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Writers	Jim Suderman, Theresa Peoples, David Hock, Isabel Taylor, Dharani Persaud
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Comparative Ethics study
Phase 1: Ethical Themes and Principles
InterPARES Trust AI study MA01

Jim Suderman, Theresa Peoples, David Hock, Isabel Taylor, Dharani Persaud
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Introduction

The goal of this first phase of the Comparative Ethics study is the systematization and comparison of the ethical principles or values from two different communities: that of the record keeping or archival and artificial intelligence (AI) communities. It is expected that a meaningful comparison of principles and values within each community will enable members of each to work more effectively together.

This study takes the *Principled Artificial Intelligence* study by Jessica Fjeld *et al*. (2020) as its starting point — a study that sought to compare selected codes from the burst of well over a hundred ethical codes or principle sets that emerged in the AI field between 2016 and 2019.[1] This phase of the InterPARES study used the same approach to characterize and group archival ethical principles into themes with the object of facilitating comparisons between codes of the two communities. The next phase of the study involves building an ethical framework based on the comparative work and using it to consider how ethical principles of the two communities apply in specific cases and what conflicts or symmetries, if any, appear.

Three key points of interest seem to be emerging between the two communities:

> i) a shift in values within the archival community emphasizing social justice or human rights is converging with the human-centric / human rights focus within the AI community;
> ii) the concept of accountability in the AI community appears to be more compartmentalized than it is in the archives domain; and
> iii) the dependency of both communities on recorded information, with the archival community focusing on *records* that may be structured, semi-structured, or unstructured, and the AI community focusing on structured *data*, i.e., tabular or parsed content.

Records are what archivists preserve and make accessible, while data are the inputs to be processed in the models developed and may also be the outputs of AI technology implementations. These tentative findings will be explored in depth during the second phase of the Comparative Ethics study.

With regard to a convergence of values, Michael Cook observed in 2001 that "For many of us there has been a move from a world in which archival ethics were largely concentrated on the completeness and availability of the historical record into one in which they are more likely to be concerned with the accountability of public services or the happiness of users."[2] He traces a shift in ethical priorities beginning in the late 1990s from technical standards towards more qualitative objectives and with a greater focus on human rights, both of which remain influential today in the sphere of archival ethics.[3]

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[1] Fjeld, Jessica, Nele Achten, Hannah Hilligoss, Adam Nagy, and Madhulika Srikumar. *Principled Artificial Intelligence*: Mapping Consensus in Ethical and Rights-based Approaches to Principles for AI. Berkman Klein Center for Internet & Society, 2020. Hereafter Fjeld *et al*, *Principled Artificial Intelligence.* The AI Ethics Guidelines Global Inventory database maintained by Algorithm Watch is the source of summary information, e.g. numbers and dates of codes and sets of principles, about the broader AI environment.

[2] Cook, M. (2006) "Professional ethics and practice in archives and records management in a human rights context," *Journal of the Society of Archivists*, 27(1), p. 2. doi: 10.1080/00039810600691205.

[3] Cook references the A Standard for Access for Archives published in 2008 by the National Council on Archives (U.K.) as an example of the former and the Services of Former Repressive Regimes report prepared by Antonio Quintana on behalf of the ICA and published by UNESCO in 1997 as an example of the latter. The Basic Principles on the role of Archivists and Records Managers in Support of Human Rights working document prepared by the ICA's Human Rights Working Group in 2016 is another example of the latter.

The latter focus in particular positions the archival community on a trajectory that aligns with significant influences on the ethics of the AI community, with Fjeld *et al*, noting that "64% of our documents contained a reference to human rights, and five documents took international human rights as a framework for their overall effort."[4]

Principles of accountability are common to both communities. Almost all documents analyzed by the Fjeld study contain "at least one Accountability principle."[5] Common principles within this theme included the use of impact assessments, adopting new regulations (both at 53%), with Evaluation and Auditing requirements next at 47% of documents including each principle in the *Principled Artificial Intelligence* dataset. Eight of the ten archival codes establishing this study's baseline included accountability principles. The exceptions are the codes of the IASA and ICRM which do not include principles that specifically reference "accountability." However, both codes clearly emphasize accountability for their members, with the IASA's code opening with the statement "IASA is committed to the values of openness, integrity, and accountability." while the ICRM's code concludes with "The ICRM Code of Ethics holds members of the ICRM accountable to their employers, peers, and community."

The AI system lifecycle as represented in the Fjeld study consists of "three essential stages: design (pre-deployment), monitoring (during deployment), and redress (after harm has occurred)."[6] Each stage involves a consideration of the data used to train the technology, adapting it for different uses, and assessing its outputs. While the interest of the archival community focuses on records rather than data,[7] archival concepts and practices may be able to significantly help address data considerations at all stages of the AI lifecycle. Likewise, an understanding of AI concepts and practices, especially those pertaining to machine learning, may suggest that the scope of archival values is substantially extended by this technology.

The role of data among the principles examined by the Fjeld study is clearest in the discussion of the Transparency and Explainability theme which references the statement by the European High Level Expert Group that "transparency around 'the data, the system, and the business models' all matter."[8] The relevance of data and information are integral to many of the principles, nevertheless there are four principles in the Fjeld study that explicitly reference data, all of which are relevant, or at least of interest, to archivists:

Principle	Theme	Percentage of documents including data principles
Control over the Use of Data	Privacy	42%

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[4] N=36. Fjeld, *Principled Artificial Intelligence*, p. 6.

[5] Fjeld, *Principled Artificial Intelligence*, p. 28.

[6] Fjeld, *Principled Artificial Intelligence*, p. 29.

[7] The InterPARES Project defines record as "A document made or received in the course of a practical activity as an instrument or a by-product of such activity, and set aside for action or reference" and data as "The smallest meaningful units of information."

[8] Fjeld, *Principled Artificial Intelligence*, p. 42, referencing the Ethics Guidelines for Trustworthy AI (2019, p. 18) by the independent High-Level Expert Group on Artificial Intelligence set up by the European Commission.

Recommendation for Data Protection Laws	Privacy	17%
Open Source Data and Algorithms	Transparency and Explainability	28%
Representative and High Quality Data	Fairness and Non-discrimination	36%

Fig. 1. Explicit references to data in Principled Artificial Intelligence.

Principles relating to records, whether their creation, maintenance, preservation, or access, are found in nine of the ten baseline codes examined by the InterPARES study.[9] The quantitative difference between the codes of the two communities shown here may be a result of the archival community's focus on records, individually and collectively, and access to them, while the AI community's focus may be on the effects of AI technologies on individuals and society in general.

Literature Review

The literature around archival ethics is varied and diverse. In recent times, "ethic" has become a term used to describe the moral stance from which one personally operates, with perhaps the most notable example being Michelle Caswell and Marika Cifor's work on feminist ethics of care. While fascinating and worthy of attention and debate, this use of the term diverges from our discussion of *codes* of ethics. There is little consensus in the many threads of discussion on this literature, but one general point seems clear: current codes of ethics are difficult to enforce, even if intended to be enforceable. There is some disagreement, however, on whether this is acceptable — should ethical codes serve primarily as values statements, or as tools through which change can be effected in archival spaces?

Given the limited enforcement of many if not most codes, the general focus of the literature is on ethics in hypothetical terms, postulating what our values should be and how these might best be expressed. One often-repeated idea, with the implication that change *may* be effected, is that of a code of ethics as a prerequisite for the recognition of archives as a distinct and potentially self-regulating profession. Very few scholars have attempted to do what is outlined here: an analysis of the codes themselves for what they purport to cover. Still fewer have done so since the majority of these codes were updated (post 2020).

Methodology

The composition of the two communities

For the purposes of this study, the scope of the archival community includes:
- records managers, who focus primarily on their organization's active or current records;
- conservators, who "study, record, retain and restore the culturally significant qualities of the cultural property as embodied in its physical and chemical nature, with the least possible intervention"

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[9] The one exception is the IASA Code of Ethics, which focuses on that association's "commitment to sound and ethical business practices in accordance with the IASA Constitution."

- archivists, whose focus may include both active and inactive records. Archivists may also be employed by institutions to collect, preserve, and make accessible records of other organizations.[10]

Defining who might constitute the AI community may be as difficult as defining the field of AI itself. For the purposes of this study, it includes all those who work on developing AI methods and systems, including computer scientists, data scientists, statisticians, mathematicians, physicists, etc., plus the organizations that authored the codes used in *Principled Artificial Intelligence*, which are listed as: "governments and intergovernmental organizations, companies, professional associations, advocacy groups, and multi-stakeholder initiatives."[11]

Identifying Applicable Codes

Principled Artificial Intelligence includes a thorough description of how that study selected codes from within the AI field. Two conclusions were of particular interest for comparing these principles with those of the archival community:
- AI principles are normative, i.e., they set out how one ought to act or how things ought to be;
- AI principles all attempt "to shape behavior of an audience — whether internal company principles to follow in AI development or broadly targeted principles meant to further develop societal norms about AI."[12]

The InterPARES study aims to review codes from the international archival community, and a complete listing of archival codes examined for this study is provided in Appendix 2. The archival codes selected are all current as of the date of this report. The following sets out some of the difficulties encountered when compiling the list of archival codes, and some insight into how the study team resolved them.

Identifying what exactly constitutes a "code of ethics" was challenging. The search focused on sets of principles at the national or international levels. In the North American context, most ethical codes are products of national professional associations and are named 'codes of ethics' (or some variation thereof). Some codes were included even though their originating organizations are at arm's length from individual professionals, e.g. the Steering Committee on Canada's Archives' "Reconciliation Framework" (2022). The Reconciliation Framework is included in this study as a sort of exemplar of the many sets of principles established from Indigenous perspectives discussed during this study's search for codes and as an indicator of the likely trajectory of the codes formally adopted by the professional associations making up the Steering Committee's membership.[13] Reports such as UNESCO's Convention for the Safeguarding of the Intangible Cultural Heritage (2003)[14] were excluded despite the study team's conviction that principles governing the preservation of non-documentary knowledge and memory systems are essential to fulfilling the ethical obligations contained in codes concerning documentary

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[10] ICA, Who is an archivist? and the Canadian Association of Professional Conservators, What is Conservation?.

[11] Fjeld, *Principled Artificial Intelligence*, p. 4.

[12] Fjeld, *Principled Artificial Intelligence*, p. 12. The "Definition of Relevant Documents" section also starts on this page.

[13] The member organizations of the Steering Committee on Canada's Archives are: the AAQ, ACA, Canadian Council of Archives, Council of Provincial and Territorial Archivists, and Library and Archives Canada. The ethical codes of the AAQ and ACA predate the publication of the "Reconciliation Framework." See Appendix A of Karine St-Onge's Digital Ethics and Reconciliation Report (2019), especially the "MOUs, MOAs & Other Agreements" and "Protocols for Archives" sections, for a range of resources on Indigenous considerations.

[14] UNESCO, Convention for the Safeguarding of the Intangible Cultural Heritage (2003).

traditions. This decision was based on statements such as "Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures…"[15] and the acknowledgment of "…the need for institutions to accommodate different access conditions for materials that contain sensitive Indigenous knowledge, and the need for institutions and communities to deal with conflicts around different concepts of intellectual property associated with Indigenous and Western knowledge systems."[16]

A number of professional associations have adopted the International Council on Archives' Code of Ethics, but it has become clear that absent an explicit statement of adoption, it cannot be assumed that records keepers in any given country or association adhere to it.[17] For example, if all practising records keepers in a country are employed by the national archives, they might look for ethical guidance to ethical principles for civil servants, which may be neither publicly available nor make any specific reference to record keeping. Such non-specific codes are excluded from this study. Similarly, a compilation of ethical principles, including statements drawn from Chinese statutes and regulatory guidance, was shared with the study. This was excluded on the basis that there is no comprehensive set of archival ethical principles established by China's archival community.[18] Similarly, Italy's *Regole deontologiche per il trattamento fini di archiviazione nel pubblico interesse o per scopi di ricerca storica pubblicate ai sensi dell'art. 20, comma 4, del d.lgs. 10 agosto 2018, n. 101-19 dicembre 2018* is excluded because i) the archival community in Italy has a professional code of ethics (which *is* included in this study); and ii) these are legal guidelines developed to enable archives to conform with the EU's GDPR regulation.[19]

Record keeping principles may also be integrated into broader professional ethical codes, given that archival work focuses on records as instruments or by-products of practical activities. For example, the Bank of Canada's *Code of Business Conduct and Ethics* does require employees to "keep electronic and paper documents and files containing confidential information in a safe place," but as the principles generally do not focus on record keeping considerations, this code is not included in this study.[20]

Date and region of the codes

The archival codes considered by this study are fairly evenly distributed over the past two decades, with a high of eight in the period 2016-2020. This does not include the eleven codes that are undated. The AI

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[15] Article 13.1, United Nations, Declaration on the Rights of Indigenous Peoples (2008).

[16] Introduction to Article 12, Aboriginal and Torres Strait Islander Library, Information and Resource Network, Protocols for Libraries, Archives and Information Services (2012).

[17] This study identified the following associations that have explicitly adopted the ICA Code of Ethics. This list should not be considered exhaustive. Koninklijke Vereniging van Archivarissen in Nederland (KVAN), Vlaamse Vereiniging voor Bibliotheek, Archief & Documentatie (VVBAD), association des archivistes français, Verband deutscher Archivarinnen und Archivare e.V. (VdA), Asociación de Archiveros de Extremadura (AAE).

[18] Linqing Ma, Associate Professor, School of Information Resource Management, Renmin University, prepared the compilation. The comments regarding the content and absence of a comprehensive code set by the Chinese archival community were confirmed by her and Sherry Xie in an email dated 9 January 2023 to the authors.

[19] Translated by Google Translate as "Ethical rules for processing for purposes of archiving in the public interest or for historical research purposes published pursuant to art. 20, paragraph 4, of Legislative Decree 10 August 2018, no. 101 - 19 December 2018." According to an email from Dr. Pierluigi Feliciati, University of Macerata, dated 18 August 2022, these guidelines were originally formulated by a group of archivists led by Dr. Paola Carucci. They were appended to the Italian Privacy Act in 2003, and modified to align with the GDPR in 2018.

[20] Bank of Canada, "Part III: Confidentiality," Code of Business Conduct and Ethics (2022).

codes considered by the Fjeld study all fall within the 2016-2020 range. The numbers from Algorithm Watch are provided simply as a point of reference for the broader context in which the Fjeld study was conducted.[21]

Sets of Principles by Date

Legend: ■ Archival Codes (n=41)　■ AI Codes: Fjeld (n=36)　■ AI Codes: Algorithm Watch (n=167)

Date	Archival Codes	AI Codes: Fjeld	AI Codes: Algorithm Watch
<1996	3	0	0
1996-2000	4	0	0
2001-05	2	0	0
2006-10	5	0	2
2011-15	4	0	5
2016-20	9	36	137
2021-24	4	0	0
Undated	10	0	23
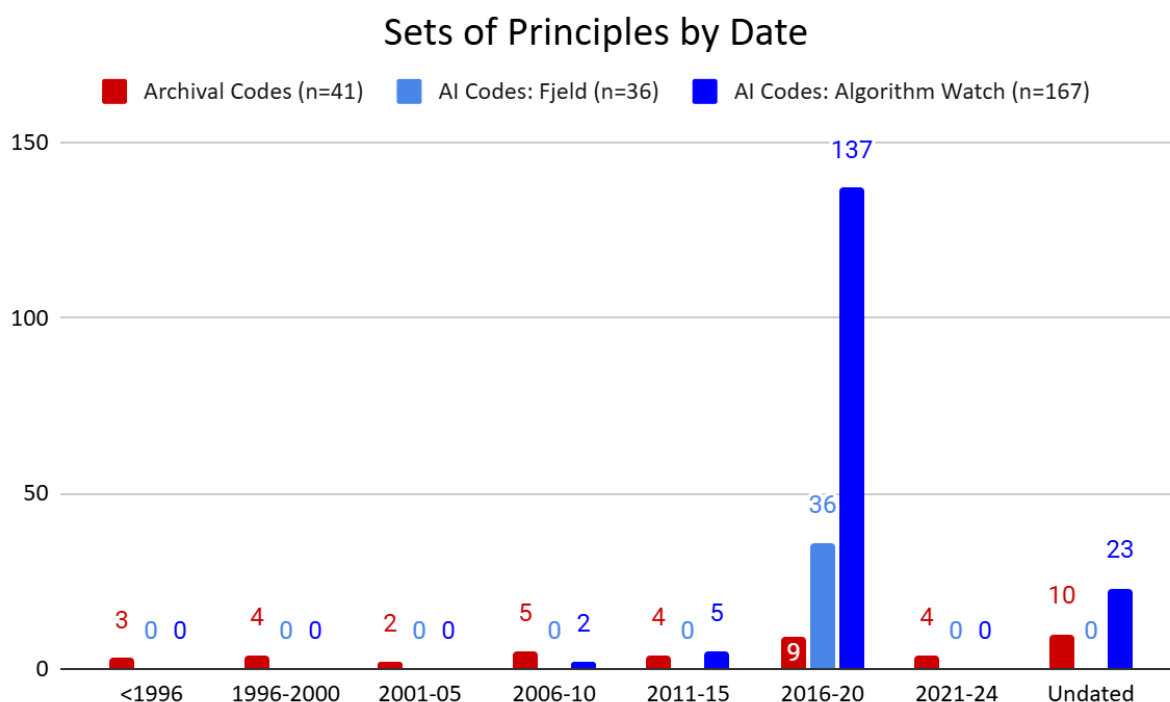
Fig. 1. Identified ethical codes by date.

