Safe Havens For Archives At Risk

Guidelines, Principles and Approaches

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Abstract – The main aim of our poster is to raise awareness among the Digital Preservation community of the need for, and particular considerations of, (digital) Safe Havens For Archives at Risk. The document "Guiding Principles for Safe havens for archives at risk" [1], has been recently published and endorsed by the International Council of Archives [2]. The authors are involved in continuing work to develop detailed commentaries on each of the Guiding Principles. While the guiding principles are format neutral, we highlight specific digital considerations that are emerging in development of the commentaries.

Safe-Havens, Archives, Risk

Collaboration; Exploring New Horizons; Building Capacity, Capability and Community

I.   Background To The Guiding Principles

Immediately following iPRES2016 in Bern, Swisspeace [3] , in collaboration with the Swiss Federal Department of Foreign Affairs [4] and the Swiss Federal Archives [5], arranged an International Expert Working Meeting on "*Safe Havens for Archives at Risk*" [6]. The meeting convened 37 representatives from international, governmental, and non-governmental institutions. The goal was to bring together institutions that had found or were looking for a safe repository for their archives (sending institutions), with institutions interested in, or already offering, a safe repository for archives at risk (hosting institutions), as well as experts and practitioners on the subject matter. The aim was to jointly discuss the needs, challenges, good practice and the way forward of safe havens for archives at risk. The participants acknowledged the importance of continuing their discussions and decided to create a working group. This group subsequently developed the "*Guiding Principles for Safe Havens for Archives at Risk*", now published and endorsed by the ICA [1].

II.   Why Are Guiding Principles Needed?

The Principles provide guidance for both sending and hosting institutions for situations in which the safeguarding of originals or security copies of records through relocation can contribute to "*Dealing With The Past*" processes. The principles deal with preserving such archives and records requiring immediate action to protect them from armed conflict, military occupation, repressive actions by government or non-government actors, and recurrent, unavoidable natural risks.

Dealing With The Past processes address the rights of victims and societies as a whole, to truth, justice, reparation, and guarantees of non-recurrence in the aftermath of grave human rights violations, breaches of international humanitarian law, and related grave forms of corruption that facilitated these crimes. Records and archives of all types are central to these processes [7].

III.   Particular Considerations

In the context of records relating to dealing with the past processes, both sending and hosting institutions should consider two further concepts: "*Do No Harm*" and "*Conflict Sensitivity*".

Do *no harm* is a concept geared to recognizing that intervention, of any kind, in a (conflict) context becomes part of that context. It aims at minimizing

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the harm programs and activities may inadvertently cause by simply providing assistance in a conflict situation.

Conflict sensitivity refers to the practice of understanding how activities interact with conflict in a particular context, to mitigate the unintended negative effects of the activities on the context, and to exert a positive influence on the conflict wherever possible.

IV. THE PRINCIPLES

There are 18 Principles divided into four groups.
A.   General
1.   *Dealing with the Past Principle*
2.   *Last Resort Principle*
3.   Transparency Principle.
4.   Legality and Agreement Principle
5.   *Main Goal Principl*e
6.   Ethics Principle
7.   *Fair Agreement Principle*
8.   No Financial Profit Principle

B.   The Substance of The Agreement
9.   Processes in Agreement Principle
10. Ownership Principle
11. *Duration Principle*
12. *Anticipating Succession Principle*
13. Constituent Spirit Principle

C.   Characteristics of Hosting Institutions
14. Legal Environment Principle
15. *Control of Material Principle*
16. Physical Characteristics Principle
17. *Professional Standards Principle*

D.   Rapid Response
18. *Rapid Response Principle*

V. PRINCIPLES WITH SIGNIFICANT DIGITAL PRESERVATION ASPECTS

The following principles have significant Digital preservation aspects. We have included the text of the principle for reference.

1. Dealing With the Past.
"Safe haven solutions should always be implemented if archives/records that contribute to

Dealing with the Past are at risk of destruction or alteration."

2. Last Resort
"A safe haven solution abroad should only be implemented when it is deemed impossible to store, protect and preserve the information safely within the country of origin, especially when transferring originals."

5. Main Goal Principle
"The goals of the sending institution in seeking a safe haven for archives/records should always be paramount in determining how they are treated by the hosting institution."

7. Fair Agreement Principle
"Safe haven arrangements should always be based on a fair agreement, acknowledging the potential asymmetrical nature of the relationship, including language barriers, mitigating the risks deriving therefrom and not taking advantage of the asymmetry."

11. Duration
"When negotiating the terms of the agreement, the parties should take into account the diffculty of planning the duration of the arrangement and include options for extension and closure. Precautions should be taken regarding possible changes of governments in both jurisdictions that could endanand capabilities used to manage the hosted archives/records should always be demonstrably under the direct control of the hosting institution, unless stated otherwise in the agreement."

17. Professional Standards
"Hosting Institutions should work in accordance with internationally recognized professional standards."

VI. DIGITAL PRESERVATION CONSIDERATIONS

A.   "Dealing with the Past" and "last Resort".
Records that contribute to dealing with the past may come in all types. Often the content of these records, and their source, makes them especially vulnerable to risks from armed conflict, military occupation, repressive actions by government or non-government actors, and recurrent, unavoidable natural risks. This complex risk space can mean that unconventional approaches to digital preservation are needed to mitigate the risks. A technical approach to storing and/or preserving duplicates

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of either of born-digital archives or archives that have been digitized may appear straightforward. However, the socio-technical nature of the risks bearing on archives seeking a safe haven, mean a wider range of approaches than would normally be considered appropriate for digital preservation may bring benefit, including:

- Full scale digital preservation in the host institution or in the cloud.
- Web Archiving in an existing public (or private) web archive.
- Remote storage only in the cloud.
- Storage only on a local server of the host institution. Storage only on duplicated o[ine media held in secure physical storage.

