête ou d'application de la loi, les secrets commerciaux, et la sécurité nationale. Leur portée et leur durée d'application doivent être claires et rendues publiques.

Les clauses particulières de non-communicabilité s'appliquent uniquement à des ensembles spécifiques de documents institutionnels; elles s'appliquent pour une durée limitée. Un énoncé clair de la clause spécifique de non-communicabilité est inclus dans la description archivistique publique des documents concernés.

La communication d'archives et de papiers personnels ayant fait l'objet d'un don est limitée par les conditions établies dans le document d'acquisition, tel qu'un acte de donation, un testament ou un échange de lettres. Les archivistes négocient et acceptent les clauses de non-communicabilité imposées par les donateurs si celles-ci sont claires, d'une durée limitée, et peuvent être appliquées selon de justes modalités.

IDIOMA SECUNDARIO ALEMÁN

INTERNATIONALER ARCHIVRAT

KODEX ETHISCHER GRUNDSÄTZE FÜR ARCHIVARINNEN UND ARCHIVARE

VORWORT

A. Ein Kodex ethischer Grundsätze für Archivarinnen und Archivare soll hohe Verhaltensmassstäbe für den Beruf des Archivars/der Archivarin setzen.

Er soll neue Angehörige des Berufsstandes mit diesen Maßstäben vertraut machen, erfahrene Archivarinnen und Archivare an ihre berufliche Verantwortung erinnern und das Vertrauen der Öffentlichkeit in diesen Beruf stärken.

- B. Die Bezeichnung «Archivar», «Archivarin» soll, soweit sie in diesem Kodex verwendet wird, alle Personen umfassen, die mit der Aufsicht, Betreuung, Bewahrung, Erhaltung und Verwaltung von Archiven befasst sind.
- C. Institutionen, in denen Archivarinnen und Archivare beschäftigt sind, und Archivverwaltungen sollten zur Annahme von Grundsätzen und Verfahren ermutigt werden, die die Umsetzung dieses Kodex erleichtern.
- D. Dieser Kodex soll Angehörigen des Berufsstandes einen ethischen Orientierungsrahmen und keine spezifischen Lösungen für bestimmte Probleme bieten.
- E. Alle Grundsätze werden durch einen Kommentar ergänzt; Grundsätze und Kommentar gemeinsam bilden den Kodex als Ganzes.
- F. Die Einführung des Kodex hängt von der Bereitschaft der Archiv-Institutionen und Archivarsverbände ab, ihn in die Praxis umzusetzen. Dieses mag in Form von Ausbildungsmassnahmen geschehen und durch die Schaffung von Instrumentarien, die es erlauben, sich daran in Zweifelsfällen zu orientieren, danach unehrenhaftes Verhalten aufzudecken oder, falls es für angemessen erachtet wird, auch Sanktionen aufzuerlegen.

KODEX

1. *Archivarinnen und Archivare haben die Integrität von Archivgut zu schützen und auf diese Weise zu gewährleisten, dass es ein zuverlässiger Beweis der Vergangenheit bleibt.*

Die wichtigste Aufgabe der Archivarinnen und Archivare besteht darin, die Unversehrtheit der von ihnen verwalteten und verwahrten Unterlagen zu erhalten. Bei der Erfüllung dieser Aufgabe müssen sie die legitimen, aber manchmal auch widersprechenden Rechte und Interessen von früheren, gegenwärtigen und zukünftigen Dienstherren, Eigentümern, Betroffenen und Archivbenutzern berücksichtigen. Objektivität und Unparteilichkeit bestimmen das Maß ihrer Fachlichkeit. Sie müssen Druck von welcher Seite auch immer widerstehen, Beweismaterial zur Verschleierung oder Verdrehung von Tatsachen zu manipulieren.

2. *Archivarinnen und Archivare haben Archivmaterial in seinem historischen, rechtlichen und administrativen Kontext zu bewerten, auszuwählen und aufzubewahren, um so das Provenienzprinzip zu bewahren und die ursprünglichen Zusammenhänge der Schriftstücke zu erhalten und zu verdeutlichen.*

Archivarinnen und Archivare müssen in Übereinstimmung mit allgemein anerkannten Grundsätzen und Verfahren handeln. Archivarinnen und Archivare müssen ihre Aufgaben und Funktionen nach allgemein anerkannten Archivierungsgrundsätzen wahrnehmen in Hinblick auf die Bildung, Führung und Bewertung von Registraturen und Akteien, einschließlich der elektronischen und multimedialen Überlieferung, in Hinblick auf die Auswahl und Übernahme von Aktenmaterial in archivische Verwahrung, in Hinblick auf die Sicherung und Bestandserhaltung der ihnen anvertrauten Archive sowie hinsichtlich der Bestandsbildung, Verzeichnung, Publikation und allgemeinen Nutzung dieser Unterlagen. Archivarinnen und Archivare müssen Dokumente unparteiisch bewerten und sich dabei auf gründliche Kenntnisse der in ihrer Institution üblichen administrativen Erfordernisse oder ihrer Übernahmepolitik stützen. Sie müssen die zur Aufbewahrung ausgewählten Dokumente nach archivfachlichen Grundsätzen (nämlich dem Provenienzprinzip und dem Grundsatz der ursprünglichen Ordnung) und nach anerkannten Richtlinien so schnell, wie es ihre Mittel erlauben, ordnen und verzeichnen. Archivarinnen und Archivare haben sich bei der Übernahme von Dokumenten an den Zielen und Mitteln ihrer

Institution zu orientieren. Sie dürfen keine Erwerbungen anstreben oder akzeptieren, wenn diese die Integrität oder Sicherheit der Dokumente gefährden würden; sie müssen vielmehr mit anderen Archivarinnen und Archivaren zusammenarbeiten, um die Aufbewahrung dieser Dokumente in dem am besten geeigneten und angemessenen Archiv sicherzustellen. Archivarinnen und Archivare sollen bei der Rückführung verschleppten Archivguts zusammenwirken.

