LATIN
AMERICA

AA01-SG05 Appraisal and disposition in Brazil.

Report

June, 2024

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1. Introduction

The SG5 case study was conducted by Ívina Flores Melo, IBICT[1] Researcher and coordinated by Alicia Barnard. Data collection was assisted by Ana Carolina Araújo, an archival science student at UnB. The study aimed to identify weaknesses and challenges in the development of appraisal and disposition processes, particularly relevant in Brazil due to significant volumes of physical and digital records awaiting appraisal and disposition. It was recognized that artificial intelligence (AI) could potentially serve as a valuable tool in addressing these issues.

1.1. About the case study

SG05 aimed to understand the appraisal and disposition processes applied to both physical and digital records. An initial study was published in October 2023, containing data from Argentina, Colombia, Chile, Costa Rica, and Peru. This current study extends the analysis to include data from Brazil, providing a more comprehensive understanding of regional dynamics in records management and the potential for AI integration. The activities conducted and reported here are as follows:

1. To implement a survey to learn about the processes of appraisal of physical and digital records to identify weak points and difficulties related to the above-mentioned processes and the possibility of using artificial intelligence (AI) applications in selected countries in Latin America , although at the end there was participation of other countries.
2. Study of normative and regulation provisions related with appraisal and disposition in federal or national institutions objective was carried out, to detect:
   a) main characteristics on disposal regulations and date of issuance,
   b) regulations regarding records/archival classification and disposal schemas and dates of issuance, as well as others related to records/archives disposition issues ; and
   c) national policies on AI related with the use of data, regulations and ethics reviewed.
3. To review and comment on literature AI related with appraisal, disposition, ethics, biases and explainability topics in Spanish.
4. To continue review and update regulations and dispositions.
5. To look for institutions to continue for a second stage.

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[1] Brazilian Institute of Information in Science and Technology (Instituto Brasileiro de Informação em Ciência e Tecnologia)

1.2. **Regulations on appraisal and artificial intelligence and possible related dispositions in Brazil.**

The Regulations on appraisal in Brazil are the following:

● Law No. 8,159/1991:This foundational law establishes the principles for managing public archives and defines the responsibilities of the National Archives and other government entities in the archival process.

● Decree No. 4,073/2002: This decree provides detailed regulations on the management of public records and archives, including guidelines for classification, appraisal, retention, and disposal.

● CONARQ Resolutions:The National Council on Archives (CONARQ) issues resolutions that provide specific standards and procedures for archival practices. Notable resolutions include: Resolution No. 14/2001: Establishes guidelines for the preservation of digital records and archives. And Resolution No. 44/2022: Provides guidelines for the appraisal and disposal of public records .

● Institutional Policies: Individual government agencies develop their own policies and procedures for document management, aligned with national guidelines. These institutional policies ensure that the specific needs and functions of each agency are addressed.

Artificial Intelligence (AI) is increasingly integrated into various sectors of the Federal Government of Brazil to enhance efficiency, decision-making, and public service delivery. The Ministry of Science, Technology, and Innovation (MCTI) spearheads the national AI strategy, focusing on several key areas. The Brazilian AI strategy is outlined in the "Brazilian Artificial Intelligence Strategy (EBIA)," which sets the guidelines for AI development and application across different sectors. Established by The Ministry of Science, Technology, and Innovation Ordinance No. 4,617 of April 6, 2021, and amended by The Ministry of Science, Technology, and Innovation Ordinance No. 4,979 of July 13, 2021, the Brazilian

Artificial Intelligence Strategy (EBIA) aims to guide the actions of the Brazilian State in fostering research, innovation, and the development of AI solutions.

2. About the survey

2.1.   Methodology

The National Archives of Brazil (Arquivo Nacional – AN) is the central institution responsible for the custody, preservation, and dissemination of records and archives in Brazil. Under Law 8159, AN is instrumental in implementing the National Policy on Archives, which encompasses guidelines and regulations for the management of public records across various government entities. One of the key components of the National Policy on Archives is the *Sistema de Informações do Arquivo Nacional* (SIGA), or the National Archives Information System. SIGA is a comprehensive system designed to support the management, preservation, and accessibility of records within the federal administration.

The activities of SIGA are diverse and encompass various aspects of records management, preservation, and accessibility. At the core of SIGA's activities is the management of archival records across their entire lifecycle, from creation to final disposition. This involves establishing standards and procedures for records classification, retention, and disposal, ensuring that records are managed in a consistent and efficient manner.

