

ADMINISTRATION OF DOCUMENTS IN E-GOVERNMENT SOCIETY - DEMANDS, PROBLEMS AND SOLUTIONS

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This paper is discussing conditions in society with enormous growth of complex electronic documents, rights of access aspects, internationalisation and changing structures. It tries to point out the objectives for archival work and also puts focus on some important parts in archival management from a more political point of view. It furthermore treats the some new features in supranational cooperation within the EU, such as the Resolution on Archives, EBNA, DLM.

1. THE NEW SITUATION

The situation for archival work has changed dramatically during the last years. This development has affected the archival management (management of documents = records) and archival profession as well. There are mainly four factors emerging today which affect the objectives and the methods of archival management. They can be divided into these categories:

- The ICT revolution,
- The democratic development,
- The internationalisation and
- The fast changing structures in the society.

The ICT revolution has led to production of enormous and very complex masses of information which are stored on data carriers of short duration. This revolution has also given the archival institutions fantastic tools to enhance the availability of information to users.

The democratic aspect, as expressed in Freedom of Information Legislation on both national level and supranational level; leading to open access to public sector documents is seen as a necessary right in a democratic and open society. The main reasons is among other things to inspire confidence towards the government, to give the citizens a possibility to gain knowledge of what is going and to take more active part in the public debate and to prevent corruption. It should be mentioned, however, that - even if a Freedom of Information Legislation exist - the application can differ from country to country. It should be stressed that there is in some

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countries a strong counterbalance in the Data Protection Legislation.

The internationalisation - through for example the European Union - has led to supranational legislation/directives which must be implemented on national level. According to the Treaty of the European Union, democracy is one of the founding principles of the European Union. A precondition for effective democracy is that Citizens should have sufficient information available to them about what public authorities have done, what they are doing and what they are planning to do. Good examples of this new condition are the Data Protection Directive, the Copyright Directive, directives on Electronic Signatures and many others, which affect the management of documents very much.

The fast changing structures factor can be seen as both privatisation and the reorganisation of the public sector, to a great extent caused by the development of ICT.

2. THE OBJECTIVES AND DEMANDS

Has this development affected the objectives of administration of documents? How does these new demands fit with the more traditional ways of working with archival matters? What are the objectives today and what can we presume they will be tomorrow? This is a very difficult question to answer and we can only make intelligent guesses and prognoses. We can also learn from the development during the last 20 - 30 years.

The objectives for the administration of documents set by the society in a broad sense can be said to be the following:

- Access to documents as a right, regardless of form, location and age of the document,
- To preserve documents regardless of form, location and age as a part of the national cultural heritage,
- To satisfy the needs of public administration and the administration of justice,
- To satisfy the needs of research and science.

Of course in a given country, there can be fewer or more objectives. If you do not have a Freedom of Information Legislation, this objective will disappear. I do believe that in European tradition, these four objectives are the ones to consider. The main points can vary as for example in some countries in eastern Europe more weight is put on the consider the rights of citizens and to restore incongruities towards citizens. It can be stated that the trend in Europe towards rights and access is very clear today. One example of this is the Recommendation from 21 of February 2002 on access to official documents, issued by the Council of Europe with about 45 Member States.

This democratic trend towards bigger opens and emphasizing the right of access to documents has become more and more important. This has brought about new legislation in many countries and also in the Amsterdam Treaty where the citizens are guaranteed access to documents in European Union Institutions. This

right has been developed in the regulation from May 2001 regarding public access to European Parliament, Council and Commission documents, where detailed provisions are laid down for this purpose.

It is of utmost importance to establish the objectives set up for the administration of documents. When this has been done, it is equivalently important to penetrate what is demanded to see to that these objectives are fulfilled. Otherwise the risk is imminent that these objectives will not be fulfilled and the consequences can be that the citizens lose confidence in the Government, that the cultural heritage will not be preserved at a satisfactory level, that the administration of justice will suffer etc. for lack of information.