Almost half (49%) of the archival codes emerged from North America and Europe, with a further 31% from international organizations such as the United Nations or the International Council on Archives. The thirty-six sets of principles included in the Fjeld study are fairly evenly distributed geographically but include none from Africa or Australia/New Zealand. It is interesting to note that the principles inventoried by Algorithm Watch are overwhelmingly (75%) from Europe (including the European Union) and North America.

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[21] The challenge of identifying ethical principles or codes in the AI field may be even more difficult than it is in the archival field. Ten of the thirty-six codes in the Fjeld study are not found in the Algorithm Watch database.
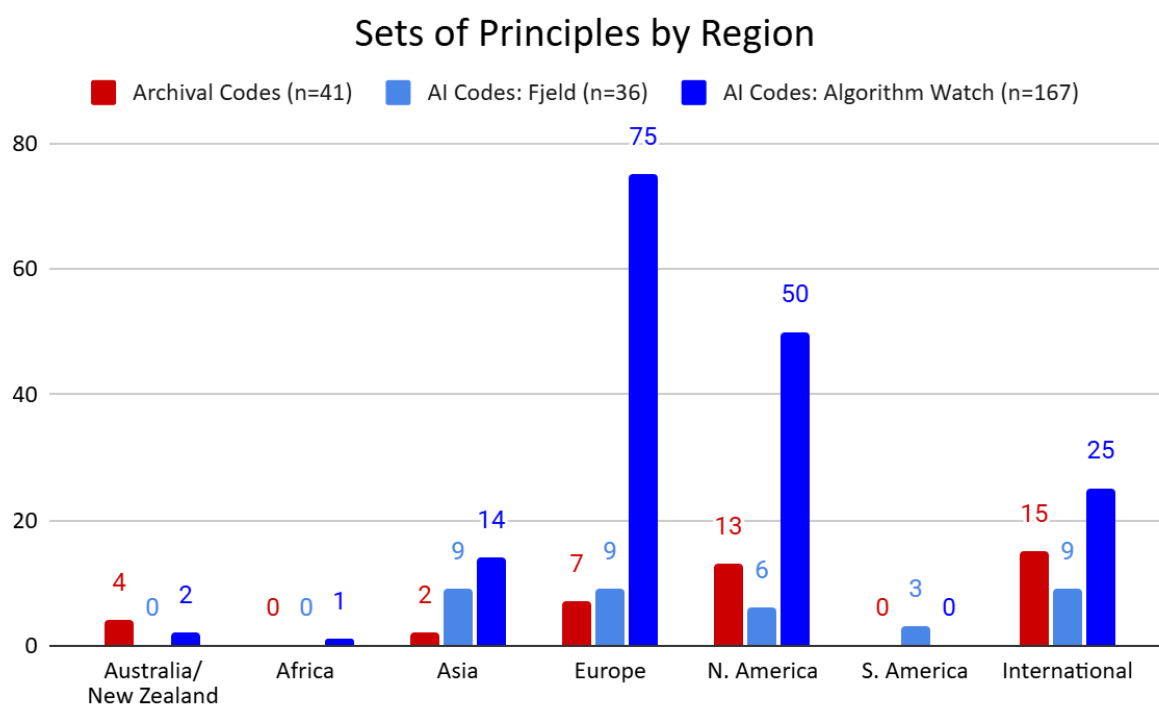
Sets of Principles by Region

Fig. 2. Identified ethical codes by region.

Setting themes and assigning principles

Common groups of principles across many codes were easily discovered, but settling on names for such groupings proved challenging. For example, a core element of archival work is preservation of records, so the initial preservation theme was very inclusive. As the study progressed, it was noted that some principles focused on preserving the records, some focused on preserving authenticity, and others focused on the tasks that archivists perform to preserve records and authenticity. It was decided that grouping them all under the theme of preservation would obscure the underlying value of archival work, which is to sustain the trustworthiness of the records.

Preservation-focused principles emphasize establishing and maintaining the trustworthiness of records as reliable evidence. Some codes implicitly recognize that reliable evidence does not equate to truth, with, for example, the Archives and Records Association (UK and Ireland)'s Code urging members to "have regard to the extent to which their holdings and associated information are representative of the communities documented or affected by the archives and records in their care, taking particular account of under-represented and/or underdocumented groups."[22] Similarly, there are principles regarding equitable access to records which acknowledge the need for their further development over time based on the changing needs and circumstances of users, e.g. archivists "are sensitive to the evolving contexts of individuals (living or dead), organizations, or communities that are the subjects of the records, reconsidering access conditions as necessary in light of that sensitivity."[23]

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[22] ARA, Code of Ethics, #19.

[23] ACA, Code of Ethics and Professional Conduct, #3.b.

The themes and principles were established using the ten baseline codes. It was further decided that each principle statement, i.e. a sentence could be assigned to only one generic principle or theme. The reasons for this decision were twofold: 1) to help keep track of which principles/statements were already assigned, and where; and 2) to minimize a proliferation of themes as reviewers tried to grapple with explicit and implicit messages within each sentence. For example, the ARA's code declares that its "Members have an explicit duty to be acquainted with the regulatory environment relevant to records and archives; their creators, users and subjects; preservation and to members' dealings with stakeholders and fellow professionals."[24] Within our project, this sentence was assigned to the "Maintain proficiency and contribute knowledge" principle (Knowledge theme). It might just as easily have been assigned to the "Compliance" principle (Accountability theme). Alternatively, each clause of each sentence could have been assigned independently, but the coherence of parts of sentences rapidly declined when this was attempted.

In an effort to confirm the completeness of this work, NVivo was used to identify principles that had not been assigned or were coded under more than one principle or theme. The baseline codes were added to NVivo as files, and the principles were added as hierarchical codes under their respective themes. Additional hierarchical codes were created in NVivo to represent outliers and duplications. Once the initial NVivo setup was complete, every relevant statement in each baseline code was marked with the appropriate principle(s) or as an outlier. Unassigned statements were reviewed and assigned by the study team and statements assigned to more than one principle/theme were resolved.

Stakeholders

Members of both communities clearly believe that their work can significantly affect stakeholders ranging from individuals to groups to the whole of society. Preambles to the archival codes often indicate to whom the codes are addressed. Many codes address an inclusive audience, e.g. the ACA's code is addressed to "all people who participate in archival work—the management, care, custody, preservation, and accessing of records—regardless of their title, employment status, education, or membership in a professional association."[25] This is consistent with the ICA's Universal Declaration on Archives, which states that the management of archives is a collective responsibility involving "citizens, public administrators and decision-makers, owners or holders of public or private archives, and archivists and other information specialists."[26] Other codes are exclusive, such as that of the ARA, which is addressed to "archivists, archive conservators, records managers and those occupied in related activities, who are individual members" of the Association.[27] Not surprisingly, codes of associations that certify members, e.g. IGP, are addressed solely to their members. The IASA code is addressed solely to officers of the association. It does not appear that the IASA has adopted a code of ethics for its general membership. Some associations, e.g. ARANZ, include institutional members and the ethical principles in their codes are thus equally applicable to institutions.

Often principles functionally link to one or more stakeholders. For example, in its preamble the ASA's code refers to donors and principles relating to acquisition, access, confidentiality and privacy.[28] That of

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[24] ARA, Code of Ethics, #3.
[25] ACA, preamble to the Code of Ethics and Professional Conduct.
[26] ICA, Universal Declaration on Archives.
[27] ARA, Code of Ethics, "Purpose," p. 2.
[28] ASA, Code of Ethics.

the ICRM refers to clients, business associates, suppliers, peers, employers, and community.[29] The transparency principle of the GARP states that business processes and activities will "be documented in an open and verifiable manner, and that documentation shall be available to all personnel and appropriate interested parties… [who] include, but are not limited to, government authorities, auditors and investigators, litigants, and for some organizations, the general public."[30] The codes of the Catalan and Italian associations are something of an exception in that each contains principles in relation to specific stakeholder groups. The structure of the Catalan code is delineated by five archival relationships: with society, the profession, users, archivists and other professionals, and the *fonds* and records themselves.[31] Similarly, the Italian code groups a number of principles under relationships with colleagues and employers.[32]

For the most part the Fjeld study also embeds stakeholders in the text that explains the general principles outlined. One of the more overt references is the Multistakeholder Collaboration principle under the Professional Responsibility theme. The discussion of this principle refers to policymakers, academics, and users as stakeholders in the development and implementation of AI systems.[33] However, stakeholders of many types are implicit in principles such as "Control over Use of Data" (Privacy theme), "Impact Assessment" (Accountability theme), and "Human Values and Human Flourishing" (Promotion of Human Values theme).

Our study team decided against attempting a separate stakeholder theme, in part because the principles reviewed generally linked stakeholders to specific activities or considerations.

Accountability theme

At the core of accountability principles is the identification of what archivists are accountable for, and to whom. The scope of records keepers' responsibility includes all stages of the records lifecycle (creation, use, and disposition) as well as provision of access to inactive records transferred to archives for permanent preservation. Thus the access function not only spans the active and inactive stages of maintaining records, but it also often extends from those individuals actually accessing the records, commonly referred to as "users," to include consideration of the subjects named in the records. Accountabilities beyond those

> Principles under this theme
> 39% Support accountability
> 20% Accountability to employing institutions
> 5% Auditability
> 51% Compliance
> *Percentage reflects the number of documents in the dataset (n=41) having statements coded to each principle.*

reflected by the records lifecycle include staying current with and contributing to professional knowledge: e.g. the ICRM's code states that it is the "professional responsibility [of members] to encourage those interested in records management and offer assistance whenever possible to those who enter the profession and to those already in [it]."[34] Another example is the expectation that record keepers will "treat other members and users lawfully and with respect."[35]

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[29] ICRM, Code of Conduct.

[30] GARP, 2014, "Principle of Transparency."

[31] AAC, Codi deontològic dels arxivers catalans (Code of Ethics of Catalan Archivists).

[32] ANAI, Codice Deontologico, Titolo II and III.

[33] Fjeld, *Principled Artificial Intelligence*, pp. 58-9.

[34] ICRM, Code of Conduct.

[35] ARA, Code of Ethics, #2.

Likewise, the codes examined generally reference a range of individuals and groups. While some roles are quite specific, e.g. "donors," others are quite vague, e.g. "all peoples."[36] Generally, most codes express a clear sense of accountability to 'society' or 'everyone'; as assessing records keepers' compliance with this principle would be impossibly difficult, such broad statements are probably aspirational. More specific responsibilities often identify those to whom records keepers are accountable. For example, members of ARANZ are to "promote the [association's] aims and objectives," which is fairly specific. Other entities or roles referred to include employers, clients, managers, creators, scholars, record subjects, researchers, communities, institutions, etc.

The ethical codes of the Catalan and Italian archival associations are unique in that specific relationships are embedded within their respective structures. For example, the Catalan principles are divided into five relationships which provide a helpful introduction to "to whom" and "for what" archivists are accountable. The relationships are to
- Society;
- The profession, i.e., to guide individual behavior;
- Fonds and records;
- Users;
- Archivists and other professionals, i.e., to guide interactions with others.

The Italian code includes two sections governing relationships with colleagues and employers.[37]

It is also worth noting that some codes are aimed at an inclusive audience. For example, that of the ACA is "intended as a guide for all people who participate in archival work…regardless of their title, employment status, education, or membership in a professional association," while the ICA includes "all those concerned with the control, care, custody, preservation and administration of archives" in its use of the term "archivists."[38] In such cases, codes cannot be easily used as a basis for sanctioning someone who are considered deviate significantly from the intent of the principles set out. By contrast, the ARA's code addresses "individual members" of the Association and refers to enforcement procedures set out in the Association's by-laws.[39] In terms of sanctions, certification-based associations generally emphasize a loss of certification for violation.[40] Codes of records management associations appear to be focused more on legal accountability, and the description of those stakeholders to whom members are accountable tends to be more circumscribed. For example, the only role (outside of an organizational one) mentioned in the GARP Principle of Accountability is that of "external parties" to whom the organization has obligations.[41] The ICRM holds its members "accountable to their employers, peers, and community."[42]

Given that accountability principles connect with every other ethical theme identified in this study, the principles included in this section tend to be broad in scope and include accountability *per se*, accountability to employing institutions, auditability, and compliance. Principles that address more

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[36] ASA, Code of Ethics, 3.6.2, and SAA, Core Values Statement and Code of Ethics, "Diversity," respectively.

[37] AAC, Codi deontològic dels arxivers catalans (Code of Ethics of Catalan Archivists) and ANAI, Codice Deontologico, Titolo II and III.

[38] ACA, Code of Ethics and Professional Conduct, preamble, and ICA, Code of Ethics, B.

[39] ARA, Code of Ethics, "Enforcement."

[40] ICRM, Code of Conduct, "ICRM Member Ethics Violation Policy"; ARMA IGP, Code of Ethics, "Preamble."

[41] GARP 2014, "Principle of Accountability."

[42] ICRM, Code of Conduct.

specific responsibilities, e.g. preservation of record authenticity, are placed under more functionally-named themes. Principles expressed in pro-active terms, e.g. determining whether existing holdings effectively represent the "communities documented or affected by the archives and records in their care, taking particular account of under-represented and/or under-documented groups"[43] are placed under the Social Justice theme, while those that outline *how* accountability is to be demonstrated are within the Transparency theme. Principles relating to personal accountability are found under 'Trustworthiness of Records keepers.'

Support accountability
The stated goal of the SAA's Core Values Statement and Code of Ethics is "to move the profession toward a more inclusive, ethical, and accountable community of archival practice."[44] The reference to an "accountable community" emphasizes holding records keepers themselves to account. Accountability is also supported as a facet of the societal good achieved by the maintenance of authentic records, i.e., the holding of others to account: "By preserving records of societal experiences, functions, activities, and decision-making, archivists provide important resources for contemporary and future entities seeking accountability."[45]

Accountability to Employing Institutions
Institutional accountability is more heavily emphasized in codes of associations that are focused on the management of active records. Indeed, the GARP can be read as a guide for institutions as much as a guide for records keepers. For example, "Governance should be established throughout the organization, assigning defined roles and responsibilities to different staff so it is clear where responsibilities reside and how the chain of command works to build, implement, and upgrade the information governance program."[46]

Where the idea of institutional accountability is found in some of the other codes it may be represented as more of a consideration, e.g. "Members are required to maintain the integrity of the records in their care balancing the rights and interests of employers, owners, subjects and users, both in the present and in the future."[47] Another example is the acknowledgement in the NAGARA Code that all institutions are biased and that "archivists and records managers should identify what institutional biases exist and work to counteract them whenever possible."[48]

Auditability
Despite the emphasis on accountability, few codes make specific reference to auditing. The GARP advocates that record keeping programs "should be structured for auditability as a means of demonstrating that the organization is meeting its obligations."[49] NAGARA's code approaches auditability differently, observing in the context of conflicts of interest that because "records

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[43] ARA, Code of Ethics, "B. Impartiality, Fairness and Equity," #19.

[44] SAA, Core Values Statement and Code of Ethics, "Overview."

[45] SAA, Core Values Statement and Code of Ethics, "Accountability."

[46] GARP 2014, "Principle of Accountability."