The composition of SIGA includes a central coordination unit, known as SIGA Central (CGSIGA), and various sub-units, known as SubSiga, within individual federal agencies. SIGA Central is responsible for overseeing the overall implementation of SIGA and providing guidance and support to the Subsiga units. This includes developing policies and guidelines, providing training and technical support, and conducting inspections and evaluations to monitor compliance.
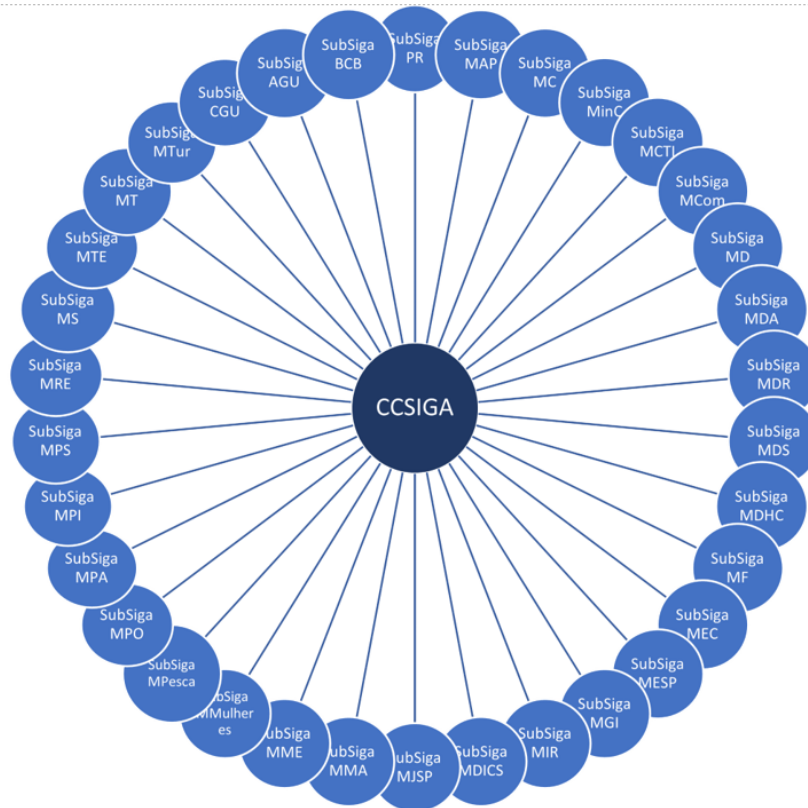
The survey specifically targeted SubSiga units in Brazil, which are part of the federal executive power. The survey was conducted in Portuguese to increase participation. The survey was open from February to May and It involved sending a request via the Freedom of Information Act (Lei de Acesso à Informação, Lei 12527) to 38 ministries and agencies with ministerial status in Brazil.

Requests for information were made using the Fala.br platform, which allows citizens to submit Freedom of Information requests to public bodies. Users can create an account, select the relevant public agency, and submit their request through an online form. The process involves specifying the information sought and providing contact details for responses.

According to the Freedom of Information Act (Lei 12527), these organizations have a deadline to respond to information requests. All of them used the full period of 10 days and requested an extension of 20 additional days. Five organizations denied the information request, requiring an appeal process that went to the highest level. The information request was sent in February, with the last responses arriving only in May.

Responses were received from the following agencies:

- Ministry of Agriculture and Livestock
- Ministry of Human Rights and Citizenship
- Ministry of Management and Innovation in Public Services
- Ministry of Finance

- Ministry of Development, Industry, Commerce and Services (MDIC)
- Ministry of Integration and Regional Development
- Ministry of Justice and Public Security
- Ministry of Women
- Ministry of Environment and Climate Change
- Ministry of Mines and Energy
- Ministry of Livestock and Aquaculture
- Ministry of Ports and Airports
- Ministry of Health
- Ministry of Transport
- Ministry of Labor and Employment
- Ministry of Tourism
- Ministry of Culture
- Central Bank
- Ministry of Agrarian Development and Agriculture
- Administrative Council for Economic Defense
- Ministry of Science and Technology
- Ministry of Foreign Affairs
- Ministry of Social Security
- Ministry of Planning and Budget
- Ministry of Indigenous Peoples
- Ministry of Racial Equality
- Ministry of Sports
- Ministry of Education
- Ministry of Development and Social Assistance, Family and Fight Against Hunger
- Ministry of Defense
- Comptroller General of the Union
- Ministry of Communications
- Ministry of Cities
- Chief of Staff

It was structured into three sections:

1. Overview of Final Disposition Processes: For physical, digital, or hybrid records (3 questions with 3 sub-questions). This aimed to gather information on processes and characteristics of the target organizations.

2. Problems in Disposition of Records:For physical or digital records, identifying issues that AI applications could address (3 questions with 3 sub-questions, one of which was eliminated due to inconsistent responses).

3. Use of AI in Digital Records:This section focused on identifying areas in appraisal and disposition where AI could be applied (10 questions with 3 sub-questions). The goal was to pinpoint specific topics related to AI usage in digital records management.

3. About responses

3.1.   **Overview of disposition processes, whether for physical, digital, or hybrid records**.

The section on "Overview of Final Disposition Processes" aims to gather information regarding the practices and characteristics of records management within the target organizations, focusing on physical, digital, and hybrid records. Through a set of three questions, each with three sub-questions, the survey seeks to understand the processes involved in the final disposition of records. This includes examining the existence and effectiveness of classification schemas, the adherence to retention schedules, and the identification of any challenges or issues related to records disposition and preservation.