3. VARIOUS PARTS OF ADMINISTRATION OF DOCUMENTS

When we are clear about the objectives and have established that there is demand for methods and means to solve the various problems, linked to the management of electronic documents, so that the objectives can be met. It is necessary to sort out various parts of the management of electronic documents and what changes have occurred due to the four factors mentioned above. It is necessary to maintain that the objectives and goals have not been changed due to the fact that we are now mainly dealing with electronic documents.

3.1 WHAT IS A DOCUMENT?

Archives consist of documents, which can be said to be the smallest part of an archive. I use the term document instead of record as this term is used both within the legislative documents of the European Union and the Council of Europe.

In the paper world, it was quite easy to decide what a document is, that is the text (information) fixed on the basis (usually paper). In the electronic world this is more difficult. Nevertheless this must be established. The first issue is if the definition of document in a Freedom of Information law will be the same as in archival legislation. If not what are the differences and what consequences will follow from these differences. If the definitions in these legislations are equivalent, it will be in some way more logical to work with these matters. You do not have to explain the difference. On the other part, you will have to adapt to changes in this Freedom legislation and the scope of this legislation. It is often so that detailed definitions can not be given in law which tend to be quite general and the consequence is that more specific rulers and interpretations must be given by for example the archival regulations and archival institutions. This means that they must have the competence and mandate to carry this out.

As the document is the smallest item we have to have a description of what it is in an electronic environment. Is it in a database the variable/data set itself alone or is it the combinations and output which is possible to do by the creator with the help of existing hardware and software? If we follow the interpretation according to the principle of provenance that the text and context must be preserved as it was created, it follows that the original electronic document - with all the combinations

etc. done by the creator - must be preserved (text and context) and made accessible to the public in a broad sense. Otherwise the document is not preserved in uncorrupted and can not be said to be genuine. If one does not have this interpretation, the question will evidently be, what will be preserved and made accessible, which body will decide about the distortions and when will these changes take place and how. It must be realised that any change of this kind will mean that the document will lose its evidential value from a more legal point as well as for researchers.

From this follows that the uncorrupted document is the one which shall be preserved, and is to be transferred to an archival institution and is to be presented in the future as it was created. Closely linked to this is the issue of keeping the authenticity of the document by for example the use of electronic signatures. This is a matter which must be solved in the short run as well as in the long run.

4. IMPACT ON VARIOUS PARTS OF ADMINISTRATION OF DOCUMENTS

4.1 REGISTRATION and description of documents and archives

The purpose of registration of single documents and registration and description of document types or series is of course to give rapid and secure access to the public and administration in the short run as well as to various researchers in the long run. It is stressed in the above mentioned rules in the European Union regulation and the Council of Europe recommendation that registration of documents is essential. As said above, this was not so difficult in the paper world but in the electronic era, it is necessary to work in quite another way. As said above, you must know what a document is in order to describe it. These registration and description routines are essential in the long run for the archival institutions if they are going to take responsibility for the documents in these electronic systems when the documents are transferred to archival institutions.

These rules and routines should not only satisfy the needs for public access and for the administration of justice and public administration but also the needs to preserve the cultural heritage and the various needs of researchers and scientists, which can differ from the original purposes for which the systems were created. From this follows that the agencies when drawing up such routines must have all these demands in mind. Here also the respect for preserving the original document (text and context) must be shown. It is also evident that the archival institutions must be involved in these issues from the beginning.

It can be questioned if the series concept can be used in the electronic era when you are dealing with databases. From this follows that it can be necessary to establish a new system for creating catalogues/inventories. It has been said that in the electronic era the difference between registers and catalogues will be diminished or perhaps even disappear. According to this view it is imperative to work proactively and to establish from the beginning the structure and the documents and what links between them exist. It will not be the question of arranging and cataloguing afterwards for example after a transfer to an archival institution when 20-30 years have gone. New methods of registration, description and documentation

(metadata) must be developed so that everything from single variables to complex databases is described in a way so that the text and context uncorrupted with all links are possible to locate and shown after a long time.

