

United Nations  Nations Unies

INTEROFFICE MEMORANDUM

MEMORANDUM INTERIEUR

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TO: Mr. Iqbal Riza, Chief of Staff
A: Executive Office of the Secretary-General

DATE: 20 May 1997

THROUGH:
S/C DE:
FROM: Paul Szasz, Acting Director
DE: and Deputy to the Under-Secretary-General
Office of the Legal Counsel

REFERENCE:

SUBJECT: Access to United Nations archives
OBJET:

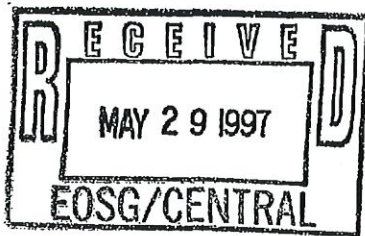


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This is with reference to a meeting held on 19 March 1997 between you, Mr. Kersten of the Netherlands State Institute for War Documentation, and Ms. van Dalen, First Secretary at the Permanent Mission of the Netherlands. The note of the meeting was copied to Mr. Corell. During the meeting, Mr. Kersten inquired about the possibility for the Institute to gain access to the archives of UNPROFOR and the UNHCR in connection with events that had occurred in Bosnia and Herzegovina.

Access to the archives of the United Nations, which includes archival material of United Nations peace-keeping operations, is governed by Administrative Instruction ST/AI/326 of 28 December 1984, a copy of which is attached for your reference. The main provision regulating access is paragraph 4, supplemented by the Annex which contains guidelines for the classification and declassification of records and archives of the Secretary-General. A request from the Netherlands State Institute for War Documentation would have to be examined, in particular, pursuant to paragraph 4 (b) (iii) of that Instruction.

It appears from the above-mentioned document and from previous practice, that, upon receipt of a request by a "member of the public" for access to documents which are less than 20 years old and not subject to restrictions imposed by the Secretary-General, the Secretariat unit substantively responsible (in this case DPKO) has to give its written consent. Before such consent is given, the responsible unit has to seek the clearance of the Executive Office of the Secretary-General, which normally seeks the advice of the Office of Legal Affairs before taking a decision.



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cc Mr. Miyes
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Secretariat

ST/AI/326
28 December 1984

ADMINISTRATIVE INSTRUCTION

To: Members of the staff

From: The Under-Secretary-General for Administration and Management

Subject: THE UNITED NATIONS ARCHIVES

1. Pursuant to paragraph 5 of ST/SGB/158 of 28 July 1977, this instruction details the rules and procedures to be followed in respect of transfer, maintenance, custody and disposition of the archives and non-current records of the United Nations and also explains the guidelines concerning internal and public access to the United Nations archives. Administrative instruction ST/AI/252 of 28 October 1977 is hereby superseded.

I. Responsibilities of the Archives Section

Management and preservation

2. The Archives Section shall maintain, preserve and repair the archives and non-current records of the United Nations and shall arrange and describe the archive groups and prepare finding aids to make them available for use.

Transfer of non-current records

3. The Archives Section shall undertake the mandatory transfer from Secretariat units to its premises of archives and non-current records which are more than three years old. In exceptional cases, where shorter or longer retention periods are deemed desirable, a schedule mutually agreed upon between the Archives Section and the Secretariat units concerned may be established.

Conditions of access

4. Archives and non-current records are available as follows:

(a) Members of the Secretariat may have access to archives and records necessary to the conduct of their official business, except to those subject to restrictions imposed by the Secretary-General.

(b) Members of the public may have access to (i) archives and records that were accessible at the time of their creation, (ii) those which are more than 20 years old and not subject to restrictions imposed by the Secretary-General, and (iii) those which are less than 20 years old and not subject to restrictions imposed by the Secretary-General, on condition that the originating office has given written consent for access.

(c) Records as to which the Secretary-General or his authorized representatives have imposed restrictions may be declassified at any time by the same authority. Records that remain restricted when transferred to the Archives will be declassified automatically or be subjected to a declassification review when 20 years old. Those remaining restricted after 20 years shall undergo further declassification review at 5-year intervals. The guidelines concerning the classification and declassification of the records and archives of the Secretary-General are contained in annex I below.

Disposal

5. With the agreement of the Secretariat unit concerned, the Archives Section shall dispose of non-current records that have no further administrative, legal, historical or other informational value.

II. Responsibilities of Secretariat units at Headquarters

Transfer of non-current records

6. Prior to transferring their records to the Archives Section, Secretariat units shall prepare them for transfer in accordance with the format established by the Chief of the Archives Section.

Conditions for temporary retention

7. Secretariat units authorized to retain archives and non-current records beyond the normal three-year period for the conduct of their official business shall establish suitable conditions for the preservation of these archives and records as approved by the Archives Section.

Disposal

8. Secretariat units shall not dispose of records in their possession without the written authorization of the Chief of the Archives Section. The latter may require that samples of the records proposed for disposal be sent to him for review prior to authorizing disposal.