3. *Archivarinnen und Archivare haben die Authentizität der Schriftstücke während der Bearbeitung, Aufbewahrung und Benutzung zu schützen.*

Archivarinnen und Archivare haben sicherzustellen, dass der archivistische Wert von Schriftstücken, einschließlich der elektronischen und multimedialen Überlieferung, weder bei der archivistischen Bewertung, Ordnung und Verzeichnung noch bei Konservierungsmaßnahmen und der Benutzung beeinträchtigt wird. Wenn Stichprobenverfahren anzuwenden sind, darf die Auswahl nur aufgrund bewährter Methoden und gesicherter Kriterien erfolgen. Ein Ersatz von Originalen durch Mikroformen darf nur unter Berücksichtigung ihres juristischen, quellenkundlichen und informatorischen Werts geschehen. Wenn Geheimhaltungsbestimmungen unterliegende Dokumente vorübergehend aus einer Akte entfernt wurden, muss dies dem Benutzer/der Benutzerin mitgeteilt werden.

4. *Archivarinnen und Archivare haben die fortwährende Benutzbarkeit und Verständlichkeit des Archivguts sicherzustellen.*

Archivarinnen und Archivare haben aufzubewahrende oder zu vernichtende Unterlagen vorrangig daraufhin auszuwählen, dass die wesentlichen Zeugnisse von Aktivitäten derjenigen Personen oder Institutionen gesichert werden, bei denen die Dokumente erwachsen und verwaltet wurden; sie müssen jedoch auch wechselnde Forschungserfordernisse bedenken. Archivarinnen und Archivare müssen sich darüber im Klaren sein, dass der Erwerb von Dokumenten zweifelhaften Ursprungs, so interessant sie auch sein mögen, einen illegalen Handel begünstigen könnte. Sie sollen zur Festnahme und strafrechtlichen Verfolgung von Personen, die des Diebstahls von Archivadokumenten verdächtig sind, mit anderen Archivarinnen und Archivaren und mit Strafverfolgungsbehörden zusammenarbeiten.

IDIOMA SECUNDARIO FRANCÉS

CONSEIL INTERNATIONAL DES ARCHIVES CODE DE DEONTOLOGIE DES ARCHIVISTES

PRÉAMBULE

- A. Un code de déontologie des archivistes a pour ambition de fournir à la profession archivistique des règles de conduite de haut niveau.

Il devrait sensibiliser les nouveaux membres de la profession à ces règles, rappeler aux archivistes expérimentés leurs responsabilités professionnelles et inspirer au public confiance dans la profession.

- B. Le terme "archiviste", tel qu'il est utilisé dans ce texte, s'applique à tous ceux dont la responsabilité est de contrôler, prendre en charge, traiter, garder, conserver et gérer les archives.
- C. Les organismes employeurs et les services d'archives sont encouragés à adopter des politiques et des pratiques permettant l'application de ce code.

- D. Ce code est destiné à fournir un cadre éthique de conduite aux membres de la profession et nullement à offrir des solutions spécifiques à des problèmes particuliers.
- E. Tous les articles sont accompagnés de commentaires développant et illustrant le principe énoncé; articles et commentaires forment un tout et constituent ainsi le texte complet du code.
- F. La mise en œuvre du code dépend de la bonne volonté des institutions d'archives et des associations professionnelles. Elle peut se faire par le biais de la formation et de la mise en place de procédures pour suggérer des orientations dans les cas de doute, examiner les conduites contraires à l'éthique, et, si besoin est, d'appliquer des sanctions.

CODE

1. *Les archivistes maintiennent l'intégrité des archives et garantissent ainsi qu'elles constituent un témoignage du passé durable et digne de foi.*

Le devoir premier des archivistes est de maintenir l'intégrité des documents qui relèvent de leurs soins et de leur surveillance. Dans l'accomplissement de ce devoir, ils considèrent les droits, parfois discordants, et les intérêts de leurs employeurs, des propriétaires, des personnes citées dans les documents et des usagers, passés, présents et futurs. L'objectivité et l'impartialité des archivistes permettent de mesurer leur degré de professionnalisme. Les archivistes résistent à toute pression, d'où qu'elle vienne, visant à manipuler les témoignages comme à dissimuler ou déformer les faits.

2. *Les archivistes traitent, sélectionnent et maintiennent les archives dans leur contexte historique, juridique et administratif, en respectant donc leur provenance, préservant et rendant ainsi manifestes leurs interrelations originelles.*

Les archivistes agissent en conformité avec les principes et les pratiques généralement reconnus. Dans l'accomplissement de leur mission et dans leurs fonctions, les archivistes se conforment aux principes archivistiques régissant la création, la gestion et le choix de la destination des archives courantes et intermédiaires, la sélection et l'acquisition de documents en vue de leur archivage définitif, la sauvegarde, la préservation et la conservation des archives dont ils ont la charge, et le classement, l'analyse, la publication et les moyens de rendre les documents accessibles. Les archivistes trient les documents avec impartialité, en fondant leur jugement sur une profonde connaissance des exigences administratives et des politiques d'acquisition de leurs institutions. Ils classent et analysent les documents choisis pour être retenus en accord avec les principes archivistiques (en particulier le principe de provenance et le principe du classement d'origine) et les normes universellement reconnues, et ce aussi rapidement que possible. Les archivistes ont une politique d'acquisition de documents conforme aux objectifs et aux ressources de leurs institutions. Ils ne recherchent pas ou n'acceptent pas des acquisitions, lorsque celles-ci constituent un danger pour l'intégrité ou la sécurité des documents; ils veillent à coopérer pour que les documents soient conservés dans les services les plus appropriés. Les archivistes favorisent le rapatriement des archives déplacées.