[47] ARANZ, Code of Ethics. The ARANZ Code is addressed to members of the association, and the introductory paragraph makes clear that institutions can also be members.

[48] NAGARA, Code of Ethics, "Institutional Bias."

[49] GARP 2014, "Principle of Accountability."

professionals often operate 'between the lines' and can be difficult to audit, their motives and actions must be beyond reproach."[50]

<u>Compliance</u>
Compliance principles are generally focused on adherence to the laws of the applicable jurisdiction. Codes from associations in which the members' primary focus is on active records also refer to compliance with institutional policies, e.g. an organization's record keeping system must comply with "codes of conduct, ethics rules, or other authorities" to which the organization is subject.[51] In other codes, legal compliance is emphasized in relation to privacy and confidentiality, e.g. "Archivists should respect both access and privacy, and act within the boundaries of relevant legislation,"[52] but laws relating to other aspects of record keeping may be less emphasized, e.g. such as laws and regulations "for gathering, maintaining and communicating records' context."[53]

Comparison with AI Principles
Accountability is a prevalent theme in the field of AI as well, according to the Fjeld study. The principles from the AI community seem to emphasize
- demonstrating accountability (Verifiability and Replicability, Impact Assessments, and Remedy for Automated Decision);
- establishing a new or updated regulatory framework (Evaluation and Auditing Requirement, Liability and Legal Responsibility, and Recommends Adoption of New Regulations)
- establishing formal oversight (Creating a Monitoring Body, Ability to Appeal).

The two remaining principles in the Fjeld study under the accountability theme are Environmental Responsibility and Accountability Per Se.

Perhaps the point at which the principles of the two communities converge is in relation to the regulatory framework. Where they diverge most may be in relation to statements in archival codes that specify how, generally, to demonstrate accountability or who might determine whether archivists have acted accountably. That said, of the ten Accountability principles, only three (Impact Assessments, Recommends Adoption of New Regulations, and Accountability Per Se) are found in more than half of the AI codes examined by the Fjeld study. Four of the principles are found in less than a quarter of the codes examined. It is possible that uncertainty about how best to implement a general accountability framework is a challenge common to both communities. Another possibility is that broad accountability principles play more of a supporting role in ethical principles, with more specific principles actualized by more specific accountability mechanisms.

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[50] NAGARA, Code of Ethics, "Conflicts of Interest."
[51] GARP 2014, "Principle of Compliance."
[52] ICA, Code of Ethics, #7.
[53] ACA, Code of Ethics and Professional Conduct, 1.c.iii.

Preservation theme

The preservation of records is at the core of archival work. All the values and benefits ascribed to archives and the work of archivists are dependent on the existence of records. The first principle of the ARA states that "The primary duty of members is to manage, preserve and protect the integrity of documentary heritage and records in the public interest."[54] This statement illustrates the close relationship of preservation with the "Duty to public interest" principle (Trustworthiness of Records keepers theme).

> Principles under this theme
> 32% Institutional capacity
> 44% Stewardship
> 27% Collaboration
> 30% Ensure long-term preservation
> *Percentage reflects the number of documents in the dataset (n=41) having statements coded to each principle.*

Within the record keeping community, preservation is an overarching term that encompasses preservation of original artefacts, preservation of the original structure and organization of the records, and preservation of the values of records. The latter two aspects are achieved primarily through preserving the records' context.[55] The principles assigned to this theme are those primarily in keeping with the first of the three aspects set out above. Principles relating to the latter two aspects are placed under the "Trustworthiness of Records" theme, below. The study team did not make this decision lightly, but on the whole felt that the emphasis on trust that permeates archival codes warranted the separation into two themes.

Principles falling under the Preservation theme include Institutional Capacity, Stewardship, Collaboration, and Ensure Long-term Preservation.

Institutional capacity

Principles addressing institutions vary among the various codes. Some codes, such as that of the ARANZ, make no distinction between institutional and individual members while others, such as that of the ASA, exclude "matters which are more appropriately regulated by institutions."[56]

Preservation requires resources and so is closely tied to organizational or institutional mandates and capacity. Given that records can be created in any context, establishing a mandate or scope of responsibility provides a focus for which records to preserve and the resources needed to do so: "Archivists should acquire records in accordance with the purposes and resources of their institutions."[57] The principles grouped here range from the need for archivists to consider "a repository's realistic capacity for care when deciding to acquire or deaccession materials" to advising "potential donors about other repositories and special collections when it becomes apparent that items under offer may be more appropriately maintained thereat" and very basic considerations such as guarding "all records against accidental damage, vandalism, and theft."[58]

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[54] ARA, Code of Ethics, "A. Professional Responsibility and the Public Interest," #1.

[55] The InterPARES Trust AI Terminology Database defines preservation as "1. The whole of the principles, policies, rules, strategies, and activities aimed at prolonging the existence of an object by maintaining it in a condition suitable for use, either in its original format or in a more persistent format, while leaving intact the object's intellectual form. – 2. Retention for a limited period of time."

[56] ARANZ, Code of Ethics, Purpose, and ASA, Code of Ethics, Preamble.

[57] ICA, Code of Ethics, #2.

[58] SAA, Core Values Statement and Code of Ethics, "Responsible Stewardship"; ASA, Code of Ethics, 3.1.3; and SAA, Core Values Statement and Code of Ethics, "Security and Protection."

Stewardship [Preserve Collections]

Alongside principles specific to preserving authenticity are those advocating the preservation of collections of records. For example, the ASA's code discourages the "dispersal of records groups, series or collections except when compelled by administrative or other circumstances beyond their control."[59] The holdings of a public archives will include the unique records of one or more organizations or individuals which, together, form the institution's collection.

Stewardship principles are often framed as programmatic guidance, such as the requirement expressed in the GARP (2014) to make sure that "appropriate protection controls are applied to information from the moment it is created to the moment it undergoes final disposition."[60] The SAA's code expects records keepers to determine how best to preserve original materials "through a combination of activities including condition monitoring, creation of physical and digital surrogates, and environmental controls in areas where materials are processed, used, and stored."[61] Noting that "preservation is the first condition of access," the ACA code observes that archivists "strive to maintain an appropriate balance between preserving records and providing access to them."[62] One of the more proactive principles is from the SAA and urges archivists to "develop stewardship models that account for internal and external needs, creating best practices that not only reflect archival expertise, but that can also adapt in response to stakeholders' needs and suggestions."[63]

It is a core responsibility of archivists "to maintain provenance (the documented, unbroken chain-of-custody from records creator to final disposition)."[64] At the same time, the preservation of collections is a dynamic process, requiring archivists to recognize "that records originate in and are influenced by a complex interplay of legal, administrative, informational, and cultural factors over time, we strive to continuously improve our preservation and representation of these contexts."[65]

Collaboration

Collaboration principles link those codes referring to institutional capacity with those advocating consultation with experts (**Knowledge** theme). Because institutional resources are finite and expertise may be diffused, preservation requires archivists to "collaborate with those having specialized knowledge on how best to preserve records and maintain the ability to reproduce them."[66]

This theme also encompasses principles to restrain or minimize competitive collection activities among institutions. For example, the ASA's code expects archivists to "respect the recognised collecting areas of other institutions and… not compete for acquisitions where competition would endanger the integrity or safety of the records concerned," an expectation mirrored in the ICA code which recommends that archivists "not seek or accept acquisitions when this would endanger the integrity or security of records."[67] This collaborative imperative extends to transferring custody of the records, e.g. the ACA's

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[59] ASA, Code of Ethics, 3.5.3.

[60] GARP 2014, "Principle of Protection."

[61] SAA, Core Values Statement and Code of Ethics, "Preservation."

[62] ACA, Code of Ethics and Professional Conduct, 2.a.

[63] SAA, Core Values Statement and Code of Ethics, "Responsible Stewardship."

[64] NAGARA, Code of Ethics, "Authenticity of Records."

[65] ACA, Code of Ethics and Professional Conduct, 1.b.

[66] ACA, Code of Ethics and Professional Conduct, 2.b.

[67] ASA, Code of Ethics, 3.1.2, and ICA, Code of Ethics, #2.

code states that "If it is not possible for our institution to preserve the integrity of records, we seek to transfer custody of the records—and, as appropriate, responsibility for them—to other organizations that have the means and the mandate to preserve the records."[68] The ICA's code also sets the expectation that archivists will "promote the preservation and use of the world's documentary heritage, through working co-operatively with the members of their own and other professions."[69]

<u>Ensure Long-term Preservation</u>
Long-term thinking permeates the whole of the archival endeavour, and long-term considerations are implicit in many principles. Nevertheless, some codes include explicit statements addressing long-term preservation, e.g. the ICA's code expects archivists to "ensure the continuing accessibility and intelligibility of archival materials."[70] The ARA's code goes beyond the records themselves and speaks to the need to ensure that the evidential value of records "is not impaired through the work of appraisal, arrangement and description, surrogacy and migration, and of conservation and use."[71]

Comparison with AI Principles
No theme comparable to preservation was identified among the principles examined in the Fjeld study. There may be a number of reasons for this, but one must be the focus in the AI field on the preservation of human dignity and autonomy rather than on a cultural or technological artefact. While the preservation of human dignity and autonomy is hardly alien to the ethics of the record keeping community, the preservation of records is largely assumed to be a key contributor to accomplishing that. By contrast, AI principles take the perspective that AI systems are at least as much of a threat or risk to humans as a benefit. The distinction may be due to the fact that unlike records, which, broadly speaking, are passive instruments and so require positive action to use, AI systems are being implemented so that they actively affect how we live our lives.

Perhaps the closest overlap between the two communities exists in section 3.5 of the Fjeld study, which includes principles relating to Fairness and Non-discrimination.[72] Fair and non-discriminatory AI systems should be preserved—which may involve collaboration with a wide range of stakeholders and is dependent both on the capacity of organizations to preserve such systems and to terminate or improve those found to be biased.

As is the case with record keeping principles, long-term considerations can be inferred from some of the AI principles considered in *Principled Artificial Intelligence.* However, in a few sources these considerations are made explicit. For example, in the context of evaluation and auditing, Smart Dubai's "Ethical AI Toolkit" advocates "tuning AI models periodically to cater for changes to data and/or models over time," and suggests that those operating AI systems "consider whether AI systems trained in a comparatively static environment will display model instability when deployed in dynamic environments."[73] The discussion of the Transparency principle incorporates the lifecycle of AI systems into statements such as "[c]ontinuously improve the transparency of AI systems."[74]

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[68] ACA, Code of Ethics and Professional Conduct, 2.d.

[69] ICA, Code of Ethics, #10.

[70] ICA, Code of Ethics, #4.

[71] ARA, Code of Ethics, #21.

[72] Fjeld, *Principled Artificial Intelligence*, section 3.5, pp. 47-52.

[73] Smart Dubai, AI Ethics Toolkit (2019), p. 23, 1.2.2.5 and 1.2.2.6.

[74] Artificial Intelligence Industry Alliance, 'Artificial Intelligence Industry Code of Conduct (Consultation Version)' (2019), Article 6. Translation by Google Translate.

Trustworthiness of Records theme

Maintaining trustworthy records means understanding the context in which the records were created. That context is essential for the very basic task of delineating what constitutes an archival body of records. Records are held together by an archival bond, imposed by the creator(s) of the records and influenced by subsequent custodians, including archivists, when re-purposing the records or arranging and describing them. Ideally, through a detailed study of context, archivists discern the bonds and make them explicit. These bonds give records their authority, without which they would simply be a mass of undifferentiated documents. Archivists preserve "the relationships between records and the activities that created them, as well as [those] between records and the aggregations in which they belong, recognizing that these relationships are a necessary component of the records themselves."[75]

> **Principles under this theme**
> 44% Preserve authenticity
> 37% Security
> *Percentage reflects the number of documents in the dataset (n=41) having statements coded to each principle.*

The authority of records derives from their authenticity, a concept similar to that of legal authenticity. Indeed, records keepers recognize and give a central place to the evidential value of records. The archival role in creating records and maintaining them throughout their lifecycle enables the presumption that such records are authentic. Authentic records can be relied upon to protect rights, describe obligations, reflect the attitudes of their creators, etc., but their evidential weight and relevance in relation to any particular matter (as with all evidence) must be assessed, beginning with their authenticity: e.g. are the records what they purport to be or are they forgeries?

General principles grouped within the preservation theme include *Preserve Authenticity* and *Security*.

Preserve Authenticity

The archival concept of record authenticity rests on the identity and integrity of the records. Identity is established by the attributes of a record that constitute its uniqueness. A record's integrity is intact when it can be shown to be complete and unaltered in any substantive way. The ARA's code states that preservation and protection of "the integrity of documentary heritage and records in the public interest" is the primary duty of its members.[76]

The preservation of authenticity is not limited to preserving just the records, as is made clear by the following principle from the ACA, which expects archivists to

> exercise due caution and diligence in documenting and preserving the relationships between records and the activities that created them, as well as between records and the aggregations in which they belong, recognizing that these relationships are a necessary component of the records themselves.[77]

Thus, the preservation of authenticity goes beyond activities performed on the records themselves to include establishing information governance programs to ensure that "the records and information generated by or managed for the organization has a reasonable and suitable guarantee of authenticity

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[75] ACA, Code of Ethics and Professional Conduct, 1.a.

[76] ARA, Code of Ethics, #1.

[77] ACA, Code of Ethics and Professional Conduct, 1.a.

and reliability."[78] Replacing or supplementing "originals with copies in other formats should be done with due regard for the intrinsic evidential, legal, and information value of the records," and any actions taken "that may cause changes to the records in their care or raise questions about the records' authenticity" must be thoroughly documented.[79]

<u>Security</u>
Relatively few codes contained principles explicitly addressing the physical security of archival collections and their wider context. This may be a result of the emphasis on the preservation of records emphasis that permeates archival codes. Principles from the SAA's code tend to focus on what must be protected, expecting that records keepers will "have well-considered plans in place to respond to any situation that might threaten the safety of their holdings, their patrons, and their staff."[80] The ASA code's corresponding principles focus more on threats to holdings, requiring records keepers to be "especially vigilant respecting the most common causes of damage to records in all media, namely fire, excessive light or heat, damp, dryness, dirt and insect or other vermin attack."[81]

Comparison with AI Principles
As noted in connection with the preceding theme, the Fjeld study does not identify a preservation theme *per se,* nor is the concept of authenticity introduced. However, the notion of trust in AI systems is integral to the study, surfacing in essentially every theme in *Principled Artificial Intelligence.* Perhaps the differing focuses of the two communities are highlighted by the principles of fairness and non-discrimination in AI codes, which set an expectation that AI systems will *only* be deployed *if* they are fair and unbiased, while archival principles require the creation and preservation of reliable and trustworthy records, but without an equivalent assumption that the records will themselves be fair or non-discriminatory.

The Security principles reviewed in *Principled Artificial Intelligence* are generally consistent with those of the record keeping community in that they focus on external threats. For example, principles call for sharing information on cyberattacks[82] and protection of privacy[83] and the integrity and confidentiality of personal data."[84]

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[78] GARP 2014, "Principle of Integrity."

[79] ARA, Code of Ethics, #23, and SAA, Core Values Statement and Code of Ethics, "Authenticity."

[80] SAA, Core Values Statement and Code of Ethics, "Security and Protection."

[81] ASA, Code of Ethics, 3.4.2.

[82] Information Technology Industry Council, AI Policy Principles (2017), p. 4.

[83] European Commission, High-Level Expert Group on Artificial Intelligence, "Ethics Guidelines for Trustworthy AI" (2019), p. 17.

[84] Université de Montréal, Montréal Declaration for a Responsible Development of Artificial Intelligence" (2018), #8.4, p. 15. Quotation from Fjeld, *Principled Artificial Intelligence*, p. 39.

Social Justice theme

Archival codes both explicitly and implicitly emphasize the social benefits that archival records can provide. For example, the ICA's code refers somewhat vaguely to a "special trust given to [archivists] in the general interest," while the SAA's code explicitly references the social responsibility of archivists to contribute to "society and the greater public good."[85] Because authentic records reliably represent past actions, albeit from the perspectives and within the contexts (and biases) of their creation, they provide ways for us to reflect on what has gone before. For this reason also, this theme is very close to the themes of access, accountability, and transparency.