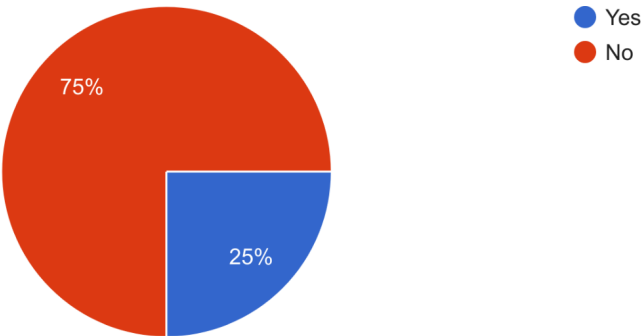1. Does your organization have mandatory records classification schema?
32 respostas
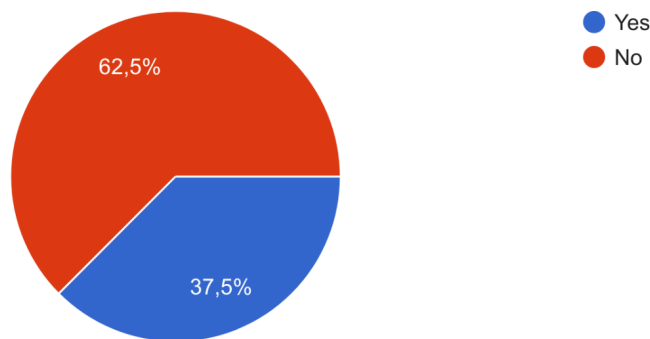
The majority of organizations (62.5%) of organizations do not have a mandatory records classification schema is the substantial gap in standardizing records management practices across organizations. This absence of a standardized classification system can lead to significant inefficiencies and inconsistencies in handling records. Without a mandatory schema, organizations might face challenges in systematically organizing, retrieving, appraising, retaining, and disposing of records, ultimately compromising the integrity and accessibility of important information and potentially leading to legal and operational risks.

1.1 If so , does it have technical and regulatory provisions for regular updating?
32 respostas

The issue among organizations that have a mandatory records classification schema, with only a quarter having technical and regulatory provisions for regular updates, is that these schemas often lack mechanisms for maintaining their relevance and effectiveness over time. This deficiency can compromise the efficiency and reliability of records management processes, as outdated schemas may not accurately reflect current needs and practices, leading to potential inconsistencies and inefficiencies in the handling, retrieval, and disposal of records.

2. Does your organization have records retention or disposition schedules for your records or for the entitites coordinated by your organization?
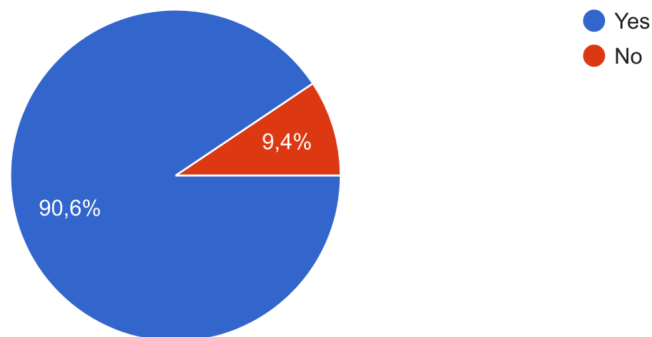
32 respostas