3. *Les archivistes préservent l'authenticité des documents lors des opérations de traitement, de conservation et d'exploitation.*

Les archivistes font en sorte que la valeur archivistique des documents, y compris les documents électroniques ou informatiques, ne soit pas diminuée par les travaux archivistiques de tri, de classement et d'inventaire, de conservation et d'exploitation. S'ils doivent procéder à des échantillonnages, ils fondent leur décision sur des méthodes et des critères sérieusement établis. Le remplacement des originaux par d'autres supports est décidé en considérant leurs valeurs légales, intrinsèques et d'information. Lorsque des documents exclus de la consultation ont été retirés momentanément du dossier, ils le font savoir à l'utilisateur.

4. *Les archivistes assurent en permanence la communicabilité et la compréhension des documents.*

Les archivistes conduisent leur réflexion sur le tri des documents à conserver ou à éliminer, prioritairement en fonction de la nécessité de sauvegarder la mémoire de l'activité de la personne ou de l'institution qui les a produits ou accumulés, mais également en fonction des intérêts

évolutifs de la recherche historique. Les archivistes sont conscients que l'acquisition de documents d'origine douteuse, même de grand intérêt, est de nature à encourager un commerce illégal. Ils apportent leur concours à leurs collègues et aux services compétents pour l'identification et la poursuite des personnes suspectées de vols de documents d'archives.

IDIOMA SECUNDARIO INGLÉS

INTERNATIONAL COUNCIL ON ARCHIVES

CODE OF ETHICS

INTRODUCTION

- G. A code of ethics for archivists should establish high standards of conduct for the archival profession.
It should introduce new members of the profession to those standards, remind experienced archivists of their professional responsibilities and inspire public confidence in the profession.
- H. The term archivists as used in this code is intended to encompass all those concerned with the control, care, custody, preservation and administration of archives.
- I. Employing institutions and archive services should be encouraged to adopt policies and practices that facilitate the implementation of this code.
- J. This code is intended to provide an ethical framework for guidance of members of the profession, and not to provide specific solutions to particular problems.
- K. The principles are all accompanied by a commentary; principles and commentary taken together constitute the Code of Ethics.
- L. The code is dependent upon the willingness of archival institutions and professional associations to implement it. This may take the form of an educational effort and the establishment of machinery to provide guidance in cases of doubt, to investigate unethical conduct, and if considered appropriate, to apply sanctions.

CODE

- 5. *Archivists should protect the integrity of archival material and thus guarantee that it continues to be reliable evidence of the past.*

The primary duty of archivists is to maintain the integrity of the records in their care and custody. In the accomplishment of this duty they must have regard to the legitimate, but sometimes conflicting, rights and interests of employers, owners, data subjects and users, past, present and future. The objectivity and impartiality of archivists is the measure of their professionalism. They should resist pressure from any source to manipulate evidence so as to conceal or distort facts.

- 6. *Archivists should appraise, select and maintain archival material in its historical, legal and administrative context, thus retaining the principle of provenance, preserving and making evident the original relationships of documents.*

Archivists must act in accordance with generally accepted principles and practice. Archivists must perform their duties and functions in accordance with archival principles, with regard to the creation, maintenance and disposition of current and semi-current records, including electronic and multimedia records, the selection and acquisition of records for archival custody, the

safeguarding, preservation and conservation of archives in their care, and the arrangement, description, publication and making available for use of those documents. Archivists should appraise records impartially basing their judgment on a thorough knowledge of their institution's administrative requirements and acquisitions policies. They should arrange and describe records selected for retention in accordance with archival principles (namely the principle of provenance and the principle of original order) and accepted standards, as rapidly as their resources permit. Archivists should acquire records in accordance with the purposes and resources of their institutions. They should not seek or accept acquisitions when this would endanger the integrity or security of records; they should cooperate to ensure the preservation of these records in the most appropriate repository. Archivists should cooperate in the repatriation of displaced archives.

7. Archivists should protect the authenticity of documents during archival processing, preservation and use.

Archivists should ensure that the archival value of records, including electronic or multimedia records is not impaired in the archival work of appraisal, arrangement and description, and of conservation and use. Any sampling should be carried out according to carefully established methods and criteria. Replacement of originals with other formats should be done in the light of the legal, intrinsic and information value of the records. Where restricted documents have been temporarily removed from a file, this fact should be made known to the user.

8. Archivists should ensure the continuing accessibility and intelligibility of archival materials.

Archivists should select documents to be kept or to be destroyed primarily to save essential testimony of the activity of the person or the institution which produced and accumulated the documents but also bearing in mind changing research needs. Archivists should be aware that acquiring documents of dubious origin, however interesting, could encourage an illegal commerce. They should cooperate with other archivists and law enforcement agencies engaged in apprehending and prosecuting persons suspected of theft of archival records.

