

POLICY FOR GRANTING RESEARCH ACCESS TO AMNESTY INTERNATIONAL'S INTERNAL ARCHIVES

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Summary

This document describes Amnesty International's policy on access to its archives. The policy sets out the responsibilities of sections and structures in the management of access to any archives held and proscribes record closure periods for identified sets of records. The policy also includes recommendations for conditions of access and advice on depositing archives with external institutions. The policy has been updated since its original publication in 1996 and revised 2012 version to take into account changes in Data Protection legislation and the increased demand for accountability within the movement.

Distribution

This is an internal circular which is being sent to all sections and structures.

Recommended Actions

Please circulate this document to all people in your section/structure who are involved in the maintenance and development of information management systems and governance

1. Introduction

This is an updated version of *Policy for granting research access to Amnesty International's internal archives (DOC 21/001/2012)*. It has been updated in

1.1 Policy decisions

The decision to establish archives for Amnesty International (AMNESTY INTERNATIONAL) was taken by the 1978 ICM (decision No 26).

ICM 1991 Decision 84 requested that we:

"...draw up and implement a policy for access by external researchers to older internal AMNESTY INTERNATIONAL material, after agreement by the IEC."

The IEC similarly decided in 1994 that we develop:

"an archives policy for the movement, covering external access to archives and the deposition of AMNESTY INTERNATIONAL material with outside institutions and organizations"

1.2 Scope

This policy applies to all AMNESTY INTERNATIONAL structures which maintain records belonging to the organization.

In the context of this document records should be taken to include paper or electronic records, photographic, film or audio media.

1.3 Background

A culture of increased accountability and changes in Data Protection legislation has led to a reappraisal of our access policy to ensure that it is still fit for purpose. Some small changes have been made particularly around the classes of information and their associated closure periods. This updated policy should be used in conjunction with the *Open Information policy (DOC 21/002/2012)* to guide Amnesty International structures in making information available to Amnesty International Members and the public.

1.4 Approach

The movement as a whole has a wealth of information which may be valuable to political and historical researchers. The ICM and IEC decisions above are evidence that the movement has expressed the will to make sections of our internal archives available for research and, this being the case, we need, through this policy, to ensure a consistent approach throughout the movement.

The policy sets the framework for allowing the greatest possible openness consistent with promoting the aims of Amnesty International and facilitating serious research into the various facets of human rights whilst giving due weight to the need for confidentiality and legal risk in the case of certain types of information. It should be recognized that making Amnesty International's archives available for research can bring some benefits of additional publicity and promotion of the aims of the organization but that there can also be disadvantages in terms of researchers having access to papers concerning (e.g.) internal conflicts which could be damaging to the image of Amnesty International. It would, however, be neither feasible nor desirable to try to distort Amnesty International's history by trying to conceal information about possible damaging incidents. The *Open Information Policy* provides guidance on information that should be made generally available to the public and Amnesty International Members and defines criteria for applying confidentiality. The policy deals with the principles for granting research access to our archives at a general level. The particulars of access should be the responsibility of individual sections, the IS or other structures owning the archives, having regard for national legislation, section resources and the nature of the archives held.

1.5 Responsibilities

It is the responsibility of the IS to keep the complete archival record of documents issued by the IS with the official Amnesty International Index number; plus selected agenda papers and minutes of the committees administered by the IS and important records created in the course of the work of all IS programmes, including all official Amnesty International actions initiated by the IS. The IS, as a company and employer in the UK, will also maintain those records required by UK company and employment law.

Sections and other Amnesty International structures are responsible for keeping an archive of their own publications, newsletters and other internally or externally published materials; agenda papers and minutes of section board meetings, budgets and accounts, articles of

incorporation and any other records required by national legislation. Closed case files and other documents containing sensitive personal information should be treated in line with the standing instructions from the IS.

In the event of the closure of an Amnesty International section or structure the archives of that section or structure must be transferred to the IS or to another designated section for safekeeping.