The concept of archives' benefit to society is largely undefined, however, with relevant literature recognizing that archival values may reflect biases or privilege certain groups in society at the expense of others. A clear example of this is reflected in the third principle of the Reconciliation Framework by the Steering Committee on Canada's Archives, which reads:

> Acknowledgement of the harm done by the Canadian archival community to First Nations, Inuit, and Métis peoples: Archival practices have perpetuated racist, colonial ideology and supported the legislated dispossession, silencing, assimilation, and genocide of First Nations, Inuit, and Métis peoples. The resulting colonial archival record has significantly contributed to the formation of a Canadian historical narrative that privileges the accomplishments of Eurocentric settler society at the expense of First Nations, Inuit, and Métis identities, experiences, and histories.[86]

This aspect of archival codes is represented by principles relating to knowledge sharing, advocacy, inclusivity, harm reduction, and environmental stewardship.

A final observation is that codes relating primarily to records management, i.e., the management of active records, seem to focus less on the broader or societal benefits of record keeping and more on supporting the integrity of records managers' employing organisations. For example, the ARANZ code expects members to balance "the rights and interests of employers, owners, subjects and users, both in the present and the future," while the purpose statement of the Information Governance Professionals (ARMA) code makes a general reference to "the public, society, and the profession."[87]

Non-neutrality
Historically, archival codes have stressed the importance of neutrality, impartiality, and objectivity (ASA, ICA). More recent archival codes have explicitly rejected the idea that any archival action is neutral, and

> **Principles under this theme**
> 32% Non-neutrality
> 32% Advocacy
> 24% Support for under-represented / marginalized communities
> 7% Environmental impact
> 37% Harm reduction
> 34% Inclusive practice
> 19% Repatriation
> *Percentage reflects the number of documents in the dataset (n=41) having statements coded to each principle.*

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[85] ICA Code of Ethics, #8. SAA Code of Conduct, "Social Responsibility." See also SAA Code of Ethics, "Trust,," which states that archivists "seek to balance the rights, interests, needs, and suggestions of all people and groups affected by archival decisions."

[86] Steering Committee on Canada's Archives, Reconciliation Framework. The Response to the Report of the Truth and Reconciliation Taskforce (2022), p. 18.

[87] ARANZ (2005). IGP (ARMA), undated.

instead archivists are expected to "document wherever possible, biases inherent in records" and "accept the responsibility of serving as active agents in shaping and interpreting the documentation of the past."[88] These codes essentially start from the position that archivists have no special ability to operate separately from the society in which they live, so that attempting to adopt a "neutral" stance will simply support the status quo. On the other hand, a non-neutral stance requires archivists to consider systemic prejudices and power imbalances and how record keeping decisions can better respect diversity and minimize discrimination.

As an association of government-based records keepers, the conception of bias neutrality in NAGARA's code differs considerably from that of either the ACA or SAA. It acknowledges bias in records and institutions, but expects record managers to

> eliminate bias and act neutrally as it pertains to the management of records. Public records and the administration thereof should never be subject to personal bias, political affiliation, or influence from any source. Records professionals should follow, whenever possible, industry standards and best practices for recordkeeping, information governance, access, protection, preservation, ethics, and more."[89]

The principles included here are those containing an expectation that archivists will actively seek to recognize bias and moderate or otherwise account for it. Principles such as the ICA's expectation that archivists will not "benefit financially or otherwise personally to the detriment of institutions, users and colleagues" were placed under the closely related Impartiality principle in the Trustworthiness of Records Keepers theme.[90]

Advocacy

As with the principle of Non-neutrality, the advocacy principles create the expectation that archivists will likewise contribute actively to shaping policy and promoting the profession, programs and services. The scope of advocacy, as stated in the SAA's code, is extensive:

> Advocacy for archivists and archival work can take many forms, including: contributing to the formation of public policy related to archival and recordkeeping issues, ensuring that archivists' expertise is used in the public's interest, and making the utility and value of archival work understood locally and beyond.[91]

The scopes of the SAA and ARA codes seem substantially broader than those of other codes, in that they urge archivists to go beyond abstract notions of access by proactively seeking "to make the service and its resources known to relevant groups of potential users."[92] The codes of the ICA and ACA emphasize advocating for "good recordkeeping practices" in connection with laws, policies, and new technologies.[93] The ARA's code goes beyond that to urge its members to "be advocates for good record-keeping….[they] should promote awareness, preservation, understanding and use of the world's

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[88] ACA, Code of Ethics and Professional Conduct, 7.c., and SAA, Core Values Statement and Code of Ethics, "Selection."

[89] NAGARA, Code of Ethics, "Neutrality."

[90] ICA, Code of Ethics, #8.

[91] SAA, Core Values Statement and Code of Ethics, "Advocacy."

[92] SAA, Core Values Statement and Code of Ethics, "Diversity," and ARA, Code of Ethics, #18.

[93] ICA, Code of Ethics, #5, and ACA, Code of Ethics and Professional Conduct, 8.a.

documentary heritage and intangible cultural heritage amongst stakeholders, cultural and information professionals and the public…"[94]

Support for Underrepresented/Marginalized Communities
Many codes emphasize the importance of inclusivity and non-discrimination when selecting records for permanent preservation, thereby linking this principle to those relating to accountability and broader societal benefit. As with other principles in the Social Justice theme, this principle has a proactive element in the SAA code, for example, expecting archivists to proactively "forge connections with under-documented communities and individuals, support preservation of records relating to those communities' activities, encourage use of archival research sources, and support the formation of community-based archives."[95]

Similarly, the ARA code calls for archivists to consider the extent to which their holdings represent the communities documented or affected and to take "particular account of under-represented and/or under-documented groups."[96] The same code considers such support for marginalized communities from another perspective by "recognising that equality of treatment may amount to discrimination."[97]

In the Canadian context, in which Indigenous communities have been marginalized, the ACA code encourages the administration of records and information "consistent with guidance provided by and in consultation with" those communities, while NAGARA's code notes that "policies and actions of government can seem minor in consequence to certain demographics but are quite impactful to others."[98]

Environmental Impact
Generally, there is little emphasis on environmental considerations in archival codes. The SAA code promotes "sustainable" practices and preservation strategies. It is unclear whether the scope of these includes the physical environment or is limited to the institutional resources available to archivists, i.e., an exhortation not to "mortgage the future" by acquiring records which cannot be preserved with available resources.

Harm Reduction
The principle of harm reduction is common to a number of codes. It is generally focused on the social domain (as distinct from an environmental one, for example). Some codes, such as that of the ACA, recognize "that discrimination, trauma or violence may be inherent in the circumstances of records creation and transmission" and that this realisation should influence archival processes.[99] Terms such as respect, mindfulness, sensitivity, recognition, etc. are found in this type of principle. Some codes provide fairly explicit directions on how to minimize harm, e.g. the ARA code advises archivists to "take reasonable steps to identify any documents in their holdings which might be distressing to employees and/or users of the service, and should put in place measures to mitigate any harm arising from contact

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[94] ARA, Code of Ethics, 5.
[95] SAA, Core Values Statement and Code of Ethics, "Diversity."
[96] ARA, Code of Ethics, 19.
[97] ARA, Code of Ethics, "B. Impartiality, Fairness and Equity."
[98] ACA, Code of Ethics and Professional Conduct, #5, and NAGARA, Code of Ethics, "Diversity."
[99] ACA, Code of Ethics and Professional Conduct, #1.d.

with such documents."[100] The SAA code expects archivists to "be mindful of the ways in which their professional work can function both as harmful force and reparative resource."[101]

Inclusive Practice

Some inclusivity principles are expressed as general statements, e.g. the ACA's "We actively support plurality, diversity, and inclusion," and others in reference to objectivity, e.g. the ARANZ statement that members will not discriminate against "individuals or organisations on the grounds of gender, race, colour, creed, ethnic origin or nationality, disabilities, sexual preferences, marital status and age."[102]

The SAA code is perhaps the most proactive, expecting deeper and more detailed engagement from archivists than perhaps any other. It urges archivists to "constantly work toward creating anti-oppressive environments that encourage participation from people across the spectrum of experience,"[103] which involves

- supporting the formation of community-based archives;
- inclusive practices in educating, recruiting, and retaining records keepers; and
- building and promoting "collections that document a multiplicity of viewpoints."

Repatriation of Displaced Archives

A requirement to repatriate displaced archives is explicit in only a few codes and is closely related to the harm reduction and inclusive practice principles. Underpinning this type of principle is an acknowledgement of the changeable political landscape and the importance of the geographical location and the cultural significance of records as critically important elements for the preservation of context. The ICA code expects archivists to "cooperate in the repatriation of displaced archives," which is comparable to the ARA admonition to find "mutually satisfactory solutions to questions concerning shared records, archival heritage and displaced archives, recognising legal and ethical considerations." Repatriation is implicit in the ACA principle recognizing the sovereignty of Canada's Indigenous people and the need to administer records and information in ways that are "consistent with guidance provided by and in consultation with Indigenous communities."

Comparison With AI Principles

The 'positive action' and social justice aspects of the principles in this section also permeate the codes considered by the Fjeld study. The increased attention to AI ethics starting in 2016 is due to factors including significantly increased investment and a substantially faster and larger infrastructure,[104] combined with some very high profile AI failures such as the transformation of Microsoft's Tay chatbot into a troll[105] and the attribution of a fatality to Tesla's autopilot.[106]

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[100] ARA, Code of Ethics, #34.

[101] SAA, Core Values Statement and Code of Ethics, "Sustainability."

[102] ACA, Code of Ethics and Professional Conduct, 9.b., and ARANZ, Code of Ethics.

[103] SAA, Core Values Statement and Code of Ethics, "Diversity."

[104] See, for example, Richard Waters, Investor rush to artificial intelligence is real deal, *Financial Times*(4 January 2015) and Babak Hodjat, The AI Resurgence: Why Now? *Wired* (March 2015).

[105] Ellie Hunt, Tay, Microsoft's AI chatbot, gets a crash course in racism from Twitter, *The Guardian* (24 March 2016).

[106] Danny Yadron and Dan Tynan, Tesla driver dies in first fatal crash while using autopilot mode, *The Guardian* (1 July 2016).

The Non-neutrality and Harm Reduction principles identified in archival codes set expectations similar to those found in the Human Control of Technology, Promotion of Human Values, and Safety and Security themes described in the Fjeld study. Those undertaking archival work or developing and implementing AI systems have agency, and working towards such values is required throughout the lifecycles relevant to both communities. The Inclusive Practice requirement seems to align closely with the Multistakeholder Collaboration principle under Professional Responsibility in the Fjeld study. The Support for Underrepresented/ Marginalized Communities principle in the archival community strongly aligns with values expressed in all the principles under the Fairness and Non-discrimination theme described in the Fjeld study.

The principles described by the Fjeld study do not seem to align closely with the Advocacy principle set out here, with its emphasis on advocating for the value of records and record keeping. This may be because the AI principles largely emerged at a time when AI systems were being deployed rapidly and across many domains, and concern was high that the regulatory environment was weak or even absent.

Principles relating to environmental responsibility were similarly limited to only a few codes (17% of the Fjeld study's dataset), suggesting that environmental considerations are more indirectly relevant to work in both communities. There appears to be no corresponding principle among those identified in the Fjeld study that aligns with the 'repatriation of displaced archives principle' described in this report. This suggests that, unlike records, AI systems are not perceived to play a significant role in protecting cultures or societies.

Access theme

Common to almost all the archival codes reviewed in this report is an emphasis on the value of access, without which the perceived underlying social benefits of preserved records cannot be realized.[107] Many principles contain the phrase "access and use" but there are some codes, such as that of the ARA, in which the two terms are found in separate but successive principles, the former defined by legal authorisation and the existence of finding aids, and the latter by the actual consultation of records.[108]

Principles under this theme
46% Promote widest possible access
37% Provide equitable access
20% Provide efficient access
49% Promote ethical use
Percentage reflects the number of documents in the dataset (n=41) having statements coded to each principle.

Principles on access from records management associations tend to be less sweeping than those of archival associations , placing a greater emphasis on appropriate protections for confidential information, e.g. the GARP's protection principle emphasizes limiting access "to records and information that are private, confidential, privileged, secret, classified, or essential to business continuity or that otherwise require protection," while its availability principle emphasizes efficient and accurate information retrieval in "support of its ongoing business activities."[109] The codes of the IGP and ICRM speak only to protecting the "privacy of individuals" and "confidential, proprietary and trade secret information."[110] This difference in emphasis may be due to the respective organizations' differing

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[107] An exception is the IASA's Code of Ethics, which guides the behavior of officers of that association and does not address collections of records or the mandates of archival institutions.

[108] ARA, Code of Ethics, #4 and 5.

[109] GARP (2014), "Principle of Protection," "Principle of Availability."

[110] IGP, Code of Ethics, #4 and 5, and ICRM, Code of Conduct.

perceptions of their primary stakeholders: archivists in public archives see record collections as belonging to all people.

Other principles moderate access by weighing its value against other values, e.g. striving "to maintain an appropriate balance between preserving records and providing access to them" or seeking "to balance the principles of stewardship, access, and respect."[111] Other principles speak to the practical aspects of actually enabling individuals to use records, such as the duty of archivists to explain access restrictions to users (ASA) or advise them of any materials that have been temporarily removed (ARA).

The Access theme includes principles relating to promote the widest possible access, Provide equitable access, Provide efficient access, Provide transparent access, Promote ethical use/access.

Promote the widest possible access
Many codes emphasize the need for records to be as accessible as possible, usually including some conditions concerning possible limitations, e.g. the ACA code expects archivists to "make records available to the widest possible audience in a manner consistent with their content, source, and the statutory obligations that govern the jurisdiction in which we work."[112] Some codes go beyond this, urging archivists to actively promote open access by discouraging "restrictions on access and use" when negotiating acquisition or " renegotiate[ing access] conditions in accordance with changes of circumstance."[113] As noted above, access principles in codes developed primarily by associations of records managers tend to focus on the organizational context, a much smaller potential universe than that of archivists working at public archival institutions.

Provide equitable access
Consistent with principles regarding open and inclusive access and closely related to inclusivity principles are those that emphasize equitable access to archival records, generally expressed in terms of equitably enforcing access restrictions, e.g. the ASA code expects that archivists will "explain pertinent restrictions to potential users and apply them equitably."[114]

The ARA code includes the statement "that equality of treatment may amount to discrimination."[115] There is little elaboration of this statement but it may have analogues in other codes, e.g. the expectation in the SAA code that archivists should "seek to balance the principles of stewardship, access, and respect" or the purpose statement for the ACA code that it is meant to help "provide a balance between the needs of an open and democratic society and those of the communities represented in records or archival holdings so as to ensure the ethical management of culturally sensitive materials."[116]

Provide efficient access

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[111] ACA, Code of Ethics and Professional Conduct, 2.a., and SAA, Core Values Statement and Code of Ethics, "Access and Use."

[112] ACA, Code of Ethics and Professional Conduct, 3.

[113] ASA, Code of Ethics, 3.6.3, and ICA, Code of Ethics, #6.

[114] ASA, Code of Ethics, 3.6.2.

[115] ARA, Code of Ethics, Introductory paragraph to "B. Impartiality, Fairness and Equity."

[116] SAA, Core Values Statement and Code of Ethics, "Access and Use," and ACA, Code of Ethics and Professional Conduct, Preamble.

Principles regarding timely and efficient access to records and information complement but are less prominent than those regarding open and equitable access. There is little elaboration of efficient access principles; for example, the ICA code urges archivists to produce "general and particular finding aids."[117] The GARP principle of availability states that "An organization shall maintain records and information in a manner that ensures timely, efficient, and accurate retrieval of needed information," linking success in this regard with "describing information during the capture, maintenance, and storage processes."[118]

Promote ethical use
This principle is closely linked to the "Advocacy" principle in the Social Justice theme, in that it is a proactive attempt to influence stakeholders who might otherwise have little engagement with records. A few principles in the codes reviewed emphasize ethical use as distinct from access in general, such as the IGP code in which records keepers are expected to "Affirm the legal, ethical, and moral use of information."[119] Not all statements are as clear. For example, the ACA code which expects archivists to "respect the social, cultural, historical, and linguistic contexts of records for which we have responsibility" is referenced here because it is under the sub-heading "Access."[120]

Comparison with AI Principles
As with preservation, there are few principles common to both the archival and AI communities relating to access. The Right to Information principle identified by the Fjeld study is represented as "the entitlement of individuals to know about various aspects of the use of, and their interaction with, AI systems."[121] After consideration, our study concluded that this fit better with the archival principles set out under the Transparency theme, which is also the theme to which it is assigned in the Fjeld report. Overall, the closest alignment between archival access principles and those in *Principled Artificial Intelligence* may be with the Access to Technology principle, under the Promotion of Human Values theme.