If a Cloud or Web archiving approach is chosen, the security, jurisdictional, and regulatory issues of these systems must be carefully considered. In the same way that raids on physical premises can be unpredictable, the hacking of a digital systems can occur equally without warning and from anywhere in the world. In every case it is important that both the technical and practical risks introduced by any safe haven approach be balanced alongside the risks that are attempting to be being mitigated. The particular circumstances of the archives at risk as well as the sending and hosting institutions must be considered paramount.

B.   "Main Goal Principle" and "Fair Agreement Principle"

These two principles address the inevitable and significant power asymmetry between sending and hosting institutions in safe havens. In terms of *Dealing with the Past, Do No Harm* and *Conflict sensitivity* this power asymmetry may also have the additional context of colonial, or post-colonial, power dynamics between nations and their respective national institutions.

In the digital context, great care should be taken to avoid inadvertent and inappropriate assumptions of *preservation value* to govern the treatment of digital Safe Haven material, for example sending and hosting institutions may not necessarily have the same view of *Significant Properties*. The iPRES2019 keynote by Michele Caswell [8] and the associated journal publication *Dusting for Fingerprints:*

Introducing Feminist Standpoint Appraisal [9] may be especially relevant in understanding preservation value or archival value in situations of oppression or power asymmetry.

C.   "Duration" and "Anticipating Succession".

Succession planning [10] and the eventual need to export material from any system are common challenges in the digital preservation field. However, the particular uncertainties introduced in the context of safe havens bring further focus on this aspect. Flexibility of approach and responsiveness are important and we suggest that simpler workflows, more manual processes and less sophisticated technical mechanisms will be appropriate in many digital safe havens. In safe havens situations the ability to demonstrably eliminate all of the hosted archival content from any preservation environment is likely to a critical consideration once the materiel has been returned to the sender. Many automated preservation systems may find this an unusual and challenging requirement.

D.   "Control of Material" and "Professional Standards".

In some jurisdictions [11] the holding of public archives beyond state boundaries is unlawful. This could significantly limit the technical solutions available in a safe haven context for either the sending of hosing institutions. In terms of professional standards, while archivists and digital preservationists skills are clearly needed, the particular risks associated with the security of digital safe haven material may mean that cybersecurity expertise may be required at a much greater level than usual in the hosting institution.

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REFERENCES

[1] *Guiding principles for safe havens for archives at risk*, International Council on Archives, Feb. 2019. [Online]. Available: https://www.ica.org/en/guiding-principles-for-safe-havens-for-archives-at-risk.

[2] *International council on archives website*, International Council on Archives, 2019. [Online]. Available: https://www.ica.org/en.

[3] *Swisspeace website*, Swisspeace, 2019. [Online]. Available: https://www.swisspeace.ch/.

[4] *Swiss federal department of foreign affairs website*, Swiss Federal Department of Foreign Affairs, 2019. [Online]. Available: https://www.eda.admin.ch/ eda/en/home.html.

[5] *Swiss federal archives website*, Swiss Federal Archives, 2019. [Online]. Available: https://www. bar.admin.ch/bar/en/home.html.

[6] *Outcome paper: Safe havens for archives at risk*, Swisspeace, Oct. 2016. [Online]. Available: http://archivesproject.swisspeace.ch/fileadmin/user_upload/archivesproject/Publications/Save_havens_for_archives_Final_outcome_paper_2016.pdf.

[7] *Annual report of the united nations high commissioner for human rights and reports of the oice of the high commissioner and the secretary-general, Office of the High Commissioner for Human Rights*, Aug. 2009. [Online]. Available: https://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-19.pdf.

[8] M. Caswell, "Keynote 2 : Whose digital preservation? locating our standpoints to reallocate resources," in *iPRES2019, 16th International Conference on Digital Preservation*, M. Ras and B. Sierman, Eds., Amsterdam, 2019. [Online]. Available: https://vimeo.com/362491244/b934a7afad.

[9] ——, "Dusting for fingerprints: Introducing feminist standpoint appraisal," in *Radical Empathy in Archival Practice*, E. Arroyo-Ramirez, J. Jones, S. O'Neill, and H. Smith, Eds., ser. Special issue, Journal of Critical Library and Information Studies, vol. 3, Litwin Books, 2019. [Online]. Available: https://journals.litwinbooks.com/index.php/jclis/article/view/113.

[10] *Vienna convention on succession of states in respect of state property, archives and debts*, United Nations Treaty Collection, Apr. 1983. [Online]. Available: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-12&chapter=3&clang=_en.

[11] *Union with england act 17o7 section xxiv*, Queen's Printer for Scotland, Acts of the Old Scottish Parliament, 1707. [Online]. Available: http://www.legislation.gov.uk/aosp/1707/7/section/XXIV.

[12] *International institute of social history website*, International Institute of Social History, 2019. [Online]. Available: https://iisg.amsterdam/en.

[13] *National records of scotland website*, National Records of Scotland, 2019. [Online]. Available: https://www.nrscotland.gov.uk/.

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