● Yes for the organization
● Yes for both
● No

43,8%

50%
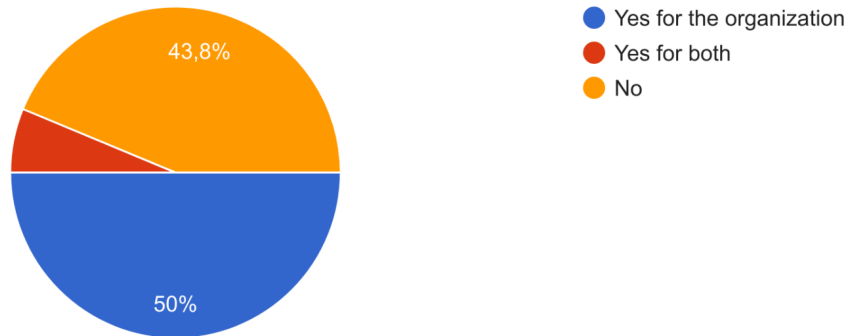
   The importance of having records retention or disposition schedules lies in ensuring systematic and efficient management of records, which helps in the timely retrieval, appraisal, and disposal of information. Half of the organizations have such schedules for their own records, and a smaller percentage (6.3%) extend these schedules to records of the entities they coordinate. However, the significant portion (43.8%) lacking these schedules entirely indicates a major gap. This underscores the need for more comprehensive and standardized approaches to records retention and disposition across organizations to enhance consistency, compliance, and operational efficiency.
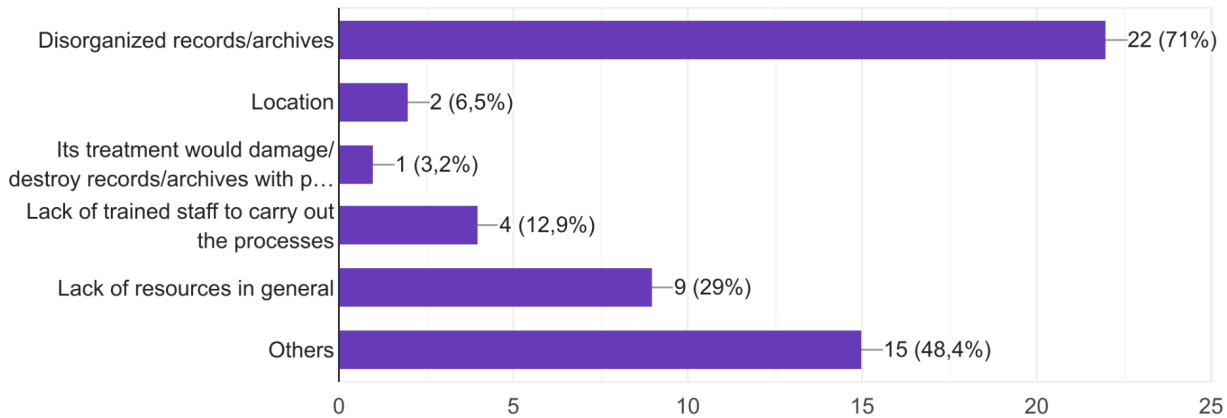
3. Have you observed records that are preserved beyond their regulated retention period in your organization or in those you coordinate?
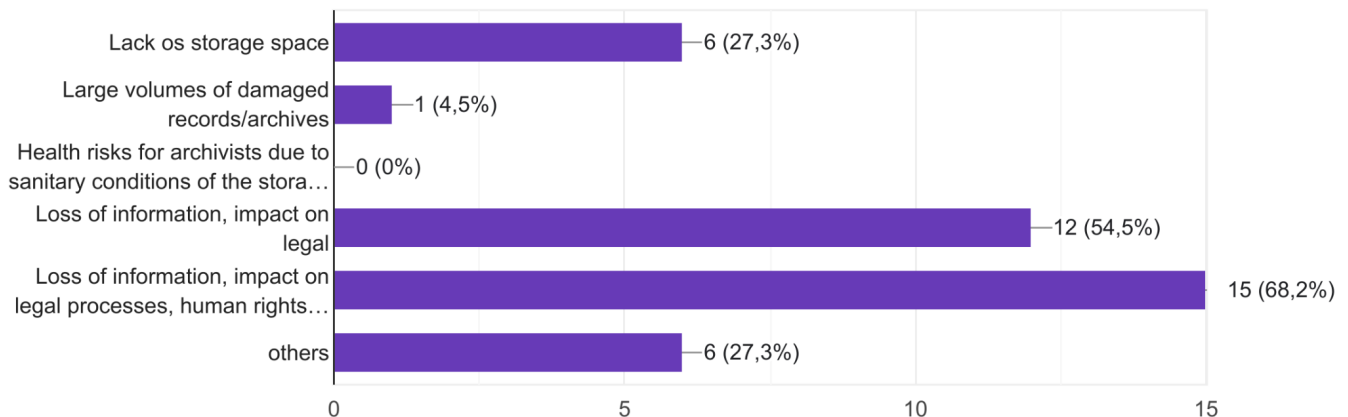
32 respostas

● Yes
● No

9,4%

90,6%

3.1 If yes, please select on or more of the following reasons

31 respostas

## 3.2 If yes, please selecton or more of the following consequences

22 respostas

A significant majority (90.6%) of respondents have observed records being preserved beyond their regulated retention period. This suggests widespread issues with adhering to retention schedules, which could lead to inefficiencies and increased storage costs. The primary reason for preserving records beyond their retention period is disorganization (71%), followed by a lack of resources and other unspecified reasons. These findings highlight the need for better organization and resource allocation to manage records effectively.The most significant consequence reported is the loss of information and its impact on legal processes and human rights (68.2%). Other notable consequences include lack of

storage space and other unspecified issues. This underscores the critical importance of adhering to retention schedules to avoid legal and operational risks.