The Access to Technology principle is certainly the most closely aligned with archival access principles. It is described in the Fjeld study as representing "statements that the broad availability of AI technology, and the benefits thereof, is a vital element of ethical and rights-respecting AI."[122] The ITI *AI Policy Principles* reflect this principle from an economic perspective:

> Democratizing Access and Creating Equality of Opportunity: While AI systems are creating new ways to generate economic value, if the value favors only certain incumbent entities, there is a risk of exacerbating existing wage, income, and wealth gaps. We support diversification and broadening of access to the resources necessary for AI development and use, such as computing resources, education, and training, including opportunities to participate in the development of these technologies.[123]

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[117] ICA, Code of Ethics, #6.

[118] GARP (2014), "Principle of Availability."

[119] IGP, Code of Ethics, #2.

[120] ACA, Code of Ethics and Professional Conduct, 3.c.

[121] Fjeld, *Principled Artificial Intelligence* (2020), p. 44.

[122] Fjeld, *Principled Artificial Intelligence* (2020), p. 61.

[123] ITI Council, AI Policy Principles (2017), p. 5. The ITI Council has since published two further policy documents: 1) ITI's Global AI Policy Recommendations (March 2021) and 2) ITI Policy Principles for Enabling Transparency of AI Systems (September 2022).

Japan's "Social Principles of Human-centric AI" also address access to AI technology from national and corporate perspectives under a principle of Fair Competition:

> Even if resources related to AI are concentrated in a specific country, we must not have a society where unfair data collection and infringement of sovereignty are performed under that country's dominant position.

> Even if resources related to AI are concentrated into specific companies, we must not have a society where unfair data collection and unfair competition take place using their dominant position.[124]

Knowledge theme

Principles in this theme fall into the following three categories: 1) knowledge of archival concepts and theory; 2) knowledge of how to apply archival concepts and theory; and 3) contributing to the development of theory and practice. Principles from the first category are found in virtually every code reviewed. The phrasing of the principles often seems to equate "knowledge" with "expertise." However, in this discussion the terms are distinguished, with the former referring to theoretical concepts or abstract knowledge, and the latter referring to applied knowledge; e.g. the distinction between *knowing* the principle of provenance and knowing how to *apply* it in processes such as appraisal or preservation.

Principles under this theme
56% Adhere to accepted archival principles
37% Seek advice from those with expertise
42% Collaborate with others in the field / relevant fields
63% Maintain proficiency and contribute knowledge
59% Contribute to the professional growth of others in the field
Percentage reflects the number of documents in the dataset (n=41) having statements coded to each principle.

Principles from the second category are generally not included here, having been assigned to the relevant functional principles, e.g. Preserve authenticity (Trustworthiness of Records theme) or Promoting efficient access (Access theme). Principles regarding compliance with applicable laws and regulations, while requiring knowledge, have been assigned to Compliance (Accountability theme). Principles from the third category recognize the evolving nature of record keeping and the need to re-assess theory and adapt existing/develop new practices for preserving records and making them accessible so that they continue to benefit society.

Adhere to accepted archival principles

A specific and unique body of knowledge is a key element of any profession, with practice then informed and guided by that knowledge. This is clearly reflected in the ICA's admonition to archivists to

> perform their duties and functions in accordance with archival principles, with regard to the creation, maintenance and disposition of current and semi-current records, including electronic and multimedia records, the selection and acquisition of records for archival custody, the

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[124] Japanese Cabinet Office, Council for Science, Technology and Innovation, "Social Principles of Human-Centric AI" translation (2019), pp. 9-10.

safeguarding, preservation and conservation of archives in their care, and the arrangement, description, publication and making available for use of those documents.[125]

Generally speaking, the specific principles or concepts referred to are provenance and original order. These principles form much of the foundation of professional literature and educational programming at the university and continuing education levels.

It may be asked why the archival profession requires the principle that its practitioners should follow professional theory and concepts. The principle of provenance has evolved throughout its fairly long history, over which the extent of its adoption has varied from one jurisdiction to another. Shelley Sweeney provides the following delightfully evocative description of the concept in a 2008 article:

> The term "provenance" is like a railroad train that picks up and discharges passengers at stations as it rumbles along its circumscribed path through the countryside.[126]

This evolution of what constitutes 'accepted' principles continues. For example, the codes of the IGP and ICRM, whose membership is presumably dominated by those managing active records, both include principles expecting members to "strive for continuing proficiency and effectiveness in their profession" (ICRM) or maintain "professional competence in all areas of responsibility" (IGP) but make no mention of "accepted principles."[127]

Seek advice from those with expertise
Recognizing the breadth of knowledge needed to fulfil the archival mission, this principle reflects the limitations of specifically archival knowledge and recognizes that archival objectives cannot be achieved without expertise from other domains. A number of codes urge records keepers to consult with and be guided by those with specific expertise. Such specific expertise may be technological or legal in nature, e.g. the ACA code expects archivists to "proactively engage with colleagues in other fields, particularly those related to information technology, in order to increase mutual understanding and consideration of the medium- to long-term consequences inherent in innovation and technological change," while the GARP advises that conducting "[l]egal research and consultation with legal counsel must be completed to satisfy fiscal retention requirements."[128]

Collaborate with others in the field/relevant fields
This collaborative principle is closely related to the preceding one and contains an expectation and admonition for records keepers "to cooperate and collaborate with other archivists in the profession, as well as with all individuals, communities, and organizations performing archival work."[129] Whereas the preceding principle urges records keepers to seek expert advice, this principle seems to incline more

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[125] ICA, Code of Ethics, #2.

[126] Sweeney, Shelley, "The Ambiguous Origins of the Archival Principle of 'Provenance'," *Libraries & the Cultural Record*, Vol. 43, No. 2 (2008), p. 207.

[127] ICRM, Code of Conduct, and IGP, Code of Ethics, #10.

[128] ACA, Code of Ethics and Professional Conduct, 8.b., and GARP (2014), "Principle of Retention."

[129] SAA, Core Values Statement and Code of Ethics, "Professional Relationships."

towards the exchange of expert knowledge within the record keeping community and across related fields, e.g. information technology.

<u>Maintain proficiency and contribute knowledge</u>
Most codes include the principles that practitioners must be competent at all times and contribute their knowledge and experience to the broader community, e.g. the ICRM code expects that members will "strive for continuing proficiency and effectiveness in their profession and…contribute to further research, development, and education."[130] Recognizing that the archival field is both dynamic and broad, this principle contains not only an implicit assumption that incompetence will reflect badly on records keepers, archival institutions, and society in general, but will also undermine archives' benefits and increase their harms to society at large.

In some instances, there is also an element of validation for the association to which an individual records keeper may belong. For example, the IGP code not only expects its members to "maintain professional competence in all areas of responsibility" but also to accept "responsibility for maintaining [IGP certification] through re-certification."[131] As with the IGP, the ARA code expects its members to

> be aware of, acknowledge, and where appropriate seek to address any limitations of their professional understanding and ability. Should any member recognise that their professional work requires expertise that they lack or is not covered by their training, they should seek advice from an individual or organisation with the necessary expertise…[132]

<u>Contribute to the professional growth of others in the field</u>
This principle has much in common with sharing knowledge generally, but the principles coded to this one all include specific reference to supporting or mentoring others: e.g. the ASA code expects archivists to "assist [in] the professional growth of others with less training and experience where appropriate."[133] Some principles assigned here explicitly reference related fields, e.g. the ARANZ code expects its members to "encourage professional education and training, and participate in the mentoring or training of archivists, records keepers, curators, librarians and others."[134]

Comparison with AI Principles
There is no equivalent theme regarding knowledge in *Principled Artificial Intelligence.* This may be due to the absence of any consolidated body of knowledge for the AI community.[135] The scope of the AI field includes many fields of study including data science, computer science, engineering, etc., all of which have established their respective bodies of knowledge. There are, however, some similarities with the principles of *Collaborate with others in the field/relevant fields* and *Maintain proficiency and contribute knowledge*. For example, the discussion of the "Open Source Data and Algorithms" principle refers to

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[130] ICRM, Code of Conduct.
[131] IGP, Code of Ethics, #10 and 11.
[132] ARA, Code of Ethics, #7.
[133] ASA, Code of Ethics, 2.5.1.
[134] ARANZ, Code of Ethics.
[135] According to its website, the Software Engineering Institute at Carnegie Mellon University initiated a project in 2022 entitled Artificial Intelligence Engineering Body of Knowledge.

the Montreal Declaration in connection with the value of developing common algorithms and the IA Latam "[c]ommitment to open inquiry, intellectual rigor, integrity and collaboration."[136] the value of open research and collaboration to support the advancement of the technology. Similarly, the characterisation of the "Multistakeholder Collaboration" principle, which includes, for example, The Toronto Declaration's call for "active participation of, and meaningful consultation with, a diverse community, including end users, during the design and application of machine learning systems"[137] echoes the archival recognition of the need to *Seek advice from those with expertise*.

Transparency theme

Almost all the archival codes reviewed here include one or more transparency principles. Some are simple declarations, e.g. ensuring "that all practices are as transparent as possible,"[138] but many emphasize quite specific statements regarding actions of records keepers, e.g. "To properly document any restoration/preservation decisions,"[139] and processes, e.g. "The organization must also document its disposition process."[140] The emphasis on documenting processes and decisions complements principles relating to accountability. These principles, along with

> Principles under this theme
> 22% Access transparency
> 27% Custodial transparency
> 34% Preservation transparency
> 42% Procedural transparency
> 12% Program transparency
> 37% Transparency in general
> *Percentage reflects the number of documents in the dataset (n=41) having statements coded to each principle.*

those reflected in the *Compliance* principle described above, may reflect the absence of accountability mechanisms or bodies specific to the record keeping community.

Some codes also acknowledge that the agency of those abiding by them may be constrained. For example, the ICA's code clearly recognizes that adherence "is dependent upon the willingness of archival institutions and professional associations to implement it"[141] and that individuals "may ultimately be bound by the terms of their employment to implement decisions that may conflict with this Code."[142] Members of the ARA "shall not be deemed to have breached the Code, providing they can clearly document their recommendations or actions and show that they have been given an instruction that compels them to act accordingly."

<u>Access Transparency</u>
The principles grouped here address placing, documenting, and communicating restrictions on access to records, e.g. the SAA code expects that archivists will "maintain transparency when placing these restrictions, documenting why and for how long they will be enacted."[143] The ICA code expects archivists to advise users when "restricted documents have been temporarily removed from a file."[144] Although not necessarily involving restrictions on access, the ARA code urges archivists to clearly label "potentially

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[136] Université de Montréal, <u>Montréal Declaration for a Responsible Development of Artificial Intelligence</u> (2018), #6.7, and IA Latam, <u>Declaración de Principios Éticos Para La IA de Latinoamérica</u> (2019), #11 [translation by Google Translate].

[137] <u>The Toronto Declaration</u> (2018), #21.

[138] NAGARA, <u>Code of Ethics</u>, "Transparency."

[139] AMIA, <u>Code of Ethics</u>, IV.

[140] GARP, "Principle of Disposition."

[141] ICA, <u>Code of Ethics</u>, Introduction, F.

[142] ARA, <u>Code of Ethics</u>, "Purpose."

[143] SAA, <u>Core Values Statement and Code of Ethics</u>, "Privacy."

[144] ICA, <u>Code of Ethics</u>, #3.

distressing items" and warn "those who are likely to come into contact with such items."[145] By making restrictions known, transparency contributes to *Provide equitable access*, described above. The principles are less clear on the specific reasons why restrictions might be put in place. At least some of those reasons are addressed in the discussion of the "Privacy of record creators and subjects (and donors) principle" described in the *Privacy and Confidentiality* theme below.

Some codes detail the grounds for establishing restrictions, but it is not clear that the respective association considers these lists to be exhaustive or simply illustrative. For example, the SAA Code recognizes "legal and ethical access restrictions including public statutes, cultural protections, donor contracts, and privacy requirements," and also emphasizes that any restrictions applied should be developed in consultation with "creators, donors, organizations, and communities."[146] The ARANZ code expects that its members "will at all times adhere to accepted principles of privacy, commercial sensitivity and national security."[147]

Custodial Transparency
Principles that directly or indirectly focus on custody of records over time address

- aspects of custody including the SAA's expectation that archivists will "use appraisal and evidentiary provenance documentation to provide transparent information about the authenticity and origin of archival materials"[148]
- disposition, e.g. the ACA's admonition to "document all decisions to deaccession or destroy records" and the GARP's documentation requirement for all transfers of records "to an historical archives, library, or museum."[149]
- acquisition, e.g. the ARA's expectation that its members not "accept into their custody or carry out work on documents which they have reason to believe have been acquired through illegal or unethical means."[150]

With the likely exception of principles pertaining to disposition, transparency relating to documentary origins would likely be limited to the archivists involved and their respective institutions.

Preservation transparency
These principles focus on transparency, usually in terms of documentation, of actions taken to preserve records. The specificity of the principles does vary, with the ACA's code, for example, expecting archivists to "document the elements of a record that have been lost or changed and the likely effects on the reliability, accuracy and authenticity of the records," while the SAA's code urges archivists to "commit to making ethical and transparent decisions about how to provide care for the documents, records, and materials entrusted to them."[151]

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[145] ARA, Code of Ethics, #34.

[146] SAA, Core Values Statement and Code of Ethics, "Access and Use"/ Core Values of Archivists and "Access and Use"/ Code of Ethics. (NB: these SAA principles are assigned to the "Promote widest possible access" and "Provide equitable access" principles, respectively: see the *Access* theme below.)

[147] ARANZ, Code of Ethics. (NB: the ARANZ principle is assigned to the "Respect privacy and confidentiality" principle, see the *Privacy and Confidentiality* theme below.)

[148] SAA, Core Values Statement and Code of Ethics, "Authenticity."

[149] ACA, Code of Ethics and Professional Conduct, 2.e, "Preservation," and GARP, 2014, "Principle of Disposition."

[150] ARA, Code of Ethics, #10.

[151] ACA, Code of Ethics and Professional Conduct, 2.c., and SAA, Core Values Statement and Code of Ethics, "Responsible Stewardship."

Procedural transparency

Most codes contain principles urging transparency in connection with the documentation of record keeping processes. As with other transparency principles, statements regarding transparent processes may be general in nature, e.g. the ICA's expectation that archivists will "record, and be able to justify, their actions on archival material,"[152] while others can be quite specific, e.g. the ARA's requirement to keep "a permanent record documenting the rationale for appraisal and conservation decisions."[153] Also included here are principles that simply list processes, e.g. the ACA's assertion that archivists document their "decisions regarding the selection, acquisition, description, deaccessioning, destruction, and provision of access to records."[154] The NAGARA code goes beyond the simple requirement to document activities, expecting that such documentation be "concisely and plainly articulated."[155]

Program transparency

Program transparency is distinguished from other transparency principles in that it governs all the underlying processes that comprise the functions of an organizational unit, whether that unit is simply a program area in a larger organization or constitutes the totality of an organization. For example, the GARP states as a requirement that every

> organization must therefore create and manage the records documenting its records and information management program and program activities to ensure that its structure, processes, and activities are apparent, understandable, and reasonably available to legitimately interested parties.[156]

This is similar to the SAA's code, which expects records keepers to "be transparent about their role in the selection, retention, and creation of the historical record by carefully documenting all collections-related policy decisions, including preservation treatments, descriptive work, processing activities, and access guidelines."[157] With regard to the use and management of its assets, the IASA's code includes a comprehensive principle that all "transactions are to be reflected properly and accurately in the accounting and administrative records."[158]

Transparency in general

Some codes include general statements—i.e. not linked to a specific context or function—regarding transparency with regard to the behavior of records keepers. For example, the ARA's code expects that its members will "ensure that their decisions and the justifications for those decisions are transparent."[159] These principles are closely related to the values expressed in principles connected with the trustworthiness of records and records keepers, e.g. the SAA's code urges records keepers to "embrace principles that foster the transparency of their actions and that inspire confidence in the

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[152] ICA, Code of Ethics, #5.

[153] ARA, Code of Ethics, #27.

[154] ACA, Code of Ethics and Professional Conduct, 4.a.

[155] NAGARA, Code of Ethics, "Transparency."

[156] GARP, 2014, "Principle of Transparency."