IDIOMA SECUNDARIO ITALIANO

CONSIGLIO INTERNAZIONALE DEGLI ARCHIVI

CODICE INTERNAZIONALE DI DEONTOLOGIA DEGLI ARCHIVISTI

PREFAZIONE

G. Un codice di deontologia degli archivisti ha lo scopo di fornire alla professione regole di condotta di alto livello.

Dovrebbe inoltre sensibilizzare al rispetto di tali regole i nuovi membri della professione, ricordare agli archivisti più esperti le loro responsabilità professionali ed ispirare al pubblico fiducia nella professione.

H. Il termine "archivista", nel senso utilizzato in questo testo, si applica a tutti coloro la cui responsabilità è di controllare, prendere in gestione, trattare, conservare, restaurare e amministrare gli archivi.

I. Gli organismi datori di lavoro e le istituzioni archivistiche sono incoraggiati ad adottare programmi generali e pratiche quotidiane che consentano l'applicazione di questo codice.

J. Questo codice è destinato a fornire un orientamento etico alla condotta dei membri della professione e non a fornire soluzioni specifiche a particolari problemi.

- K. Ogni articolo è accompagnato da un commento che sviluppa e illustra il principio enunciato; articoli e commenti formano un tutt'uno e insieme costituiscono il testo del codice di deontologia.
- L. L'applicazione del codice dipende dalla buona volontà delle istituzioni archivistiche e delle associazioni professionali. Essa può prendere la forma di uno sforzo educativo e della messa a punto di procedure per suggerire orientamenti in casi di dubbio, esaminare comportamenti contrari alla deontologia e, quando sia opportuno, applicare sanzioni.

CODICE

1. *Gli archivisti tutelano l'integrità degli archivi e in tal modo garantiscono che questi continuino ad essere affidabile testimonianza del passato.*

Il primo dovere degli archivisti è di mantenere l'integrità dei documenti affidati alla loro sorveglianza o custodia. Nel compimento di tale dovere essi devono tener conto dei diritti e interessi legittimi, pur talora contraddittori, dei loro datori di lavoro, dei proprietari, delle persone citate nei documenti e degli utenti, sia per quanto riguarda il passato che il presente e il futuro.

L'obiettività e l'imparzialità degli archivisti danno la misura della loro professionalità.

Gli archivisti resistono ad ogni pressione, da qualunque parte provenga, diretta a manipolare le testimonianze come a dissimulare o deformare i fatti.

2. *Gli archivisti trattano, selezionano e conservano gli archivi nel loro contesto storico, giuridico e amministrativo, rispettando quindi il principio di provenienza, tutelando e rendendo evidenti le interrelazioni originarie dei documenti.*

Gli archivisti operano in conformità con i principi e le pratiche della professione generalmente accettati.

Gli archivisti svolgono i loro doveri e funzioni coerentemente con i principi archivistici con riferimento alla creazione, gestione e scelta della destinazione degli archivi correnti e di deposito, ivi compresi i documenti elettronici e multimediali, la selezione e l'acquisizione dei documenti in vista della loro archiviazione definitiva, alla salvaguardia, conservazione e restauro degli archivi di cui hanno la responsabilità e all'ordinamento, alla descrizione, alla pubblicazione e alla migliore accessibilità dei documenti.

Gli archivisti selezionano i documenti con imparzialità, fondando il loro giudizio su una profonda conoscenza delle esigenze amministrative e delle politiche di acquisizione. I documenti scelti per la conservazione sono da essi ordinati e descritti conformemente ai principi archivistici (in particolare il principio di provenienza e il principio dell'ordinamento originario) e alle norme generalmente riconosciute, e ciò quanto più rapidamente consentono le risorse.

Gli archivisti debbono acquisire documenti in conformità con gli obiettivi e le risorse delle istituzioni per la quali lavorano. Essi non cercano o non accettano acquisizioni quando queste possano mettere in pericolo l'integrità e la sicurezza dei documenti; essi cooperano affinché i documenti siano conservati nelle istituzioni più appropriate.

Gli archivisti cooperano al rimpatrio e alla ricollocazione di archivi che si trovino fuori della loro giusta collaborazione.

3. *Gli archivisti tutelano l'autenticità dei documenti durante le operazioni di trattamento, conservazione e utilizzazione.*

Essi operano in modo che il valore archivistico dei documenti, compresi quelli elettronici e multimediali, non sia diminuito nel corso dei lavori di selezione; ordinamento e descrizione, di conservazione ed utilizzazione. Essi conservano traccia scritta dei lavori di acquisizione, trattamento e restauro dei documenti.

Se debbono procedere a campionamenti, essi fondano le loro decisioni su metodi e criteri attentamente stabiliti.

La sostituzione degli originali con altri supporti può essere decisa solo dopo averne considerato il valore legale, intrinseco e informativo.

Quando documenti esclusi dalla consultazione siano stati estratti temporaneamente da un fascicolo, ne informano il ricercatore.

4. *Gli archivisti devono garantire la costante accessibilità e intelligibilità dei documenti d'archivio.*

Gli archivisti debbono selezionare i documenti da conservare o da distruggere considerando prioritaria la necessità di salvaguardare la testimonianza essenziale dell'attività della persona o dell'istituzione che ha prodotto o accumulato i documenti, e inoltre tenendo conto che le esigenze della ricerca mutano nel tempo.