4. Is the organization responsible for stablishing disposition and preservation for physical and digital records in an archive or a similar institution (e.g. library, museum)
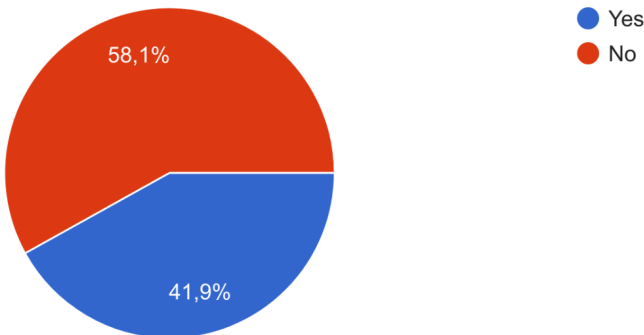
32 respostas
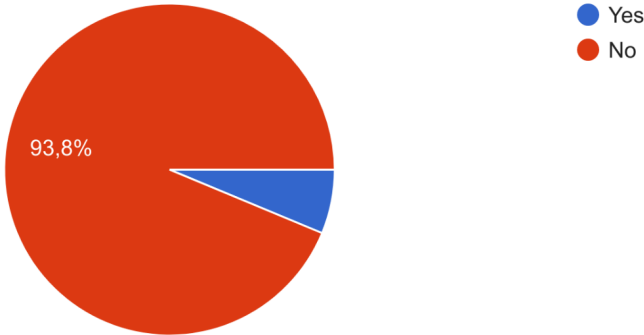
Most organizations (93.8%) are not responsible for establishing disposition and preservation, suggesting challenges in maintaining proper archival practices. In Brazil, this role should be fulfilled by the National Archives (Arquivo Nacional) as mandated by law. The lack of direct control or responsibility over long-term preservation and management of records may lead to challenges in ensuring proper archival
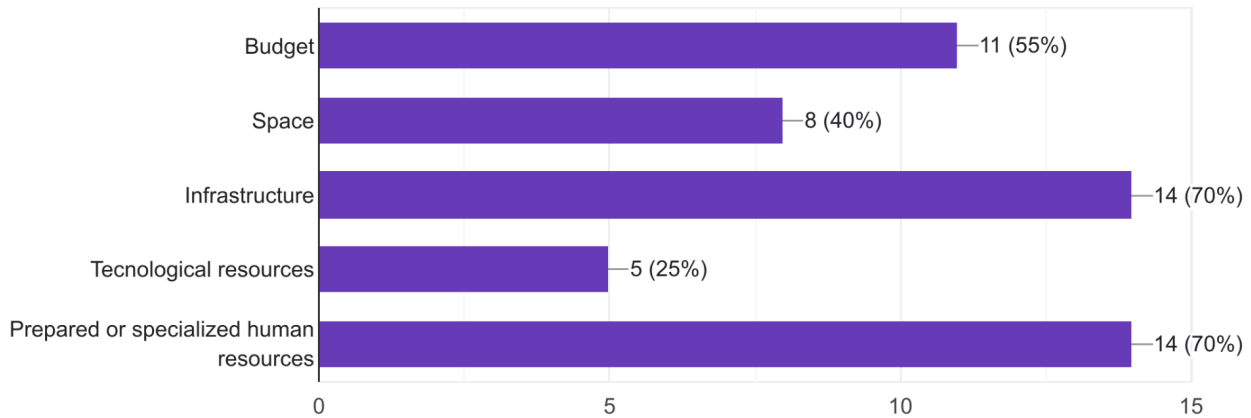
5. If your institution authorizes records elimination and also preserves archives for the long-term, does it have the budget, space and infrastructure (...party) to maintain the physical archives evaluated?

31 respostas

5.1 If your answer is no, please indicate one or more reasons
20 respostas

| Reason	Value
Budget	11 (55%)
Space	8 (40%)
Infrastructure	14 (70%)
Tecnological resources	5 (25%)
Prepared or specialized human resources	14 (70%)

The majority of institutions (58.1%) do not have the necessary budget, space, and infrastructure to maintain physical archives for the long term. This indicates a significant challenge for records management, as insufficient resources can hinder effective preservation and accessibility of archives. Encouraging these organizations to take more responsibility, possibly through legislative changes or incentives, can ensure better preservation outcomes. The data also indicates significant resource constraints, with organizations citing budget, infrastructure, and lack of specialized human resources as primary issues. Improving resource allocation, infrastructure, and staff training is essential for enhancing archival management.

3.2. **Information about physical or digital records and problems about their disposition that could benefit from using AI applications.**

This section delves into the challenges and issues related to the disposition of physical and digital records within the surveyed organizations. By identifying specific problems encountered in records management, the survey aims to highlight areas where Artificial Intelligence (AI) applications could offer significant improvements. The use of AI could streamline processes, enhance accuracy, and ensure compliance with regulatory requirements, thereby addressing inefficiencies and potential risks associated with traditional records disposition methods.

6. Are you aware of the existence of records centers or offices under your charge or coordinated that manage records:

31 respostas

- Manually
- Automated
- Both

80,6%

16,1%
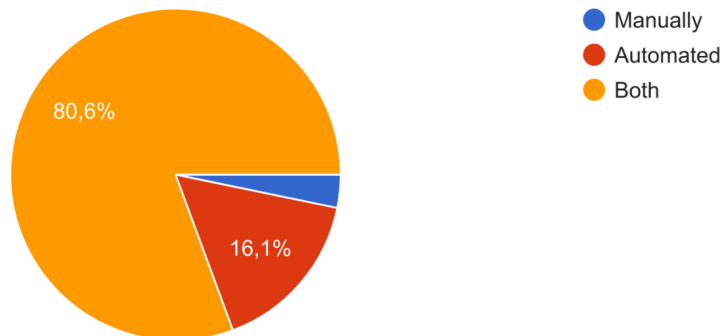
The majority of organizations (80.6%) manage records using both manual and automated systems. This indicates a hybrid approach to records management, which could benefit significantly from AI applications to further enhance automation and reduce manual effort.

7. Do you know about the AI applications useful for the organization of archival documents (archival classification or criteria for establishing validity or final destination, for example)?

32 respostas

- Yes
- No

96,9%
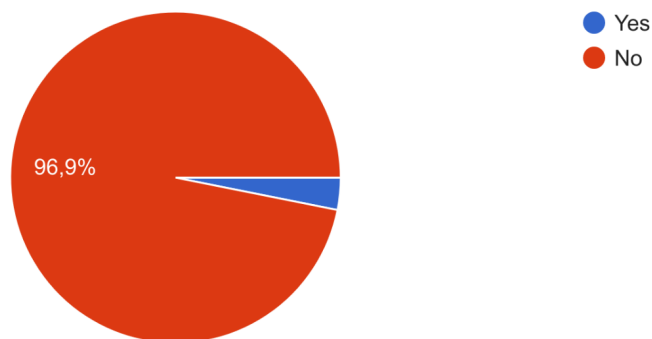
This indicates a significant gap in knowledge and suggests a need for increased awareness and education regarding the potential benefits of AI in archival processes. Implementing AI could greatly enhance the efficiency and accuracy of archival classification and disposition, but this potential is currently underutilized due to the lack of awareness.