Within Amnesty International structures the decision to deposit their archives with an archival or other institution (see 5. below) should be taken at board level. The choice of institution may be delegated, where appropriate, to a staff member or officer of the Amnesty International structure.

Requests by an Amnesty International structure for access within the closed periods to another AMNESTY INTERNATIONAL structure's archives for official Amnesty International purposes should not unreasonably be denied where the request relates to the pursuance of Amnesty International's mission. Where access is deemed to have been unreasonably denied it shall be the responsibility of the IEC to decide whether or not to grant access. This responsibility may be delegated by the IEC to the Secretary General or to another appropriate person.

1.6 Data Protection

Amnesty International must operate within the law in any country where it has an official presence. This includes operating within any data protection legislation, privacy legislation or freedom of information legislation. There may be times when Data Protection legislation conflicts with access periods defined in this policy, in which case the requirements of legislation take precedence. It is the responsibility of each Amnesty International structure to ensure that its operations are carried out within the provisions of any data protection legislation in force in the country and to make necessary alterations to established practice in the event of changes to such legislation. For further information please refer to *Data Protection Policy* [DOC 10/8641/2018]. The IS will, from time to time, issue general or more specific guidelines on this subject.

2. The Balance Between Accessibility and Confidentiality

Amnesty International acquires information from many and varied sources. Much of the information is given on the understanding or with the firm agreement that the source of the information, or any detail that could identify the source, will be kept confidential. Amnesty International also receives personal information on the situation of individuals in order to take action on their behalf, much of this is also given on the condition that it should be used for that purpose only.

The requirement for confidentiality of such material has to be balanced against furthering Amnesty International's mission and our expressed desire for the highest possible level of openness in all our activities. It is also necessary to balance the dangers and the benefits of early disclosure of files containing the process and details of AI's strategy and mandate.

The means to achieving the correct balance between accessibility and confidentiality is by categorising the type of documents which are kept by the various parts of the movement and prescribing lengths of time after which they should be "declassified" or made available for outside researchers. By this means we can ensure that no series of documents in the archives need to remain closed forever but will remain closed for a long enough period to ensure that no harm will come to an individual mentioned therein nor will there be any question of breach of confidentiality.

3. Classes of Information and Closure Periods

Public AI-indexed documents and published AI Materials in other media, including AI publicity merchandise (includes external documents and reports, UAs, newsletters etc...) See also categories of documents freely available under the Open Information Policy (DOC 21/002/2010)	Freely available immediately after embargo date (if any)
Internal AI-indexed documents (includes actions circulars, CAP Actions, consultation papers, strategy papers)	10 years after publication year
IEC papers (includes non-AI indexed papers and full, ie non-redacted, minutes)	30 years after publication
Membership records	These should not be archived. Destroy when no longer required for administering membership benefits.
Staff/volunteer records	Closed permanently – to be destroyed when no longer required or according to national law.
Accounts (including audited accounts)	According to national law
Government correspondence	10 years after date of correspondence
Records containing non-published sensitive information on individuals (including case files, mission files, relief files, refugee files)	84 years after closure of file
Submissions (including Amicus Curiae)	10 years after date of submission
Trial Observations	84 years after closure of trial

4. Conditions for Access

4.1

Access is granted freely after the closed period has elapsed, subject only to the policies of the institution (see 5. below) with which the archives are deposited (if any) and to the requirement that Amnesty International's copyright be respected.

4.2

Requests for access within the closed period may be granted exceptionally but are subject to restrictions. Such requests should always be considered on a case-by-case basis at a high level in the IS, Section or other Amnesty International structure. The restrictions apply to Amnesty International members and non-members alike unless access is required solely in the course of work officially contracted on behalf of Amnesty International.