Gli archivisti debbono essere coscienti che l'acquisizione di documenti di dubbia origine, anche se di grande interesse, può incoraggiare un illecito commercio. Essi collaborano con i colleghi e con i servizi competenti a identificare e perseguire in giudizio le persone sospettate di furto di documenti d'archivio.

IDIOMA SECUNDARIO LATÍN

DE RE DIPLOMATICA LIBRI VI

Jam tandem devenimus ad extremam difficilis argumenti periodum, in qua de veterum chartarum notis chronologicis agendum est. Sed antequam ad singulares descendamus species, quaedam universim de singuli notis praemittenda sunt, ut ad exempla planior sternatur via. Quam ob rem oc in capite tractandum erit de anno et caetera, in sequenti de Indictione alisque notis. De anno quo inquirenda: alterum quo mense inciperet annus apud Europaeos: alterum quo tempore annus Incarnationis apud diversos populos receptus in morem.

Romani annum ante Numam decem omnino mensibus definiebant, atque a Martio ordiebantur. Unde Julius Quintilis, Augustus Sextilis, sequentes menses a suo quisque numerali ordine nomen desumebant. Duos menses addidit Numa, Januarium et Februarium: ac deinceps in Januario anni stetit initium. Unde Janum bifrontem fingebant, quod annum praeteritum et posterum respiceret. Illud tamen obstare videtur, quod habet Titus Livius in libro XXXIX. Extremo anni Magistratibus jam creatis, ad tertium Nonas Martias Cn. Manlius Vulso de Gallis, qui Assiam incolunt, triumphavit. Sed haec forte ita dispungenda sunt, ut extremo anni creati sint Magistratus ante Kalendas Januarias: et postea Manlius III Non. Mart. triumphaverit. Praeclarus est apud Tacitum locus, ubi Nero, quamquam censuissent Patres, ut principium anni inciperet mense Decembri, quo ortus erat Nero; veterem religionem Kalendarum Januarium inchoando anno retinuisse memoratur. Hunc morem auspicandi anni a Januario, aut certe a Nativitate Domini, servavit Ecclesia Romana. Testis Gervasius Dorobernensis. Annus solaris, inquit, secundum Romanam traditionem et Ecclesiae Dei consuetudinem a Kalendis Januarii sumit initium: in diebus Natalis Domini, hoc est in fine Decembris, sortitur finem. Paulo aliter Concilium Coloniense anni M CCC X, cap. XIII. Statuimus etiam, ut ex nunc de cetero annus Domini observetur et in Nativitate Christi innovetur a quolibet anno, prout sacrosancta Romana Ecclesia id observat, quae est omnium Ecclesiarum caput et magistra. Romanum tamen vetus Rosweydi martyrologium incipit a Kal. Januarii, uti et metrica Bedae ac Wandalberti: necnon prosaica Rabani et Notkeri. secus vetera nonnulla, puta Usuardi, Adonis et aliorum, qui a vigilia Nativitatis incipiunt, sicut antiquiora Kalendaria.

In Italia etiam annos a Nativitate inchoari mos vetus est, teste Covarruvia praeterquam apud Pisanos, qui initium anni Incarnationis desumunt novem mensibus ante Nativitatem qua ratione annus a Nativitate quinquagesimus est et eiusdem numeri ab Incarnatione usque ad diem XXV Martii: et ab eo die, qui est quinquagesimus a Nativitate, erit quinquagesimus primus ab Incarnatione adeoque calculus Pisanus novem mensibus alium antevertit. Secus Florentini tribus mensibus post Nativitatem incipiunt annos Incarnationis eodem modo quo de Gallis postea dicendum, quod etiam de Mediolanensibus saepius animadvertit Puricellus in libro de basilica Ambrosiana.

IDIOMA SECUNDARIO PORTUGUÉS

CONSELHO INTERNACIONAL DE ARQUIVOS CÓDIGO DE ÉTICA

INTRODUÇÃO

- M. Um código de ética dos arquivistas tem por finalidade fornecer à profissão arquivística regras de conduta de alto nível.
Ele deve sensibilizar os novos membros da profissão a essas regras, lembrar aos arquivistas experientes suas responsabilidades profissionais e inspirar ao público confiança na profissão.
- N. O termo "arquivista", tal como é usado neste texto, se aplica a todos aqueles que têm a responsabilidade de controlar, vigiar, tratar, guardar, conservar e administrar os arquivos.
- O. As instituições empregadoras e os serviços de arquivos são encorajados a adotar políticas e práticas que permitam a aplicação deste código.
- P. Este código destina-se a oferecer um quadro ético de conduta aos membros da profissão, não se aplicando a soluções específicas de problemas particulares.
- Q. Todos os artigos são acompanhados de comentários, desenvolvendo e ilustrando o princípio enunciado; artigos e comentários formam um todo e assim constituem o texto completo do código.
- R. A aplicação do código depende da boa vontade das instituições de arquivos e das associações profissionais. Ela pode ser feita indiretamente através do estabelecimento e do uso de procedimentos para sugerir orientações, em casos de dúvida, examinar condutas contrárias à ética e, se for necessário, aplicar sanções.

CÓDIGO DE ÉTICA

1. *Os arquivistas mantêm a integridade dos arquivos, garantindo assim que possam se constituir em testemunho permanente e digno de fé do passado.*

O primeiro dever dos arquivistas é o de manter a integridade dos documentos que são valorizados por seus cuidados e sua vigilância. No cumprimento desse dever, eles consideram os direitos, algumas vezes discordantes, e os interesses de seus empregadores, dos proprietários, das pessoas citadas nos documentos e dos usuários, passados, presentes e futuros. A objetividade e a imparcialidade dos arquivistas permitem aquilatar o grau de seu profissionalismo.