III. Responsibility of members of the Secretariat

Legal title to records

9. All records, regardless of physical form, created or received by a member of the Secretariat in connection with or as a result of the official work of the United Nations are the property of the United Nations.

Inviolability of records

10. Prior to separation from the United Nations, members of the Secretariat shall make arrangements for transferring to the Archives Section those records in their possession not retained for their successor and shall not remove any records from the United Nations premises. The Chief of the Archives Section may inspect all records of a member of the Secretariat prior to separation from service. Members of the Secretariat to be separated are entitled to have a reasonable number of unrestricted documents in their possession copied at their own expense and to retain their private papers. In respect of the Secretary-General's papers, see annex II below.

IV. Archival guidance to other United Nations organs and Secretariat units away from Headquarters

11. The Archives Section shall provide guidance and set standards for the maintenance, preservation, repair, arrangement, description and disposal of, and public access to, the archives and non-current records or other United Nations organs and of Secretariat units away from Headquarters. In the event of the closure of such an office, its archives and records shall be transferred to the United Nations Archives Section, in accordance with procedures to be laid down after mutual consultation between the office and the Archives Section.

V. Explanation of terms

12. For the purpose of this instruction, records are all documentary materials, regardless of physical type, received or originated by the United Nations or by members of its staff, excluding "United Nations documents"; non-current records are those which are no longer needed for daily use in the transaction of official business but should be preserved on a temporary basis because of administrative or legal considerations; the term archives applies to those records to be permanently preserved for their administrative, legal, historical or informational value; an archive group is a body of organizationally related records established on the basis of their origin; disposition is the action taken with regard to non-current records following their appraisal, including transfer of a temporary storage area, transfer to the Archives, reproduction on microforms or disposal; disposal is the act of the destruction of records by appropriate methods; private papers of members of the Secretariat are those that have no connection with official work of the United Nations but which have been kept in their office.

Annex I

GUIDELINES CONCERNING THE CLASSIFICATION AND DECLASSIFICATION
OF THE RECORDS AND ARCHIVES OF THE SECRETARY-GENERAL

1. The purpose of this annex is to provide guidelines for the classification and declassification of records originating with the Secretary-General and kept in his custody or in the United Nations Archives.

Classification

2. Records may, in exceptional cases, be classified. Authority to apply classification shall be limited to the Secretary-General and such officials as the Secretary-General so authorizes:

(a) "SG - Strictly Confidential" shall be applied restrictively to records originating with the Secretary-General, the unauthorized disclosure of which could be expected to cause grave damage to confidence in the Secretary-General's Office(s) or to the United Nations.

(b) "SG - Confidential" shall be applied to records originating with the Secretary-General, the unauthorized disclosure of which could be expected to cause damage to the proper functioning of the United Nations Secretariat.

Declassification

3. Prior to the time-limits established in paragraph 5 below, all categories of classified records may be declassified by the Secretary-General or by such officials as the Secretary-General so authorizes.

4. Review for possible declassification should take place before records are transferred to the custody of the United Nations Archives.

5. Classified records that have been transferred to the Archives still maintaining their original classification should be declassified as follows:

(a) Records classified as SG - Strictly Confidential a/ shall be reviewed by the Archives for possible declassification when 20 years old. At the expiration of this time-limit, records so classified shall be declassified only upon explicit ad hoc, item-by-item, approval by the Secretary-General or by such officials as the Secretary-General so authorizes. SG - Strictly Confidential a/ records, not approved for declassification when 20 years old, shall be reviewed by the Archives for possible declassification every 5 years thereafter, following the above procedures.

(b) Records classified as SG - Confidential b/ shall be declassified automatically by the Archives upon the expiration of 20 years.

Safeguarding classified records

6. Classified records shall, as far as feasible, be filed separately from non-classified or declassified records, under proper security arrangements.

Notes

a/ Formerly "Top Secret".

b/ Formerly "Secret".

Annex II

GUIDELINES CONCERNING THE SECRETARY-GENERAL'S PRIVATE PAPERS

1. The purpose of this annex is to provide guidelines for the separation of the Secretary-General's private papers from his official records.
2. Records created or received by a member of the Secretariat in connection with, or as a result of, the official work of the United Nations are the property of the United Nations.
3. The following categories of paper are the private property of the Secretary-General:
 - (a) Personal notes and diaries;
 - (b) Surplus copies of United Nations printed documents;
 - (c) Personal correspondence with no connection to the Secretary-General's official position, even though filed in his office, including social invitations, acknowledgements, Christmas card lists and other purely social matters.
4. Upon retirement of the Secretary-General:
 - (a) He may remove the private papers specified in paragraph 2;
 - (b) The following categories of records may be copied by the United Nations and the original removed by the Secretary-General:
 - (i) Selected items of social content in the "Heads of State" files;
 - (ii) Secretary-General's daily appointment sheets and appointment books;
 - (c) The originals of all other records shall be transferred to the United Nations Archives, but the Secretary-General may receive copies for his personal use, provided that any classified records are appropriately safeguarded until they are either returned to the Organization or are destroyed.