4.2 DELETION

Closely related to the issue of deletion is the concept of a document. It is relatively to decide in the paper world what a document is (information and basis) and if it is to be deleted or not. In the electronic world, it is more difficult and it is very much dependent what kind of definition of a document you have established, by law or in any other regulation. In Sweden, a new definition of deletion - founded on the definition of a document as stated in our constitution has been established and is planned to be included in the forthcoming archival legislation. This definition has been approved by all political parties and is as follows:

Deletion is to delete documents or information in documents or to take such measures regarding documents or information in these which result in

- loss of information,
- loss of any aggregated information,
- loss of search facilities,
- loss of possibilities of establishing the authenticity (genuineness and original state) of a document.

This is one way of describing what deletion is in the electronic society. Of course, there are other ways. But it is absolutely necessary that there exist a definition of what deletion is regarding for example documents in databases etc. and it should be made on law level.

Deletion is perhaps the most difficult and important issue which we will be facing in the coming years, especially regarding electronic documents because of the enormous growth and complexity. It must also be stated that deletion is much more final than other measures regarding the accessibility as the documents will be gone once and for all. If a document is declared to be secret, you can usually appeal against this decision or wait until the secrecy period expired.

Today, when enormous masses of documents are created, it can be difficult to sort out the relevant and original documents. We can talk about a redundancy problem and the starting point is that it will not be possible or desirable to keep everything. So, the selection criteria are extremely important and will decide what posterity will know about yesterday's and today's society. It is also a question of trust from the democratic aspect as if you delete too much you can be suspected to try to conceal certain conditions in the society. A Deletion or Appraisal Policy should be adapted. It should also be mentioned that data protection legislation can threaten preservation of important personal data. Here the National Archives should act in order to safeguard that relevant and sensitive personal data are preserved for posterity and at the same time guarantee that there is satisfactory and trustworthy protection for personal privacy. This need for protection usually expires after 50-70 years which makes it undesirable to delete personal data, which are of great interest for research and science for this reason.

4.3 OTHER PARTS OF ARCHIVAL ADMINISTRATION

There are also other parts of archival administration which can not be covered here but which are essential, such as storage facilities, standards, technical rules, transfer etc. I am convinced that some of these will be covered in other papers.

5. ROLE OF ARCHIVES

5.1 ROLE OF ARCHIVES

The importance of archives as holdings of documents has grown considerably during the last decades. They are gaining importance from the democratic perspective as access is becoming a right (and not a privilege) in more and more countries. They have become more and more important from a cultural point of view in Europe today as this aspect has been very much emphasized in the very rapid development and changes in the transition period taking place just now in Europe. The needs for public and legal administration to have access to reliable documents are becoming more and more evident. Also the significance for various branches of science and humanities is growing in an unparalleled way. If before documents were mostly used by historians, the picture is completely different today and will be even so tomorrow. In a modern society, there is an absolute need for in sciences, such as medicine with genetic disease, environmental research, sociological studies, etc. All these branches need enormous masses of relevant and reliable data.

The society has thus in various respects become dependent on having easy and secure access to documents and the importance of archives has accordingly increased in a way unforeseen.

5.2 ROLE OF ARCHIVAL INSTITUTIONS

The role of National Archives and other archival institutions depends very much on the objectives set up for them and the mandate entrusted to them. In some countries they have been primarily depots for historical archives. In other countries the tradition has been that the National Archives have, besides the role of being historical depots, also got the task and role to supervise the management of documents at the archives creating agencies within the public sector. In this case, they have also got the mandate to issue regulations regarding deletion, cataloguing/inventorying, technical issues such as migration etc.