8. Do you know of any archive (general or central) or historical archive coordinated by your institution that in its databases (either for document...tal support) is applying AI for appraisal criteria?
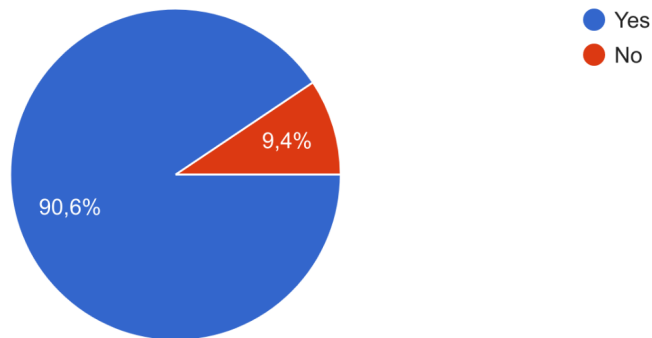
33 respostas

- Yes
- No

97%
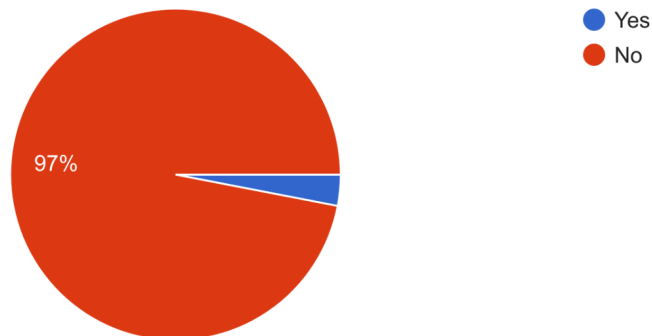
This suggests a significant underutilization of AI in archival appraisal processes, indicating a substantial opportunity for implementing AI technologies to improve the efficiency and effectiveness of archival practices. Raising awareness and providing training on the benefits of AI could encourage more organizations to adopt these technologies.Moreover, AI remains an unexplored field by Brazilian archives, representing a substantial opportunity for innovation.

3.3. **Information about the possibility of using AI tools for digital records and archives.**

This section explores the potential of utilizing Artificial Intelligence (AI) tools to enhance the management and preservation of digital records and archives. By examining the awareness and application of AI within archival institutions, the survey aims to identify opportunities for AI integration that can streamline processes, improve accuracy, and ensure the long-term accessibility and reliability of digital records. The insights gained from this section will help in understanding the current state of AI adoption and the potential benefits it can bring to digital archiving.
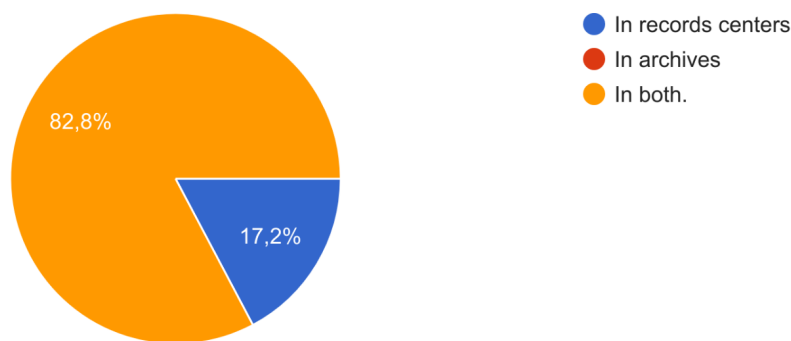
9. Do you have information about digital archival documents in general (central or institutional) or historical archives that are disorganized?

32 respostas

9.1 If yes, indicate

29 respostas

A significant majority (90.6%) of respondents indicate that they have information about disorganized digital archival records and archives. This highlights a widespread issue of disorganization within digital archives, which could be addressed through improved management practices and the application of AI tools. Most respondents (82.8%) report that disorganized digital records and archives are found in both records centers and archives. This suggests that disorganization is a pervasive issue across different types of archival institutions, emphasizing the need for solutions, such as AI applications, to improve organization and management practices in both environments.

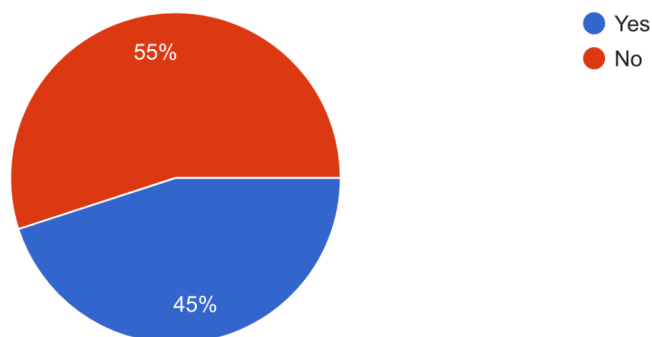10. Does your institution receive requests for appraisal and final disposal of digital archival documents?