Os arquivistas resistem a toda pressão, venha ela de onde vier, visando manipular os testemunhos, assim como dissimular ou deformar os fatos.

2. *Os arquivistas tratam, selecionam e mantêm os arquivos em seu contexto histórico, jurídico e administrativo, respeitando, portanto, sua proveniência, preservando e tomando assim manifestas suas interrelações originais.*

Os arquivistas agem em conformidade com os princípios e as práticas geralmente reconhecidos. No cumprimento de sua missão e de suas funções, os arquivistas se pautam pelos princípios arquivísticos que regem a criação, a gestão e a escolha da destinação dos arquivos correntes e intermediários, a seleção e a aquisição de documentos com vistas ao seu arquivamento definitivo, a salvaguarda, a preservação e a conservação dos arquivos que estão sob sua guarda, e a classificação, a análise, a publicação e os meios de tornar os documentos acessíveis. Os arquivistas fazem a triagem dos documentos com imparcialidade, fundamentando seu

juízo em um profundo conhecimento das exigências administrativas e das políticas de aquisição de suas instituições. Eles classificam e analisam os documentos escolhidos para serem retidos, de acordo com os princípios arquivísticos (em particular o princípio de proveniência e o princípio de classificação original) e as normas reconhecidas universalmente, tudo isto tão rapidamente quanto possível. Os arquivistas têm uma política de aquisição de documentos conforme os objetivos e os recursos de suas instituições. Eles não buscam ou não aceitam aquisições, quando elas se constituem em perigo para a integridade ou a segurança dos documentos; eles se dispõem a cooperar para que os documentos sejam conservados nos serviços mais adequados. Os arquivistas favorecem o retomo dos arquivos públicos a seus países de origem, quando eles tenham sido sequestrados em tempo de guerra ou de ocupação.

3. *Os arquivistas preservam a autenticidade dos documentos nos trabalhos de tratamento, conservação e pesquisa.*

Os arquivistas agem de modo que o valor arquivístico dos documentos, neles compreendidos os documentos eletrônicos ou informáticos, não seja diminuído pelos trabalhos arquivísticos de triagem, de classificação e de inventário, de conservação e de pesquisa. Se eles devem proceder a amostragens, eles fundamentam sua decisão sobre métodos e critérios seriamente estabelecidos. A substituição dos originais por outros suportes é decidida considerando-se seus valores legais, intrínsecos e de informação.

Quando os documentos excluídos da consulta tenham sido retirados momentaneamente do dossiê, o usuário deve ser notificado.

4. *Os arquivistas asseguram permanentemente a comunicabilidade e a compreensão dos documentos.*

Os arquivistas dirigem sua reflexão sobre a triagem dos documentos a serem conservados ou eliminados, prioritariamente, em função da necessidade de salvaguardar a memória da atividade da pessoa ou da instituição que os produziu ou acumulou, mas igualmente em função dos interesses evolutivos da pesquisa histórica. Os arquivistas têm consciência de que a aquisição de documentos de origem duvidosa, mesmo de grande interesse, é de natureza a encorajar um comércio ilegal. Eles prestam sua colaboração a seus colegas e aos serviços pertinentes para a identificação e a procura das pessoas suspeitas de roubos de documentos de arquivos.

Los textos propuestos para la convocatoria extraordinaria del día 4 de mayo de 2022 fueron los siguientes:

IDIOMA PRINCIPAL INGLÉS, PARTE A

HOW TO APPROACH A POTENTIAL DONOR GOVERNMENT IN EUROPE: SOME BASIC STEPS

Claes Granstrom, Trudy H. Peterson, June 13, 2008

All archives, big or small, need more funds than they currently have. The principal source for funds for any archives is its parent organization, whether a government or a university or a religious organization. But other funds may be available for archival projects from public or private donors. In this article we suggest some steps to take if you are seeking funds from a government, particularly a government in Europe (country- to-country aid is often called bilateral aid). We will discuss shaping a proposal, preparing for an initial inquiry, and submitting a proposal.

As you prepare to seek funds, you need the support of a strong institution or other body (such as your professional archival association) to coordinate the efforts: writing applications, making contacts, and managing all practical details. Seeking supplemental funds is a demanding process.

You need to have a long-range perspective. Preparing a funding proposal is time-consuming, whether the application is to a national or international funder. It is necessary to be persistent. Do not underestimate the time involved.

Finally, your personal commitment to the proposed project is important. If you are not convinced of the value of the project you propose, it will be very difficult to sell that project to a funder.

With those general issues in mind, you can develop your project proposal.

SHAPE THE PROPOSAL

Create a brief statement of what you want to do, who will do it, what it will cost, and what its importance is to your country. Make it short because you will revise it later.

Think about your request in terms of a project or program. Most donors will not give money to support the basic operating costs of an archive or to build buildings, although some will. You are more likely to get support for a project that has a clear completion date, which may be some years away, and a project that you can sustain after the project funds have been spent.

Think about what you really want to do:

- If it is a complex project, do you want to do a pilot project first?
- If this is to be a nationwide project, do you want to begin all over the country at once or do you want to start in one geographic area and then move to other locations?
- If the project will require the purchase of equipment, do you have the expertise to select the equipment, operate it, and maintain it?
- If your conception of project is vague at this stage (for example, “I want to rescue 19th century material in my country”), do you want to ask first for funds to bring in an adviser to help you plan the project?