[157] SAA, Core Values Statement and Code of Ethics, "Judgement."

[158] IASA, Code of Ethics.

[159] ARA, Code of Ethics, #27.

profession."[160] Similarly, the ACA's code promotes active support for "openness, transparency, and information sharing initiatives."[161]

Comparison with AI Principles

The authors of *Principled Artificial Intelligence* note that 94% of the documents that they consulted contained Transparency and Explainability principles.[162] In their report, the principles are distilled into eight common principles under the theme of Transparency and Explainability. The authors further observe that of these eight principles, the following three "are responses to entirely new governance challenges posed by the specific capabilities of current and emerging AI technologies:"[163]

- Explainability;
- Notification when Interacting with AI;
- Notification when AI Makes a Decision about an Individual

The study considers the remaining five principles to be adaptations (for the AI context) of already established aspects of technology governance.

Transparency is likewise a frequently recurring theme in the record keeping community's ethical principles, and for many of the same reasons, predominantly to support values like accountability, equity, and integrity. However, there is no counterpart to the AI community's explainability principle. This is not because the archival community places little importance on explainability; instead, it reflects the assumption that if archival processes and decisions are transparent, they will be understood. The AI principle of explainability, by contrast, is directly linked to the opacity of AI systems that use deep learning or other complex techniques that may be difficult to explain even for experts.

The utility of a hierarchy or ranking of AI systems is an interesting aspect of the discussion of explainability. The importance of explainability derives from the risk level of the AI system, as shown by the U.K.'s 2018 report condemning the deployment of "any artificial intelligence system which could have a substantial impact on an individual's life, unless it can generate a full and satisfactory explanation for the decisions it will take."[164] While archival principles expect archivists to be aware of the sensitivity of the records in their care and take appropriate steps, the concept of ranking archival holdings does not appear in our corpus of archival ethical codes.

"Regular Reporting" has been identified as a common principle in the AI community, with Fjeld *et al* referencing the requirement for systematic disclosures of information regarding the use and operation of AI systems, perhaps most clearly stated in the Toronto Declaration:

> Another vital element of this step is for private sector actors to track their response to issues that emerge during implementation and over time, including evaluation of the effectiveness of responses. This requires regular, ongoing quality assurances checks and real-time auditing through design, testing and deployment stages to monitor a system for discriminatory impacts

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[160] SAA, Core Values Statement and Code of Ethics, introduction to "Code of Ethics for Archivists."

[161] ACA, Code of Ethics and Professional Conduct, 7.a.

[162] Fjeld *et al*, *Principled Artificial Intelligence*, p. 41, n. 170.

[163] Fjeld *et al*, *Principled Artificial Intelligence*, p. 41.

[164] U.K., House of Lords, "AI in the UK: ready, willing and able?" (2018), p. 41.

in context and situ, and to correct errors and harms as appropriate. This is particularly important given the risk of feedback loops that can exacerbate and entrench discriminatory outcomes.[165]

It is worth noting that despite the strong emphasis on transparency in archival ethical codes, there is little to be found concerning regular reassessments of archival decisions and processes.

Trustworthiness of Records keepers theme

Every code reviewed includes, in effect, general principles addressing the trustworthiness of records keepers. Some of these are specific to the archival field, e.g. "Members may use their repository's holdings for personal research and publication purposes, providing the records are publicly available for research purposes and other users' access is not hindered,"[166] while others could easily exist without modification in a code from any other domain, e.g. archivists "should avoid activities that could create in the public mind the appearance of a conflict of interest."[167]

> **Principles under this theme**
> 61% Avoid conflicts of interest
> 15% Do not manipulate records
> 54% Uphold interests of professional associations
> 44% Positive action
> 54% Duty to public interest
> 49% Impartiality
> 73% Respectful behaviour
> *Percentage reflects the number of documents in the dataset (n=41) having statements coded to each principle.*

Principles included under this theme emphasize impartiality, respectful behavior, the avoidance of conflicts of interest, etc., while those admonishing records keepers specifically in connection with record keeping functions are generally coded to the appropriate theme, e.g. admonitions to ensure the preservation of record authenticity are placed within the Trustworthiness of Records theme.

As with all the themes identified in this study, the fundamental social value of access to archival records underpins the principles expressed here. Indeed, a number of codes emphasize the duty for records keepers to behave as honest brokers. That said, more recent codes express a more equivocal attitude to the idea of archival practitioners as honest brokers, such as the statement in the ARA's code "that equality of treatment may amount to discrimination,"[168] and the SAA code observes that "While no element of archival work is unbiased or neutral, archivists still strive to exercise their ethical, professional judgment in the appraisal, acquisition, and processing of materials."[169]

Avoid conflicts of interest

Many codes include principles that refer specifically to conflicts of interest. Some also admonish archivists not to profit inappropriately from the information in their care. For the purposes of coding principal statements, the two types of statements were considered to be the same. The types of conflicts envisioned and the range of stakeholders involved make this principle critical to supporting the claim that general access to authentic records is a benefit to society generally.

Where the types of conflict are detailed, they fall into one of three categories:

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[165] Université de Montréal, Montréal Declaration for a Responsible Development of Artificial Intelligence" (2018), #5.4. The Toronto Declaration (2018), #49.

[166] ARA, Code of Ethics, "B. Impartiality, Fairness and Equity" (#20).

[167] ICA, Code of Ethics, #8.

[168] ARA, Code of Ethics, "B. Impartiality, Fairness and Equity" (Introduction).

[169] SAA, Core Values Statement and Code of Ethics, "Judgment."

- abuse of privileged access to records, usually in regard to research interests, e.g. the ARA's code allows members to "use their repository's holdings for personal research and publication purposes, providing the records are publicly available for research purposes and other users' access is not hindered";[170]
- the collection of archival records or advising collectors, e.g. the ASA's code forbids archivists to "collect archival materials in competition with their employers; nor shall they act as agents to enable others to do so";[171]
- and the receipt of favours or gifts, e.g. the ICRM's code forbids members from accepting "gifts or gratuities from clients, business associates, or suppliers as inducements to influence any procurements or decisions they may make."[172]

Stakeholders with whom conflicts may arise are identified as employers, commercial interests, the professional association to which the archivist belongs, clients, suppliers, and business associates.

<u>Do not manipulate records</u>
Several codes include principles bluntly stating that records keepers should not manipulate records, e.g. the ICA's code urges records keepers to "resist pressure from any source to manipulate evidence so as to conceal or distort facts."[173] This admonition seems hardly necessary, given the strong tone and frequent appearance of principles on the importance of preserving the identity and integrity of records and therewith their value as reliable evidence of past actions. The perceived need to include such stipulations in both the earliest (ASA code) and one of the most recent (SAA code) is striking. Their inclusion may reflect situations in which records keepers may find themselves in a position to manipulate evidence or alter records in ways that are difficult or impossible for others to detect, or in which records keepers are pressured by others to do so.

<u>Uphold interests of the professional association</u>
About half of the codes examined include principles requiring members to act in the best interests of their association. The IASA's code applies exclusively to officers of the association: "IASA Officers shall act primarily in the best interests of IASA."[174] Both the ICRM and IGP codes provide a certification for their members but only the latter explicitly requires its members to "Uphold and abide by the policies of the IGP Certification Board."[175] The ARANZ code expects its members to "promote the aims and objectives of the Archives & Records Association of New Zealand and abide by its Constitution" while ARA members "must seek to promote the objects of the Association…"[176]

<u>Positive action</u>
Included here are principles that expect members to actively address unethical situations or practices. For example, the IGP code obliges members not just to behave ethically themselves but to "[r]eport illegal or unethical practices" and the ICRM code expects members to submit potential violations as soon "as possible after the violation is discovered."[177] This aligns with principles emphasizing the

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[170] ARA, Code of Ethics, #20.

[171] ASA, Code of Ethics, 3.1.4.

[172] ICRM, Code of Conduct.

[173] ICA, Code of Ethics, #1.

[174] IASA, Code of Ethics, "Conflict of Interest."

[175] IGP, Code of Ethics, #13.

[176] ARANZ, Code of Ethics, and ARA, Code of Ethics, "General Requirements on Members."

[177] IGP, Code of Ethics, #6, and ICRM, Code of Conduct, "Claims."

importance of records keepers behaving as honest brokers with a duty to the public. Such principles may also help to bind members more closely to their associations, thereby strengthening the role of the associations themselves. Included in the ASA's code is a resolution mechanism in connection with access to records, stating that "Where arbitration is necessary the matter should be resolved internally by the senior archivist or higher authority, subject to the provisions of 3.6.1, 3.7.1 and 3.7.2."[178]

Duty to the public interest
Principles included here are those that declare the duty of archival professionals but do not stipulate activities or behaviors aimed at addressing injustices. The latter principles have been coded under the *Social Justice* theme. As noted in the introduction to that theme, what constitutes the public interest or society is not defined; however, some codes make reference to the role of archival institutions, such as the ICA's code which acknowledges its dependency on the willingness of institutions "to adopt policies and practices that facilitate [its] implementation."[179]

Given the foundational assumptions that archival records are a public good and that access to them benefits society as a whole, it is not surprising that some codes include specific principles regarding the duty of records keepers to society or the public interest: e.g. the SAA's code asserts that archivists "uphold their social responsibilities through equitable, clearly defined policies and procedures for selection, preservation, access, and use of the archival record."[180] The role of the ARA's code is not limited to providing ethical guidance to its members. It is also a means of advertising ethical standards "to stakeholders connected to members' work and activities, and to the general public, with the aim of promoting trust in the profession and allowing members to be held to account for meeting standards, as well as offering members some measure of protection."[181]

Impartiality
Recognizing that the interests of some stakeholders within "society" or who contribute to "the public interest" may not align with those of others, most codes emphasize the importance of records keepers' impartiality. In some cases the principles require records keepers to "balance" the competing interests of stakeholders, e.g. the ARANZ code expects members to "balanc[e] the rights and interests of employers, owners, subjects and users, both in the present and in the future."[182]

The principle of "Non-neutrality" in the *Social Justice* theme challenges the concept that trust can be built on the purported impartiality of records keepers. Certainly some of the principles included here are close to those related to avoiding conflicts of interest, e.g. archivists "should not benefit financially or otherwise personally to the detriment of institutions, users and colleagues."[183] Others are more general, e.g. "IASA Officers shall remain free from any influence, interests, or relationships that could impair their objectivity or impartiality."[184]

Given that many codes include procedural principles and statements, such as requirements to document actions or decisions, it is worth noting that little guidance is provided as to how exactly records keepers

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[178] ASA, Code of Ethics, 3.6.4.

[179] ICA, Code of Ethics, "Introduction," C. and F.

[180] SAA, Core Values Statement and Code of Ethics, "Social Responsibility."

[181] ARA, Code of Ethics, "Purpose."

[182] ARANZ, Code of Ethics.

[183] ICA, Code of Ethics, #8.

[184] IASA, Code of Ethics.

are to remain impartial or demonstrate their impartiality, despite statements such as "[t]he objectivity and impartiality of archivists is the measure of their professionalism" and "[b]eing impartial is a matter of being motivated only by the right considerations."[185]

<u>Respectful Behavior</u>
Most of the codes contain principles regarding respectful behavior to colleagues, researchers, donors, etc. Words like truthfulness, honesty, integrity, fairness, mutual respect, dignity, and empathy are used to describe respectful behavior.

A small subset of principles here specifically address archivists' responsibility to their employing institutions, ranging from the ASA's caution to archivists not to "make false claims in their curriculum vitae, biographical notices and the like"[186] to that of the ARA, in which members are expected to "take into account when their behaviour outside the workplace might reflect on the profession or their employer."[187] The ASA's code also expects archivists to "report to their employers all personal research activities based upon the records in their institution's care."[188]

Many of these principles are not specific to archival work and could easily be found in codes from any other field, but there are some exceptions, e.g. the ICA's code prohibits archivists from using their knowledge of unpublished research findings "without first notifying the researchers about the intended use by the archivist."[189]

Comparison with AI Principles
None of the principles examined in *Principled Artificial Intelligence* speak to the sort of general behavioral principles reflected in the records keeping community's codes, but it is clear that an expectation of respectful behavior is implicit throughout. It would be impossible for members of the AI community to fulfil the majority of the principles expressed—e.g. Responsible Design, Human Values and Human Flourishing, etc.—without a high level of personal integrity.

Considering AI principles in the context of archival work brings out some interesting issues. For example, a common perception of 'data' is that it is something raw or unprocessed, derived from facts, and produced by disinterested machines. It is clear throughout *Principled Artificial Intelligence* that this is not so, but nevertheless phrases like "data driven decision-making" have created an image of data as something that is "logical and concrete in a way that gut instinct and intuition simply aren't."[190] Devon Mordell has noted the potential of this image of data "to reinvigorate deeply entrenched beliefs regarding the impartiality of the archivist."[191]

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[185] ICA, Code of Ethics, #1, and ARA, Code of Ethics, introduction to "B. Impartiality, Fairness and Equity."

[186] ASA, Code of Ethics, 2.4.3.

[187] ARA, Code of Ethics, "Application."

[188] ASA, Code of Ethics, 3.6.4.

[189] ICA, Code of Ethics, #8.

[190] Tim Stobierski, "The Advantages of Data-Driven Decision-Making" (originally published 26 August 2019, updated 19 February 2021), *Harvard Business School Online / Business Insights.* NB: this reference is not to suggest that Mr. Stobierski advocates using data without being aware of its provenance and limitations. However, the limited availability of data is not addressed in the piece.

[191] Devon Mordell, "Critical Questions for Archives as (Big) Data," *Archivaria*, p. 148.

Some of the objectives from the record keeping community's codes regarding Positive Action and Duty to the Public Interest are at least implicit in some of the principles examined in *Principled Artificial Intelligence*. The following examples illustrate a broad, common alignment with the record keeping values represented by the Positive Action and Duty to the Public Interest principles:

> Continuous research on the potential risks of Augmented Intelligence, Artificial General Intelligence (AGI) and Superintelligence should be encouraged. Strategic designs should be considered to ensure that AI will always be beneficial to society.[192]
>
> — Beijing AI Principles

> The aim of teaching ethics is rather to pass on to the future architects of a digital society the conceptual tools they will need to identify and confront the moral issues they will encounter— within the context of their professional activities—in a responsible fashion.[193]
>
> — For a Meaningful Artificial Intelligence: Towards a French and European Strategy

> Building trust will require articulating standards and best practices for two groups of agents involved in the deployment of A/IS: creators and operators.[194]
>
> — IEEE , p. 233.

It is worth observing that many of the documents reviewed in *Principled Artificial Intelligence* primarily address a broader audience than the record keeping codes examined here, the primary focus of which is on one or two professions.

Privacy and confidentiality theme

Given that privacy protection is a legal obligation in almost all jurisdictions, it is not surprising that, almost without exception, every record keeping code emphasises the need to protect privacy and confidentiality. Broadly speaking, privacy refers to the safeguarding of personal information and/or the activities of individuals and communities, whereas confidentiality focuses on safeguarding proprietary information or information relating to security. Codes often refer to privacy and confidentiality in very broad terms, but they also delineate the roles that archivists have in protecting the privacy of specific actors. In addition, several codes discuss the importance of having systems and procedures in place to protect privacy and confidentiality.

> Principles under this theme
> 49% Privacy and confidentiality in general
> 51% Privacy of specific stakeholders
> 20% Establish and follow procedures to protect privacy and confidentiality
> *Percentage reflects the number of documents in the dataset (n=41) having statements coded to each principle.*

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[192] Bruce Sterling, The Beijing Artificial Intelligence Principles, *Wired* (1 June 2019). This reference is found in *Principled Artificial Intelligence* on p. 58.

[193] Cédric Villani, For a Meaningful Artificial Intelligence: Towards a French and European Strategy 2018, p. 120. This reference is found in *Principled Artificial Intelligence* on p. 57.

[194] The IEEE Global Initiative on Ethics of Autonomous and Intelligent Systems, Ethically Aligned Design: A Vision for Prioritizing Human Well-being with Autonomous and Intelligent Systems, First Edition," 2019, p. 233. This resource is indirectly referenced in *Principled Artificial Intelligence*, which notes the recommendation in India's AI strategy to embed best practices in the design of AI systems. NITI Aayog, "National Strategy for Artificial Intelligence" (2018), p. 87 and elsewhere.