32 respostas

● Yes
● No

62,5%

37,5%
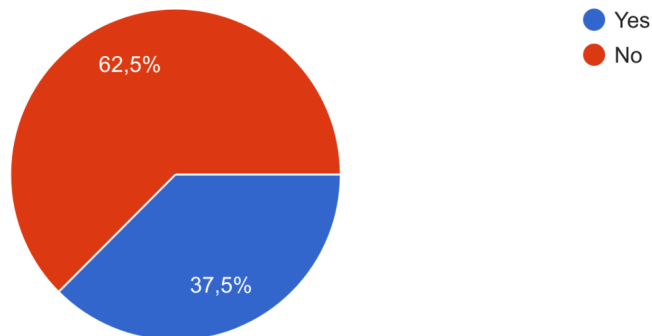
The majority of institutions (62.5%) do not receive requests for the appraisal and final disposal of digital records and archives. This indicates that structured processes for appraisal and disposal might be lacking or underutilized within these organizations. Implementing AI tools could streamline these processes and improve the management of born digital records and archives.

10.1 If the answer is yes, please indicate whether the same regulatory provisions apply as those applicable to physical archival documents.

20 respostas


● Yes
● No

55%

45%

Among institutions that receive requests for the appraisal and final disposal of digital records and archives, a slight majority (55%) indicate that the same regulatory provisions do not apply to digital records and archives as they do to physical ones. This highlights a regulatory gap that could be addressed to ensure consistent management practices across both physical and digital records.

Integrating AI tools could also help bridge this gap by providing standardized appraisal and disposal criteria for digital records and archives.

11. If they do not have the same provisions for digital and physical records for appraisal, are there additional criteria for appraisal and final dispositio...ords (such as technological or authenticity criteria?
28 respostas
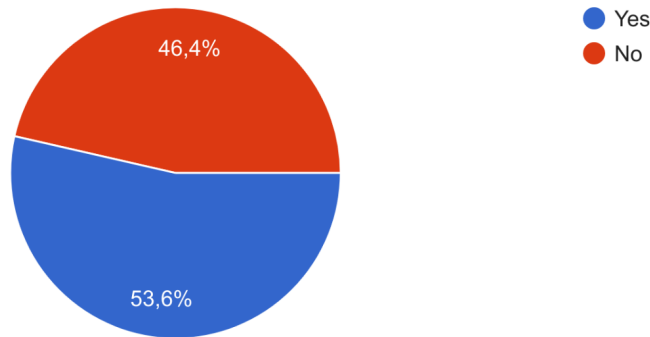
This suggests that while there may not be uniform regulatory provisions, many organizations are implementing supplementary criteria to address the specific needs of digital records. The use of AI could help standardize these criteria and ensure consistent application across various organizations.

13. Does your organization maintain digital archives for long-term preservation?
32 respostas
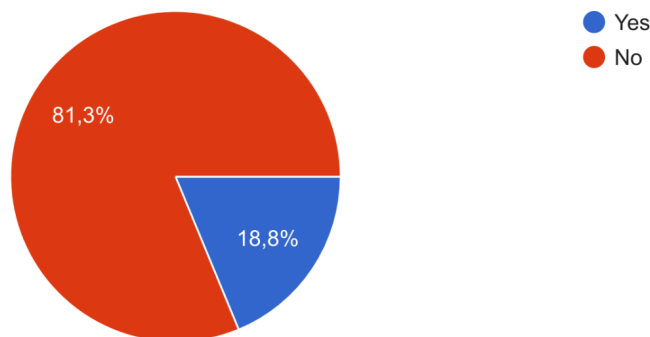
The lack of long-term digital preservation strategies can lead to potential loss of valuable information and records over time. Implementing AI tools could assist in creating and managing sustainable long-term preservation systems for digital archives, ensuring their accessibility and integrity in the future. All respondents (100%) indicated that they do not have regulations and strategies for long-term digital preservation. This underscores a critical gap in the framework needed to ensure the sustainability and integrity of digital records over time. The lack of formal strategies and regulations

highlights the need for policies and the potential role of AI tools to support the development and implementation of effective long-term digital preservation practices.

15. Do you think digital records/archives could be organized using AI applications?
31 respostas
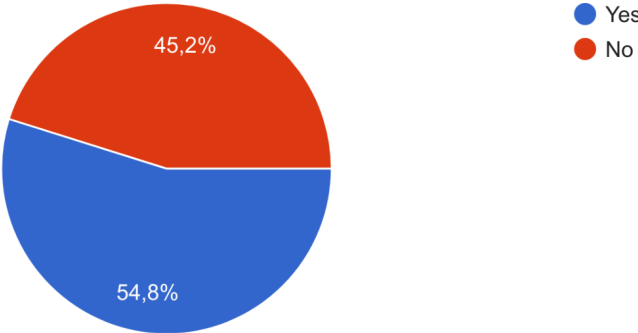
This indicates a growing recognition of the potential benefits that AI can offer in organizing and managing digital records. However, a significant portion (45.2%) of respondents are either unaware of or skeptical about the efficacy of AI in this context, suggesting the need for further education and demonstration of AI's capabilities in records management.