Think about the strategy you want to use. Do you want to have a project funded by only one partner, or are you willing to take part of the funds from one donor and part of the funds from another? What strengths and weaknesses does your institution have and what expertise can you offer? Do you have a partner within your country for the project, either for funding (in which case you may be asking the donor country for matching funds) or for services, space, supplies or personnel? If you are not the national archives or the national archival school of your country, think about whether it could be an advantage if you have one of them as a national partner. Some bilateral aid donors encourage partnership programs, but you need to establish which of you has the mandate to negotiate and sign agreements and take full responsibility for carrying through the project, including filing any periodic and final reports the donor requires.

IDENTIFY A POTENTIAL DONOR GOVERNMENT

Read the website of the government development agency and any other literature. For a list of contacts see the Archives Solidarity website.

See if that government funds what you are hoping to do. See what they emphasize: good governance, human rights, transparency, infrastructure development. Check whether they fund only governments or also fund non-government organizations. In short, learn what kind of proposal they want to see.

Don't be discouraged if you do not find the words "records" or "archives" in the description of what the government funds. Development agencies are rarely that specific in their statements of funding priorities. On the other hand, archives and records management services exist in every European government. Government development agencies know that efficient archives and records management is absolutely necessary for a modern state to function. Emphasizing this may help you "sell" your archives project.

If the web and literature search suggests that the country's development program might be receptive to the type of proposal you want to make, you could contact the national archives of that country and ask the archives' staff members to help you understand their government's funding priorities. Some national archives are very familiar with the structure, priorities and other conditions of the government's development program, while others are completely removed from the aid funding. You simply need to ask.

If you are having difficulty finding the right contact for a government within the European Union, you can ask for help from the European Network of Implement Development Agencies (EUNIDA). EUNIDA is a grouping of European agencies with a public mandate to develop, manage and implement development programmes.

IDIOMA PRINCIPAL INGLÉS, PARTE B

PRINCIPLES OF ACCESS TO ARCHIVES

International Council of Archives
Committee on best Practices and Standards
Working Group on Access

INTRODUCTION

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 and the services 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 provide 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 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.

PURPOSE OF THE PRINCIPLES OF ACCESS TO ARCHIVES

The *Principles of Access to Archives* provide archivists with an authoritative international baseline against which to measure their existing access policy and practices and a framework to use when developing new or modifying existing access rules.

SCOPE OF THE PRINCIPLES OF ACCESS TO ARCHIVES

The *Principles of Access to Archives* cover both the rights of access by the public and the responsibilities of archivists in providing access to archives and to information about them.

The *Principles* recognize that administering access may also involve restricting access based on the information contained in the archives.

The *Principles* further recognize that in some countries several laws codify access rules that are inconsistent with each other. This is true both of laws covering archives in government custody and laws pertaining to archives in private, non-governmental bodies. Archivists actively encourage governments, parliaments and courts to harmonize access laws.

The *Principles* apply to both government and non-government archives. Public and private archives may implement the *Principles* differently.

The *Principles* assume that archivists are proactively involved in ensuring the transfer of permanently valuable archives to archival custody where access is more readily available to the public than it is when the archives are in the custody of the originating office.

The *Principles* do not cover general reference service operations and standards of service delivery, nor do they cover questions of resources required to implement the Principles.

The *Principles* do not cover issues of copyright because access to copyrighted material is permitted, although copies can be made only in accordance with copyright law. The *Principles* also recognize that the need to protect original items from the wear resulting from use may require physical access to the item to be limited, but archivists nonetheless make the information in the items available.

Each *Principle* is accompanied by a commentary; the *Principles* and commentary taken together constitute the *Principles of Access to Archives*.

RESPONSIBILITIES FOR IMPLEMENTING THE PRINCIPLES OF ACCESS TO ARCHIVES

Institutions holding archives are encouraged to compare their existing access policy with the Principles and adopt the Principles as a professional guide for access to the archives in their custody. Primary responsibilities for implementing the *Principles* are shared by administrators,

archivists, donors and the personnel of institutions transferring their records to the archival custody.

- A person within the archival institution or its parent body must have leadership responsibility and accountability for the access program. This official or group should have sufficient authority to ensure both the timely release and the secure protection of information. Executives of the parent body are responsible for supporting the access programs of the archival institution, providing adequate funding for it and ensuring that its staff members have the professional training and support needed to perform their duties competently in the best interests of users, archives, records creators and donors.
- Archivists are responsible for the design, implementation and maintenance of the access control systems. All staff members must understand the basic principles of access, the need for secure handling of restricted information, and the responsibility not to divulge information unless it has been made public through approved processes. Archivists who participate in the decision-making process on access should have a good understanding of pertinent legislation and access practices as well as of the needs of researchers. Archivists train new staff members in the operation of the access program to the extent that their jobs require it.
- Donors and institutional personnel transferring archives to the custody of an archival institution recognize that the archives are preserved for access. If certain information must be withheld from public use for a period of time, they are responsible for clearly stating what the information is, the reasons for restriction, and the period of the restriction. Institutional personnel and donors negotiate with the archivists in a spirit of cooperation and trust.

Support for the access program comes from lawyers, computer and security professionals, and declassification specialists. Lawyers must understand the basic principles of archival management and support the archival institution as it balances institutional and user needs within the applicable legal framework. Computer systems administrators are responsible for ensuring that all documentation is accurate and available to archivists and users when required and that restricted material is securely protected from unauthorized access. Security personnel are responsible for securing and monitoring access to archives storage areas, with special vigilance for locations where restricted materials are held. Declassification specialists, such as persons from offices that created the records to be reviewed for possible declassification, must provide knowledgeable and timely declassification review.