Ethical considerations around protecting privacy and confidentiality are complicated by the ways in which they intersect with core archival duties. Archivists work to provide access to records, but as the preamble to the ACA code highlights, this can conflict with protecting privacy, so that archivists are required to strike "a balance between the needs of an open and democratic society and those of the communities represented in records or archival holdings so as to ensure the ethical management of culturally sensitive materials."[195] This dynamic is particularly fraught when individuals or communities have not consented to their representation in records. This is reflected in the ARA's code, which includes a non-exhaustive list of five quite specific exceptions to the expectation that its members "seek to ensure that information subjects have given consent for information about them to be stored subject to the provisions of current data protection legislation."[196] This theme is closely associated with principles in the *Access* and *Accountability* themes.

Privacy and confidentiality in general

Grouped here are broad or general statements that recognize the importance of respecting privacy and confidentiality. Statements that are more specifically focused are assigned to the following principles. General principles tend to focus on the privacy rights of persons without making specific reference to records, e.g. "Protect the privacy of individuals;"[197] and so are more of an acknowledgement of the general legal right to privacy. Other codes are similarly open-ended with regard to confidential information, e.g. the ARANZ code requires members to "adhere to accepted principles of privacy, commercial sensitivity and national security."[198] The ICA code clarifies that privacy and confidentiality should not come at the expense of the information contained in records, stating that care should be taken "that corporate and personal privacy as well as national security are protected without destroying information."[199]

Privacy of specific stakeholders

Beyond general principles regarding the protection of privacy and confidential information, the codes examined here also include principles addressing the privacy of specific stakeholders, including records creators, subjects, donors, and users. Some principles group record creators and record subjects together, e.g. the ICA's code requires records keepers to "respect the privacy of individuals who created or are the subjects of records, especially those who had no voice in the use or disposition of the materials."[200] The ARA's code likewise emphasizes the right to privacy "especially [for] those who had no voice in the creation use or disposition of the documents."[201] Principles regarding the protection of records subjects' privacy are connected to those found within "Support for Underrepresented/Marginalized Communities" in the *Social Justice* theme above.

Some codes contain specific principles regarding record users' privacy and confidentiality. Generally, archivists must not divulge users' research interests or findings. For example, the ASA code expects records keepers not to "carelessly betray the research interests of one user to another."[202] The SAA code expands expectations around user privacy to include maintaining "the confidentiality of their research

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[195] ACA, Code of Ethics and Professional Conduct, preamble.

[196] ARA, Code of Ethics, #29.

[197] IGP, Code of Ethics, #5.

[198] ARANZ, Code of Ethics.

[199] ICA, Code of Ethics, #7.

[200] ICA, Code of Ethics, #7.

[201] ARA, Code of Ethics, #28.

[202] ASA, Code of Ethics, 3.7.2.

and protecting any personal information collected about the users in accordance with their institutions' policies."[203] Of the codes examined, only the ASA code specifically addresses the privacy of donors, expecting archivists to "respect the rights of donors or informants by appropriate public acknowledgement of their contributions or not, according to their wishes."[204]

<u>Establish and follow procedures to protect privacy and confidentiality</u>
Closely related to the principles within the themes of **Accountability** and **Trustworthiness of Records**, this principle asserts that it is the records keeper's responsibility to "establish procedures and policies to protect the interests of the donors, individuals, groups, and organizations whose public and private lives and activities are documented in archival holdings."[205] This principle includes measures aimed at protecting records throughout their lifecycle, e.g. the GARP prescribes that "each system must have an appropriate security structure so only personnel with the appropriate level of security or clearance can gain access to the information."[206] Responsibilities of records keepers also encompass the destruction of records, with the ACA code setting the expectation that "to the extent that it is within our power… records authorized for destruction are [to be] destroyed promptly and in a way consistent with their significance and sensitivity so that they cannot be recovered without resort to extraordinary measures."[207]

Comparison with AI Principles
All of the documents examined in *Principled Artificial Intelligence* address privacy protection in some manner.[208] It is clear that the records and the AI communities place great importance on privacy protection, and it seems that most principles expressed by both are "broad statements on the relevance of privacy protections to the ethical or rights-respecting development and deployment of AI."[209] Likewise, the Fjeld study comments that many of the documents "root the privacy principle in compliance with law" while others, including the OECD and G20 AI principles, ground privacy in a rights framework.[210]

However, looking beyond these broadly expressed privacy principles, it seems that the perspectives of the two communities differ substantially. Generally speaking, the codes of the archival community emphasize the responsibility of records keepers to appropriately protect the privacy of the stakeholders involved, whereas AI principles emphasize control of information by those to whom it pertains, e.g. in statements regarding control over data, consent, ability to restrict processing, rights of rectification and erasure, ability to appeal, explainability, notification, ability to opt out, etc. Another distinction between the two communities is notable in the prominence given to the *Privacy by Design* principle in Principled

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[203] SAA, <u>Core Values Statement and Code of Ethics</u>, "Privacy."

[204] ASA, <u>Code of Ethics</u>, 3.7.3.

[205] SAA, <u>Core Values Statement and Code of Ethics</u>, "Privacy."

[206] GARP, 2014, "Principle of Protection."

[207] ACA, <u>Code of Ethics and Professional Conduct</u>, 4.b.

[208] *Principled Artificial Intelligence* does not code the "<u>Universal Guidelines for AI</u>" (2018) published by The Public Voice Coalition as addressing the privacy theme. Fjeld, <u>*Principled Artificial Intelligence*</u> (2020), p. 21, n. 21. It is worth noting that in the <u>Explanatory Memorandum and References</u> (October 2018) it states that the Guidelines were announced at the "2018 International Data Protection and Privacy Commissioners Conference." It also states that the "elements of the Transparency Principle can be found in several modern privacy laws, including the US Privacy Act, the EU Data Protection Directive, the GDPR, and the Council of Europe Convention 108."

[209] Fjeld, <u>*Principled Artificial Intelligence*</u> (2020), p. 26.

[210] Fjeld, <u>*Principled Artificial Intelligence*</u> (2020), p. 26-27.

Artificial Intelligence, which places "an obligation on AI developers and operators to integrate considerations for data privacy into the construction of an AI system and the overall lifecycle of the data."[211] The integrated or holistic nature of privacy by design is not reflected in the principles of the record keeping community.[212]

Both communities likewise have principles referring to other types of confidential information, e.g. proprietary information, but these other types are not reflected with the same prominence as personal information. As with statements regarding privacy, principles regarding other types of confidential information in the record keeping community are broad in nature, e.g. "Members will at all times adhere to accepted principles of privacy, commercial sensitivity and national security."[213] Similarly, comments on commercial or proprietary information in *Principled Artificial Intelligence* note the need for a "balance between transparency and the potential negative effect of open source policies on algorithmic innovation."[214]

Limitations of the study

In this report, the choice to use themes imposed an artificial structure on the principles contained in the codes reviewed. It made sense to use themes, however, because many principles express very similar values, sometimes even copying terms or phrases from earlier codes. However, the process of choosing themes and deciding how to use them was fraught with challenges. For example, should principles regarding access and use be grouped under two separate themes? Access may be considered abstractly, eg, "...make records available to the widest possible audience,"[215] while statements about use tend to be action-focused, e.g. "encourage the use of [archives] to the greatest extent possible, consistent with institutional policies, the preservation of holdings, legal considerations, individual rights, and donor agreements,"[216] while other statements seem almost to equate one with the other, e.g. "Expand access and usage opportunities for users, and potential users, of archival records."[217] In this particular instance, the study team chose to group principles relating to access and use together under the Access theme. Further information on this limitation can be found in the 'Setting themes and assigning principles' section, above.

Language was another limiting factor. Almost all the codes studied existed only in English or were available in an English translation at the source. Some codes in languages other than English were included in the study using AI-driven translations. These are reproduced in Appendix 3. The use of English-language search terms for our research may also have led us to overlook relevant codes in other languages.

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[211] Fjeld, *Principled Artificial Intelligence* (2020), p. 25.

[212] The glossary of the International Association of Privacy Professionals (IAPP) states the following under Privacy by Design (PbD): "Generally regarded as a synonym for Data Protection by Design (see Data Protection by Design). However, Privacy by Design as a specific term was first outlined in a framework [see here] in the mid-1990s by then-Information and Privacy Commissioner of Ontario, Canada, Ann Cavoukian, with seven foundational principles."

[213] ARANZ, Code of Ethics.

[214] Fjeld, *Principled Artificial Intelligence* (2020), p. 44.

[215] ACA, Code of Ethics and Professional Conduct, #3, "Access."

[216] ICA, Code of Ethics, #6.

[217] SAA, Core Values Statement and Code of Ethics, "Overview."

The selection of codes to include in the scope of the study is another limitation. Generally, codes were included where members of the study team felt they were influential. The limitations of this decision-making are detailed in the 'Identifying Applicable Codes' section, above.

This study made no attempt to determine whether today's understanding of a principle is the same as its original intended meaning. If a code was presented as current by the adopting organization, then we considered it valid to consider its principles in today's context. That said, the differing ages of the archival codes reviewed must be considered another limitation, given that the codes range over almost three decades, a time of significant change both within the archival community (with, for example, the development of graduate-level study programs) and the wider society (the evolution and growth of the internet, online service delivery, social media, etc).

In the comparisons made with the AI principles from *Principled Artificial Intelligence*, no effort was made to address the economic asymmetry of the two communities and how that might influence what principles were emphasized or framed. Nor was there any attempt to assess how the different compositions of the two communities, one dominated by professional associations and the other a much more heterogenous one that includes governments, private sector, civil society, multistakeholder, and inter-governmental organizations, might have influenced the shaping of their respective principles. The maturity of the concepts central to each community may also differ in ways that may have influenced the articulation of these principles. Certainly one consideration is that the much longer history of the archival community may mean that its concepts are not—or at least no longer—disruptive in the same way as those evolving in the AI community. The far larger economic impact of AI may act as a multiplier for the disruptive nature of the technology.

Next phase

Establishing this framework of ethical principles from the archival community completes the first phase of the study. The next phase will apply the two frameworks: this one and that embodied by the *Principled Artificial Intelligence* report.

Study team members will use these frameworks to review reports from the InterPARES Trust AI studies. These reviews will note which ethical principles from both frameworks appear to be relevant to each study and how they were addressed by it. These findings will then be considered in terms of how existing ethical principles in the two communities might be adapted to emerging realities

Appendix 1: Abbreviations

AAC: Associació de Professionals de l'Arxivisticai la Gestió de Documents de Catalunya
AAQ: Association des Archivistes du Québec
ACA: Academy of Certified Archivists
ACA: Association of Canadian Archivists
ACRL: Association of College and Research Libraries
AHDI: Association for Healthcare Documentation Integrity
AI: Artificial Intelligence
AIC: American Institute for Conservation
AMA: American Medical Association
AMIA: Association of Moving Image Archivists
ANAI: Associazione Nazionale Archivistica Italiana
APDIS: Associação Portuguesa de Documentação e Informação na Saúde / Associação Portuguesa de Bibliotecários, Arquivistas e Documentalistas / Associação Portuguesa para o Desenvolvimento da Informação Científica e Técnica
ARA: Archives and Records Association (UK & Ireland)
ARANZ: Archives & Records Association of New Zealand
ARMA: [formerly] Association of Records Managers and Administrators
ASA: Australian Society of Archivists
ATSILIRN: Aboriginal and Torres Strait Islander Library Information and Resource Network, Inc.
CAPC: Canadian Association of Professional Conservators
ECCO: European Confederation of Conservators-Restorers Organisations
FIAF: International Federation of Film Archives
GARP: Generally Accepted Recordkeeping Principles
i-SIGMA: International Secure Information Governance & Management Association
IASA: International Association of Sound and Audiovisual Archives
ICA: International Council on Archives
ICRM: Institute of Certified Records Managers
IEEE: Institute of Electrical and Electronics Engineers
IGP: Information Governance Professional (ARMA)
IMIA: International Medical Informatics Association
ITI: Information Technology Industry
LAC: Library and Archives Canada
NAGARA National Association of Government Archives & Records Administration
RIMPA: Records and Information Management Global
RN: Restauratore Nederland
SAA: Society of American Archivists
SASD: Slovenský archiv sociálnych dát
SCR: see SKR
SKR: Schweizerischer Verband für Konservierung und Restaurierung / Association suisse de conservation et restauration / Associazione svizzera di conservazione e restauro
UN: United Nations
UNESCO: United Nations Educational, Scientific & Cultural Organization
WIPO: World Intellectual Property Organization

Appendix 2: Archival codes included in study

The codes are listed here by date of adoption and were drawn from several sources, including ICA partners and internet searches. The codes comprising the baseline set are shown in bold text were used to establish the structure of against which the remaining archival codes were coded.

Australian Society of Archivists	Code of Ethics	1993
United Nations	Mataatua Declaration on Cultural and Intellectual Property Rights of Indigenous Peoples	1993
American Institute for Conservation	Code of Ethics	1994
International Council on Archives	Code of Ethics	1996
International Federation of Film Archives	Code of Ethics	[1998?]
Associação Portuguesa de Documentação e Informação na Saúde / Associação Portuguesa de Bibliotecários, Arquivistas e Documentalistas / Associação Portuguesa para o Desenvolvimento da Informação Científica e Técnica	Código de Ética	1999
Canadian Association of Professional Conservators / …for Conservation of Cultural Property	Code of Ethics and Guidance for Practice	2000
American Medical Association	Code of Medical Ethics (Chapter 3)	2001
European Confederation of Conservator-Restorers' Organisations	Code of Ethics	2003
Archives & Records Association of New Zealand	Code of Ethics	2006
First Archivists Circle	Protocols for Native American Archival Materials	2007
Slovenský archiv sociálnych dát [Slovak archive of social data]	Etický kódex	2007?
Association of Moving Image Archivists (AMIA)	Code of Ethics	2010
World Intellectual Property Organization (WIPO)	Protection of Traditional Knowledge	2010
Aboriginal and Torres Strait Islander Library Information and Resource Network, Inc.	Protocols for libraries, archives and information services	2012
SKR : SCR (Schweizerischer Verband für Konservierung und Restaurierung / Association suisse de conservation et	Ehrenkodex	2012

restauration / Associazione svizzera di conservazione e restauro)

ARMA	Generally Accepted Recordkeeping Principles (GARP)	2014
United Nations	Rule of Law Tools for Post Conflict States: Archives	2015
International Medical Informatics Association	Code of Ethics	2016
Association of Canadian Archivists	Code of Ethics and Professional Conduct	2017
Associazione Nazionale Archivistica Italiana	Codice Deontologico	2017
International Association of Sound and Audiovisual Archives	Code of Ethics	2017
National Association of Government Archives & Records Administration	Code of Ethics	2019
Restauratore Nederland (RN)	Code of Ethics	2019
Archives and Records Association (UK & Ireland)	Code of Ethics	2020
Association of College and Research Libraries	Code of Ethics for Special Collections Librarians	2020
Society of American Archivists	Core Values Statement and Code of Ethics	2020
Institute of Certified Records Managers	Code of Conduct	2021
Academy of Certified Archivists	Role Delineation Statement for Professional Archivists	2021
Records and Information Management Global (RIMPA)	Ethical Practice and Code of Professional Conduct Professionals	2022
Steering Committee on Canada's Archives	Reconciliation Framework	2022
ARMA/Information Governance Professional (IGP) Code of Ethics		**undated**
Assembly of First Nations	First Nations Ethics Guide on Research and Aboriginal Traditional Knowledge	undated
Associació de Professionals de l'Arxivistica i la Gestió de Documents de Catalunya	Codi deontològic dels arxivers catalans	undated

Association des Archivistes du Québec	Code de Déontologie	undated
Association for Healthcare Documentation Integrity	Code of Ethics	undated
Association of Israeli Archivists	Declaration on Archive [covenant]	undated
International Secure Information Governance & Management Association (i-SIGMA)	Code of Ethics	undated
Library and Archives Canada	Code of Conduct: Values and Ethics	undated
Tata Central Archives	Code of Ethics	undated
The New School [university], Archives and Special Collections	Code of Ethics	undated

Appendix 3: Translated codes

Included here are the AI-driven translations used by the study team for codes that were not available in English from the source website. Translations were reviewed by Jim Suderman and in some instances modified when the translation made no sense. Regrettably this situation arose repeatedly in the effort to include the *Código de Ética* of the Asociación Uruguaya de Archivólogos here. It is only for this reason that it was not included in this study.