With the growing importance of archives as outline above, it is necessary for the society to establish the role the archival institutions, primarily the National Archives. It can be argued that the National Archives has the advantage of being able to consider all four objectives as listed below:

- The right of public access,
- The importance of preserving the national cultural heritage,
- The need of information for judicial and administrative purposes,
- The necessity to satisfy research and scientific needs.

I doubt very much if there is any other body in a country besides archival institutions, which can cover all these four aspects. Other bodies tend to look only to one or two of these objectives with the conceivable result that some objectives will be overlooked or neglected. It must be realised that the archival institutions have fast growing holdings, which must be safely kept and made available to the public.

It must also be realised that the economic situation of many archival institutions is not such that they can undertake these new demanding commitments quite easily. They must nevertheless be prepared to take the lead in matters regarding registration/cataloguing/ inventorying, preservation, deletion, migration, transfer etc of electronic documents. In order to perform these activities, one must acquire new skills and necessary economic resources. This is not easy and will require patience, persistence, persuasiveness, lobbying skills, cooperation with agencies and bodies in the information sector etc. As said above, archives are becoming more and more important and at the same time more difficult to manage. A well managed administration requires well managed archives as well as a modern society needs to have archives management which fulfils all objectives set up in order to gain the confidence of the citizens. This task to give guidance in registration, description, deletion, authenticity, technical matters etc. must be given to someone in the society. Archives management raises increasingly complex issues and the legal dimension must be considered. Objectives and mandates are generally regulated in law and legal systems must in an electronic environment more and more be adapted to and regulate various matters regarding archival issues.

This development leads to a judicialisation of the archival administration and to a professionalisation of the archival profession with recruiting adequate specialists, with training and education etc. There is a need for specialists in various domains. Here the supranational cooperation and coordination are becoming increasingly important in order to use existing and available resources in Europe.

6. THE DEVELOPMENT OF ARCHIVAL SITUATION WITHIN THE EU- RESOLUTION ON ARCHIVES, EBNA AND DLM

The cooperation on archives management within the European Union took place with the first report on Archives in the European Union, the so called Black Book, which was published in 1994. The report identified ten main themes for coordination and cooperation on archives in Europe. This led to more cooperation which took place foremost in the DLM Forum Conferences in Brussels in 1996 and 1999. Around the year 2000 it was felt that the National Archivists from the fifteen Member States should meet more regularly. One important meeting took place during the Swedish Presidency in the city of Lund during the first half year of 2001. During this meeting it was decided to adopt a resolution on archives and to present this resolution to the Council of Ministers. After the Lund meeting followed more organised meetings with the National Archivists and they took the name EBNA (European Bureau of National Archivists). After a lot of work, the Council of Ministers finally adopted the resolution on Archives during the Greek Presidency in May 2003.

In the Resolution certain priority areas were mentioned and it was also requested a report on the situation in the Member States. The task to produce the

report was entrusted to the Commission which promptly set up an experts group from fifteen Member States and the ten new acceding States. After an intensive work the report is now ready and we hope that it shall be presented by the Commission to the Council of Ministers during this Spring, that is under the Luxemburg Presidency. It was according to my opinion very gratifying to be an active partner in this group and all the 25 States contributed very much and intensively to produce this report in such a short time.

The report consist of an executive summary, seven chapters and annexes. It covers the whole spectrum of archival management. The executive summary proposes five priority main actions and recommends also that an Official Archivists Committee shall be created. It should be mentioned that all 25 Member States are united behind this report. The five priority actions are as follows:

1. Preservation and damage prevention for archives in Europe.
2. Reinforcement of European interdisciplinary cooperation on electronic documents and archives.
3. Creation and maintenance of an Internet gateway to documents and archives in Europe.
4. EU and national legislation relevant to management and access to documents and archives.
5. Theft of archival documents.

I believe that this report should be used as a tool to promote archival management and the importance of being proactive when dealing with electronic documents. The need for coordinated and general actions should be stressed as well as that the National Archives must be involved in this process with a clear mandate.