SUGGESTED CONDITIONS/PROCEDURES FOR ACCESS WITHIN THE CLOSED PERIOD:

- A description of the research project should be provided to enable AI to satisfy itself that access to Amnesty International's archives would be appropriate and relevant to that project. Satisfactory references will also be required.
- Make clear the general conditions for access to the premises (hours, etc), conditions pertaining to the physical location of documents (ie, not to be removed from a certain room) and procedures for handling documents (due care, no writing, no disturbing sequence, etc).
- Set conditions for copying or for transfer to other formats, including machine readable form (will depend on established practice and nature of access requested). Conditions should include instructions for the destruction or return of materials when the research is completed.
- The researcher and any assistants working on the project should sign an undertaking not to reveal without authorization nominal information or information which might tend to identify individuals or their descendants
- Those parts of the work based on information derived from AI's archives should be submitted to the IS or AI section before publication.

4.3

Where archives are placed on deposit, the holding institution may place restrictions of its own upon access, but these should not be excessive.

5. Depositing Archives with other Institutions

It is recognized that depositing our archives with an appropriate archival institution is often the only realistic means of making those archives accessible to outside researchers. Many universities, for example, maintain archival institutions which act as depositories for the archival records of various organizations. There are many such institutions which are eager to acquire the archives of organizations such as Amnesty International.

5.1 Choice of Institution

Whereas this policy endorses the growing practice of placing the movement's archives with archival institutions as a means of preserving and making them accessible, a note of caution must be sounded in the choice of institution. Before agreeing to deposit, Amnesty International must satisfy itself on the following points:

- That Amnesty International's impartiality would not be compromised by any declared political bias or affiliation of the institution, nor by the source of its funding.
- That the institution has a range of complementary holdings that would be enhanced by the addition of the Amnesty International archives.
- That the institution is well-respected in its field.
- That the institution has professional systems and procedures for the maintenance and care of the archives.
- That the institution is reasonably easily accessible.

5.2 Conditions for deposit

Amnesty International archives must be deposited with archival institutions only on the basis of an indefinite loan. Amnesty International must retain title to its archives. Amnesty International's official representatives should have the right of access at any time. The agreement to deposit will contain other conditions, according to the institution's practice. Any conditions agreed to should not be unduly restrictive to Amnesty International and should ensure the physical preservation and security of our archives. Listed below are the minimum additional conditions that should be sought:

MINIMUM ADDITIONAL CONDITIONS FOR DEPOSIT AGREEMENT

i) The agreement to deposit Amnesty International's archives should contain a schedule of which classes of document (records) are to be placed on deposit and the corresponding closure periods. Note that Personnel files and Membership records should not be placed on deposit but kept within the Amnesty International structure. The archival institution must undertake to appraise the records deposited and return to Amnesty International or destroy (according to the individual agreement) those records which it judges to be of no historical value or which are outside the terms of the deposit.

ii) In addition, the chosen institution should have a preservation/conservation policy and practice which will prevent the deposited records falling into disrepair. It should have in place a reasonable level of security procedures aimed at preventing loss, theft or damage to Amnesty International's records.

iii) The institution should produce appropriate finding aids and allow Amnesty International full access to these free of charge.

iv) Access: records to be made available to bona fide researchers. Permission must be sought from Amnesty International for access to records (i) for use at legal proceedings (other than when requested under a requirement of the national law, in which case Amnesty International should be notified immediately), (ii) access before the closed period has elapsed, (iii) use of documents for publicity purposes.

v) Reproduction and copyright: copies may be supplied to bona fide researchers for purposes of private study. No records to be published (in whole or in part) without Amnesty International's permission. In the case of research leading to publication the researcher must comply with national copyright legislation and must acknowledge use of records. Copy of works substantially based on Amnesty International records should be donated to Amnesty International.

vi) Conditions for use of archives in the institution's exhibitions or other exhibitions.

vii) Withdrawal of records after reasonable notice in writing, including arrangements for records that the institution may have transferred to another medium [e.g. microfilm].