16. Is your organization being considered within information governance or national digital policies?
30 respostas
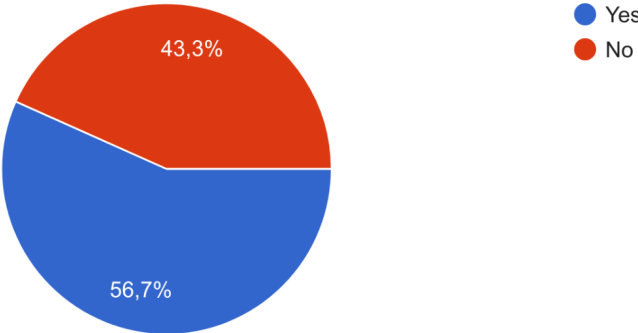
This shows a significant integration of many organizations into broader governance frameworks, which is crucial for standardized records management practices. However, 43.3% of respondents indicate that their organizations are not included, suggesting a need for broader inclusion to ensure consistency and compliance across all sectors.

17. Are there specific regulations regarding personal data or sensitive personal data within digital records that are scheduled for final disposal?

31 respostas

Yes
No

90,3%

9,7%
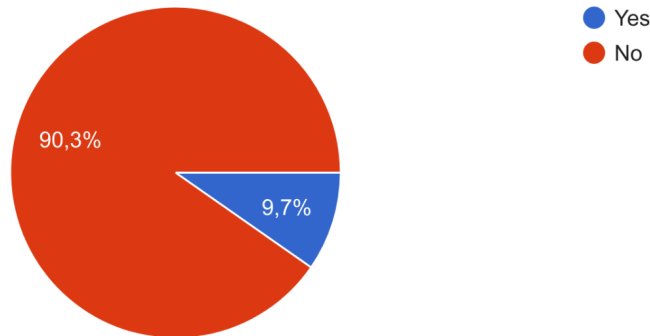
This lack of regulation poses a significant risk for privacy and data protection. It underscores the urgent need for clear policies and guidelines to manage sensitive digital records securely and in compliance with data protection laws. None of the respondents know of any institutions that apply AI to personal and sensitive data. This indicates a significant gap in the adoption of AI technologies for managing sensitive information. There is an opportunity to introduce AI solutions that can enhance the security, management, and compliance of personal and sensitive data, ensuring better protection and efficient handling of such information.

4. Insights

Firstly, a substantial portion of organizations lacks a mandatory records classification schema, with only 25% having provisions for regular updates. This gap in standardized records management practices can lead to inefficiencies and inconsistencies. Additionally, the responses from many ministries are contradictory; if they lack classification schemas, it is implausible for them to have implemented policies, and ongoing appraisal, retention, and disposal activities. These inconsistencies suggest a superficial understanding or reporting of records management practices, indicating a potential misalignment between policy and practice.

Furthermore, nearly half of the organizations lack comprehensive retention or disposition schedules, underscoring the importance of standardized records management practices. Implementing such schedules can ensure consistency and efficiency in handling records, reducing the risk of information loss and legal implications. The preservation of records beyond their retention period, as observed by 90.6% of respondents, primarily due to disorganization and resource constraints, leads to storage space issues and potential loss of critical information. Addressing these issues requires targeted

investments in resources, better organizational practices, and leveraging AI tools to streamline processes and improve accuracy.

Most organizations (93.8%) are not responsible for establishing disposition and preservation, suggesting challenges in maintaining proper archival practices. Encouraging these organizations to take more responsibility, possibly through legislative changes or incentives, can ensure better preservation outcomes. The data also indicates significant resource constraints, with organizations citing budget, infrastructure, and lack of specialized human resources as primary issues. Improving resource allocation, infrastructure, and staff training is essential for enhancing archival management.

The limited awareness and application of AI in managing digital records present a significant opportunity for improvement. While 54.8% of respondents believe AI could help organize digital records, more education and training on AI benefits are needed. Pilot projects can demonstrate AI's effectiveness and scalability in records management, encouraging broader adoption.

In terms of governance and regulation, only 56.7% of organizations are included within national digital policies, and 90.3% lack specific regulations for the disposal of personal and sensitive data. Establishing clear policies and guidelines for digital records management, including integrating AI tools for data protection, is essential. Moreover, promoting the inclusion of all organizations in national governance frameworks can ensure standardized practices and compliance across sectors.

In conclusion, addressing these identified gaps involves developing standardized records management policies, enhancing retention and disposition practices, allocating resources effectively, leveraging AI for improved records management, integrating organizations into national digital policies, and developing comprehensive regulations for digital records. These steps will significantly improve records management practices, compliance, and the preservation and accessibility of both physical and digital records and archives .

5. Recommendations

These recommendations emphasize the importance of standardized policies, adequate resource allocation, the integration of AI technologies, and the development of regulatory frameworks to support effective records management.

- **Standardize Records Management Policies:** Organizations should establish mandatory records classification schemas with regular updates, develop centralized guidelines, and provide comprehensive staff training to ensure consistency and efficiency.
- **Implement Retention and Disposition Schedules:** Institutions must create thorough records retention and disposition schedules to facilitate orderly management and timely disposal of records, reducing inefficiencies and potential information loss.

- **Address Resource Constraints:** Adequate budget allocation and resource provision are essential. Government funding or public-private partnerships can improve infrastructure and train specialized staff in archival management.
- **Leverage AI in Records Management:** Increase awareness and training on AI benefits for organizing and managing digital records. Pilot projects can demonstrate AI's effectiveness, promoting broader adoption and highlighting efficiency improvements.