The first two DLM Forum Conferences was followed by a third in Barcelona in 2002 where the ICT industry was heavily involved. It was recommended in the conclusions among other things to launch an European DLM-network of excellence. The acronym DLM is now interpreted as Document Lifecycle Management. This DLM body is now established and is working and meeting regularly. It has been decided to work with four priority areas, namely:

1. Sharing practical experiences, orientations, guidelines, best practice, education, needs of new Member States.
2. MoReq - Further development and certification for model requirements for electronic documents and archives management systems.
3. Long term preservation and legal issues.
4. Priorities and funding for the DLM Forum.

The constitution and membership arrangements have now been put into place subsequent to the meetings. DLM meetings are usually arranged in the President country and there are advanced plans to have the next DLM Forum Conference in Budapest in October 2005.

The National Archives are the driving force behind DLM. Archival principles and practices following the objectives established in legislation must form the basis for this work. DLM is open and welcomes other participants such as agencies within the public sector, universities, companies, ICT-industry etc. to take part in the DLM work

in order to accomplish the goals. Increasing convergence, not in the least in the legal field, has led to a greater concordance and has necessitated growing interconnection among the National Archival Services of the EU-Member States and the EU institutions. Issues like authenticity and long term preservation of electronic documents are also of high importance for the private sector and ICT-industry. DLM can function as an important player in fostering links between the ICT-industry, public administration and the archival profession, in presenting best practices and solutions, in coordination developments in areas of standardisation, legislation and education, and in serving as a continuous exchange centre of information and developing new initiatives. It can present best practices between the National Archives in dealing with electronic documents by sharing experience which is being done by our Slovenian colleagues who just visited the Nordic countries, that is to close the divide and not to reinvent the wheel.

ZUSAMMENFASSUNG

AKTENVERWALTUNG IN EINER ELEKTRONISCH DOMINIERTEN GESELLSCHAFT - ANFORDERUNGEN, PROBLEME UND LÖSUNGEN

In einer sich rasch entwickelnden Gesellschaft ist es notwendig, Ziele für die Arbeit mit Schriftgut, also Archivtätigkeit, vorzugeben. Diese sollten gesetzlich verankert werden. Die Mittel und Wege einer multifunktionellen Bearbeitung in den Archiven (Zweck eines Aktenstücks/Registrierung/Katalogisierung/Skartierung) müssen derart angepasst sein, dass diese Ziele erreicht werden können. Archive sollten bereits im Entstehungsstadium des Schriftguts eingebunden werden, um initiativer sein zu können. Um diese Aufgaben ausführen zu können, müssten die staatlichen Archive einen bestimmten Auftrag erhalten und mit anderen Berufsgruppen und Körperschaften zusammenarbeiten. Eine derartige Zusammenarbeit und Koordinierung auf überstaatlicher Grundlage, wie sie der zu erwartende Bericht der Archive zufolge des Archivbeschlusses vom Mai 2003 darstellen wird, wäre unabdingbar. In diesem Zusammenhang stellt die DLM-Aktivität ein wichtiges Instrument dar.

Claes Gränström, born in 1942, studied Latin, Classical Archaeology and History at the University of Lund and wrote his thesis about sources in Swedish medieval history. In 1969 he moved to the National Archives in Stockholm, where he worked as Deputy Director General until 31 January 2005, when he retired. He has, in recent years, worked with the problems and possibilities of electronic records from various aspects such as record life

cycle, appraisal, cataloguing, availability, security, sensitivity and integrity. For the purpose he has in various capacities taken part in the work of several government committees, which have dealt, amongst other things, with freedom of information act legislation, privacy and data protection legislation, copyright and archival legislation, mainly concerning electronic information. He has been Chairman of the ICA (International Council on Archives) Committee on archival legal matters, member of ICA Committee for Programme Management, chair of the DLM Forum and DLM/EEIG and chair of standing group between the National Archives, the Federation of County Councils and the Association of Local Authorities.