IDIOMA SECUNDARIO PORTUGUÉS

PRINCIPIOS DE ACESSO AOS ARQUIVOS

ORIENTAÇÃO TÉCNICA PARA GESTÃO DE ARQUIVOS COM RESTRIÇÕES

Conselho Internacional de Arquivos
Comité de Boas Práticas e Normas

Grupo de Trabalho sobre Acesso

INTRODUÇÃO

Princípios de acesso aos arquivos, adotado pelo Conselho Internacional de Arquivos em agosto de 2012, oferece orientação para aqueles envolvidos com o desenvolvimento, revisão ou implementação de decisões para liberação ou restrição de documentos em instituições arquivísticas. Baseados nas normas internacionais e nas boas práticas, esses princípios foram adotados após um longo período de consulta internacional.

Os *Princípios* são necessariamente gerais. Eles incentivam o uso mais amplo possível dos arquivos, baseado no conjunto de leis, regulações e acordos com os quais atuam os arquivos. Eles estimulam os arquivistas a serem proativos e a informar o público sobre a disponibilidade dos documentos para uso.

Apesar disso, os *Princípios* reconhecem que há documentos que devem ser removidos do acesso público por um período de tempo. O modo como essa remoção é administrada é frequentemente controverso, seja em relação aos produtores dos documentos, seja com o público em geral. Os arquivistas funcionam como guardiões, e precisam assegurar tanto à comunidade usuária quanto às entidades que impõem restrições que essas são adequadamente aplicadas. Esta *Orientação técnica* acredita que, se as instituições arquivísticas adotarem boas práticas quando os documentos precisarem estar sob restrição, elas poderão reduzir a necessidade de restringir volumes massivos de documentos.

A mudança global para arquivamento digital afeta o acesso aos arquivos. Entretanto, muitos documentos sobre os quais os arquivistas rotineiramente tomam decisões de acesso estão em papel ou em formatos audiovisuais. Desenvolver uma política de acesso e estabelecer determinações básicas de acesso é o mesmo, não importa qual seja o formato dos documentos. A diferença ocorre em aspectos técnicos de administração do acesso: o processo de edição (remoção) da informação e os meios de proteção da informação restrita. Esta *Orientação* recomenda diversas opções para edição tanto de documentos em papel quanto digitais.

Esta *Orientação* volta-se para a limitada parcela de documentos legitimamente restritos em uma instituição arquivística. Fundamenta-se no objetivo principal dos *Princípios*, como definido no parágrafo de abertura:

- Os documentos são preservados para uso pelas gerações atuais e futuras. O serviço de acesso conecta arquivos ao público; fornece informação aos usuários sobre a instituição e seu acervo; influencia o público quanto à confiança nos custodiadores das instituições arquivísticas e no serviço que prestam. Os arquivistas apoiam uma cultura de abertura, mas aceitam restrições conforme exigido pela legislação e outras autoridades, pela ética, ou por exigência dos doadores. Quando as restrições são inevitáveis, devem ser claras e limitadas em abrangência e duração. Os arquivistas encorajam as partes responsáveis a formular claramente mandatos e regras consistentes para acesso aos documentos, mas, na ausência de orientações inequívocas, viabilizam o acesso apropriado, considerando a ética profissional, a

equidade, a justiça e os requisitos legais. Os arquivistas garantem que as restrições sejam aplicadas justa e razoavelmente, e proporcionam o uso mais amplo possível dos documentos por meio do monitoramento das restrições e da imediata revogação daquelas que não se justificam mais. Os arquivistas aderem aos *Princípios de acesso aos arquivos* ao formular e implementar políticas de acesso.

INFORMAR O PÚBLICO SOBRE OS ARQUIVOS

- O Princípio 1 de *Princípios de acesso aos arquivos* do Conselho Internacional de Arquivos afirma que “Entidades públicas e privadas devem abrir seus arquivos o mais amplamente possível”. Para promover e facilitar o acesso, o público precisa de informação sobre os arquivos e a instituição que os detém. No nível básico, a informação inclui o nome da instituição, horário de funcionamento e detalhes para contato, como a rua e o endereço postal ou eletrônico onde os usuários em potencial podem fazer uma solicitação. Essa informação pode ser publicada no website, em um boletim ou em um diretório. O endereço deve ser indicado com clareza para direcionar os novos usuários ao lugar correto.
- A informação geral sobre os documentos deve ser fornecida gratuitamente. Isso inclui quaisquer políticas que afetem o uso público dos arquivos, como uma política de acesso e uma política de aquisição. Publicada on-line ou impressa, a informação compreende uma declaração clara sobre quais documentos podem ser acessados e por quem, e indica equívocos comuns. Por exemplo, pode conter declarações como “qualquer cidadão desse país pode requerer acesso” ou “você não precisa ser estudante dessa universidade para acessar os documentos”.
- A instituição oferece gratuitamente instrumentos de pesquisa descritivos para os documentos disponíveis à consulta, em cópias impressas ou on-line. Os instrumentos de pesquisa são mantidos atualizados e obedecem às normas internacionais de descrição. Tanto quanto possível, as descrições sobre os arquivos que tenham sido recebidos pela instituição, mas ainda não processados, e mesmo os documentos que estiverem fechados ao acesso devem ser incluídos nos instrumentos de pesquisa.