Association des archivistes du Québec (AAQ)

Code de déontologie

CODE OF ETHICS

PREAMBLE

The Code of Ethics of the Association des archivistes du Québec (AAQ) is an affirmation of the social and professional mission of archivists and the collective and personal ethics that flow from it. The text is divided into four (4) parts: definitions, social mission statement, professional mission statement and ethical elements.

DEFINITIONS

In this preamble, unless the context indicates otherwise, the following definitions apply

- archivist: a person who is engaged in the management of information, both organic and recorded [Statutes of the Association des archivistes du Québec];
- client: a person with whom the archivist interacts in the performance of his or her duties
- ethics: the specific ethics in professions whose tasks transcend the functional rules of the production and exchange society [O. Höffe, Dictionnaire de morale, Paris, Éditions universitaires/Éditions du Cerf, 1983, quoted in Pierre Gaudette, " Éthique, morale, déontologie : une question de mots? ", Cahiers de recherche éthique, no 13, 1989, p.27.];
- organic and recorded information: the information produced or received by a natural or legal person in the exercise of his activities and presented in any format;
- management of organic and recorded information: the creation and acquisition, evaluation, organization and processing, conservation and elimination, as well as access and dissemination, at any stage of its life
-

SOCIAL MISSION

The social mission of the archivist is to :

- contribute to the maintenance and development of democracy by ensuring that the rights of citizens are protected
- to contribute to the constitution of the collective memory ;
- to ensure that this collective memory becomes an integral part of society's culture.

PROFESSIONAL MISSION

The professional mission of the archivist is to :

- manage this information in accordance with recognized principles, standards and methods;
- ensure that organic and recorded information is recognized as a resource that contributes to human endeavor;
- be involved in training and research and promote education and information measures;
- be open to other professions, thereby promoting multidisciplinarity and interdisciplinarity.

By joining this profession, archivists commit to adopting behaviors that will help them accomplish their missions. Ethics are of two kinds, collective and personal.

To do this, the archivist performs his/her work:

With fairness, impartiality, objectivity and integrity by:

- receiving all clients with respect and without discrimination of any kind;
- maintaining professional autonomy and independence at all times;
- avoiding any conflict of interest;
- avoiding receiving or soliciting any undue advantage for his/her interventions;
- avoiding undue pressure on a client to use his or her professional services;
- not voluntarily and without sufficient reason abandoning a client without ensuring the continuity of his/her intervention.

Efficiently and effectively by:

- complying with professional requirements ;
- performing appropriate and proportionate actions to the needs of the client.

With solidarity by:

- developing a sense of belonging with other members of the profession ;
- sharing his/her expertise and knowledge with other members of the profession.

With professionalism by:

- respecting in the exercise of his/her activities the professional principles, standards and methods generally recognized within the profession ;
- maintaining current knowledge through continuing education and research;
- fulfilling the obligations of the profession with discretion and respect for professional secrecy.

Associació d'Arxivers de Catalunya

[Codi deontològic dels arxivers catalans](#)

The translation here is duplicated from this (unattributed) [document](#).

> *Do you honourable Archivists swear that you will proceed with all rectitude and fidelity in keeping custody of that Archive and its documents in good order and that you will keep secret all that you do and all that is in the interests of the rights of this city to be kept secret.*

<div align="right">

Oath of the archivists of the city of Tortosa. 1579

</div>

Preamble

Archivists have the social function of ensuring and permitting the use of archive documents and the information contained in those documents for legal, administrative, informational, cultural and scientific purposes. Thus, archivists contribute to improving the operation of organisations, to safeguarding the rights and obligations of individuals set out in those documents, to preserving the collective memory and to allowing scientific research and the dissemination of culture.

This function requires not only competent professional action, but also the use of that competency in ways suitable to society's characteristics and needs. The expression and feasible efficacy of this ethical commitment to society requires the recognition of certain rules of conduct freely accepted by the profession as a whole and based upon its experience.

In professional practice, decision-making often involves ethical dilemmas for archivists and can also lead to conflicts of interest between professionals and between professionals and society. The establishment of a code of ethics provides a reference framework that strengthens the autonomy and independence required by archivists to deal with ethical dilemmas and to avoid and resolve potential conflicts of interest.

Thus, the Archivists Association of Catalonia, an organisation representing the professionals practising in the sector in Catalonia, proposes the approval and publication of a Code of Ethics accepted and applied by all Catalan archivists.

General Provisions

The Code of Ethics of Catalan Archivists accepts the Professional Code of Ethics approved by the General Assembly of the International Council of Archives at its 13th session, held in Beijing (China) on 6 September 1996, while extending and adapting it to the social and archival circumstances of Catalonia.

Objectives

The objective of the Code of Ethics is to recognise certain professional duties arising as a result of application of the principles of general and professional ethics to the discipline of archives, to serve as guidelines for professional ethical conduct and, in complementing technical and legal regulations and knowledge, help archivists to carry out their professional tasks properly and responsibly.

The definition of the ethical principles and professional duties of archivists specifies their commitment to and assurance of professional action at the service of society's interests. The Code of Conduct also

serves to inform society of the function of archivists and of the rights that they guarantee to their clients.

Scope

The Code of Ethics is applicable to all archivists practising in Catalonia, both in public service and the private sector, while providing for the specific characteristics of both those sectors. It can also be applied at the individual level to all archivists who are members of the Archivists Association of Catalonia, regardless of whether they practise in Catalonia.

Definitions

For the purposes of this Code of Conduct, the following terms are used with the meaning given here:

Archivist: a professional holding a university degree who defines, implements and maintains a system of document management and archives management to organise and safeguard documents, for the purpose of facilitating access to and consultation of those documents.

Archives: a body or institution performing specific functions of organisation, safekeeping, management, description, conservation and dissemination of documents and collections of documents. The term also applies to the records and fonds held by such a body or institution.

Fonds: the organic body of documents accumulated in a natural process and created or received by a public or private individual or corporation through their existence and in the exercise of their corresponding activities and functions.

Record: any expression in oral or written language, in images or sounds, either natural or codified, recorded in any medium, recording the existence, activities or functions of any individual or organisation, with the exception of published works forming part of bibliographic resources.

Records management system: the set of operations and techniques forming part of general administrative management and based upon the analysis of production, processing and value of documents, with the aim of planning, supervising, using, conserving and eliminating or transferring the documents to an archive and with the objective of rationalising and unifying the treatment of records to achieve effective and profitable management.

Structure

The Code of Conduct groups the principles and duties guiding the conduct of archivists in their different areas of relation into five sections. Each of these sections states the corresponding ethical principle and defines and specifies collective, individual and professional duties stemming from and facilitating the application of that principle.

1. Towards society

1.   Archivists contribute to the development of society on the basis of respect for human dignity and equality and action at all times in accordance with justice, upholding the basic rights and freedoms

related to archives, records and information. In this respect, archivists, in their professional practice, shall:

1.1. Act in accordance with current applicable law and ensure observance of that law.

1.2. Uphold the right to information to ensure that everyone has the opportunity to take part and join freely and fully in social life.

1.3. Facilitate and promote the right to access to records as a guarantee for the legal security of relations between individuals and institutions, for administrative transparency and for supervision of administrative activities.

1.4. Contribute to ensuring that the exercise of the right to information and access to records does not contravene the right to personal and family privacy, thereby guaranteeing the protection of personal information.

1.5. Conserve and disseminate existing records in order to guarantee their cultural value and contribute to the preservation of the collective memory.

1.6. Promote and carry out activities in the area of cultural dissemination to ensure that everyone has the opportunity to have access to culture.

1.7. Facilitate and promote scientific research as a basis for society's social and cultural advancement.

1.8. Recognise and respect legitimate copyright in connection with intellectual production and creation.

1.9. Duly inform society as to the nature of and requirements arising in connection with the management of archives and records.

1.10. Co-operate with public authorities to develop all policies contributing to improvement of the management of archives and records.

1.11. Promote and support the development of regulations and policies ensuring the efficacy of the foregoing duties.

2. Towards the profession

2. Archivists carry out their professional activity according to their conscience and their professional competency, thereby guaranteeing the responsible exercise and quality of the profession. In this respect, archivists, in their professional practice, shall:

2.1. Know and observe the principles, standards and methods generally recognised by the professional community.

2.2. Strive for systematic and continuous updating of the knowledge, technical standards and legislation required for the practice of the profession.

2.3. Use their best efforts to contribute to the development of archives through activities of innovation and research, with ongoing evaluation of their work, disseminating and sharing their experience and achievements.

2.4.	Maintain a permanent critical attitude and scrutiny in connection with their own professional actions to ensure ongoing improvement in all their professional activities.

2.5.	Apply their knowledge and professional experience to attain the greatest possible efficiency and diligence.

2.6.	Use the resources at their disposal appropriately and in accordance with the needs of users.

2.7.	Maintain an independent professional position in response to any pressure from interests opposed to the objectives of the profession, regardless of the nature of such pressure.

2.8.	Refrain from any activity that may be detrimental to their professional integrity or impartiality.

2.9.	Carry out their activities with objectivity, rigour and truthfulness, avoiding any arbitrary action.

2.10.	Refrain from carrying out any activity that may lead to conflict of interest between their professional and private activities.

2.11.	Ensure the professional confidentiality of all information obtained in the course of the practice of their profession and limit use of the information to the corresponding professional objectives.

2.12.	Document all of their actions in connection with their archival work in a clear, precise and reasoned manner.

2.13.	Contribute to upholding the dignity of the profession and duly assume the responsibilities and competencies corresponding to the profession.

## 3.	Towards *fonds* and records

3.	Archivists safeguard the preservation of fonds and the integrity and authenticity of records with the aim of preserving their full value and usefulness for the various needs of society. In this respect, archivists, in their professional practice, shall:

3.1.	Safeguard the integrity of fonds to ensure that they constitute a reliable record of the activities of the institution generating the documents.

3.2.	Apply archival procedures that consistently ensure the preservation, integrity and authenticity of records so that their legal, administrative, informational, cultural and scientific value remains unaltered, without prejudice to the elimination of records through technically and legally established procedures.

3.3.	Apply scientific criteria to the archival work, with the ultimate objective of facilitating the preservation of all records in the archive and their consultation by users.

3.4.	Foster the maintenance of fonds and archival records and, where appropriate, their return to their original institutional and regional context.

3.5. Define and implement policies on the compilation of fonds in accordance with professional and ethical criteria with the ultimate objective of constituting a set of fonds that reflect the social reality in which the archive performs its functions.

3.6. Respect the conditions agreed upon at the time of the accession of the records and fonds.

3.7. Reject the acquisition of illicitly obtained records.

4. Towards users

4. Archivists carry out their professional activities through application of their professional knowledge with the aim of meeting users requirements. In this respect, archivists, in their professional practice, shall:

4.1. Ensure equitable treatment of users and avoid any prejudice or discrimination based on any grounds of difference.

4.2. Provide the best possible service to users, ensuring equanimity, interest, dedication and professional honesty.

4.3. Acknowledge the bounds of their competency and the limitations of their techniques and under no circumstances create false expectations that they cannot fulfil professionally.

4.4. Provide the best possible instruments, services and information to facilitate access to and consultation of records by users.

4.5. Handle with maximum discretion all information on users obtained in the course of providing archival services.

4.6. Refrain from disclosing, using for their own benefit or the benefit of users, or using fot illicit purposes, or using in a way that would prejudice a person or organisation, any information kept or obtained in the course of their activity.

4.7. Report on the existence of convergent research, with the prior consent of the users involved.

4.8. Use all means of communication and dissemination that ensure maximum informational coverage to specify the origin, content and conditions for service of the archives under their care.

4.9. Provide appropriate information on the different actions that they carry out within their institutions.

4.10. Foster policies for the ongoing improvement of service provided to the public.

5. Towards archivists and other professionals

5. Archivists maintain relations with their colleagues and other professionals in accordance with the principles of solidarity, respect and co-operation. In this respect, archivists, in their professional practice, shall:

5.1. Work for the social recognition of their profession, defending and upholding the rights pertaining to their profession.

5.2. Refrain from any action that may discredit themselves or the profession.

5.3. Acknowledge and respect the work of their colleagues and refrain from discrediting them or causing them personal or professional inconvenience, without prejudice to scientific criticism.

5.4. Facilitate and provide guidance and orientation in a disinterested manner to colleagues that request it.

5.5. Respond to queries from colleagues with the greatest possible diligence.

5.6. Create an atmosphere of trust to foster teamwork with the aim of ensuring quality of service.

5.7. Evaluate their own work and the work of their co-workers in a loyal and respectful manner, in accordance with objective criteria.

5.8. In the event of work in conjunction with other professionals, endeavour to attain the necessary co-ordination to ensure that objectives are met.

5.9. Co-operate with other archival and records management institutions to ensure greater efficacy and the optimisation of resources.

5.10. Promote the exchange of knowledge and experience with all colleagues and other professionals in related fields, with the objective of mutual enhancement.

5.11. Co-operate on a interdisciplinary basis with other professionals having similar objectives, with the aim of attaining greater efficacy, without prejudice to the functions of those other professionals.

Additional Provision

The Archivists Association of Catalonia shall endeavour to ensure the application of the Code of Conduct.

The Board of the Association shall submit to the General Assembly a proposal for regulation of the resolution of potential conflicts, in accordance with the provisions of Article 11 of the Association's Constitution.

Restauratoren Nederland

[Vereniging voor Conservering en Restauratie]

[Ethische Gedragscode](#)

The translation up to the "Code of Conduct for Restorer" is taken from the association website. The remainder was translated using Google Translate.

Purpose of the Code of Ethics

Restauratoren Nederland (RN) is an association for everyone working with cultural heritage. RN uses Ethical Guidelines containing general principles regarding the professionalism of all members. RN members are asked to read and accept the Ethical Guidelines

Purpose of the Code of Ethics

1. Awareness of RN's vision/mission/objective
2. To have and promote professional behaviour and work attitude as expected of all RN members.
3. Clarity in what is expected and what can be delivered. Ethical guidelines support relationships between professional members and the general public.
4. Greater understanding of the responsibilities of RN members in their work for companies, institutions and private clients, such that in their policies and intended work, they take into account the latitude given to them by the application of the guidelines.

Applicability of the Code of Ethics

We invite members to regularly review the Code of Ethics, ask them to adhere to it and promote general knowledge about it.

Code of Ethics for Restoration Professionals

The current ethical norms and standards for the profession of conservatorship, have been brought together by Conservators Netherlands and a broad representation from the heritage field and adopted (2019) in the guidance committee for the ERM Restauratorenregister. As the Guidelines described below, they constitute for Restauratoren Nederland as starting points for the professional practice of the restoration profession. Where possible, the Ethical Guidelines align with the E.C.C.O. Code of Ethics, the CAPC Code of Ethics & Guidance for Practice, the Ethical Guidelines of Restauratoren Nederland, the AIC Code of Ethics and Guidelines for Practice, the AICCM Code of Ethics and Code of Practice and ICON Professional Standards and Code of Conduct. The amendments were related to the aim of making the document concrete and with requirements.

By signing or by reference in a tender, the conservator declares his or her adherence to this Guideline and thus explicitly promises compliance with this Code of Conduct. The Code of Conduct is not intended to prescribe in detail the standards binding on the method of execution or the result. The professional is free, provided he or she complies with the Code of Ethics, to make a considered selection of appropriate and feasible measures in his or her own judgment that are proportional to the importance and condition of the object or group of objects and also to develop a new approach based on advancing insight.

Code of Conduct for Restorers

Article 1: The Code of Conduct sets out the principles, obligations and conduct that I, as a conservator, must strive for in the exercise of the profession. I must comply with the Code of Conduct and must be sufficiently qualified, competent and competent for the tasks to be performed by me.

Article 2: The profession of restorer is an activity of general interest and I will always exercise it in compliance with all relevant European laws and agreements, in particular those relating to stolen goods.

Article 3: As a conservator, I work directly on cultural heritage and I am personally responsible to the owner, the heritage and society. I am entitled to practice the profession without being restricted in my freedom and independence. I have the right to refuse any requests if, in my opinion, they conflict with the terms of this Code.

Article 4: I recognize that failure to comply with the principles, obligations and prohibitions of the Code results in an unprofessional performance of the profession and that in doing so I discredit the profession. If it turns out that I deliberately do not comply with the spirit and letter of the Code of Conduct, I may be subject to the consequences thereof, as set out in the Conservators Register.

Article 5: When conserving cultural heritage, I must respect the integrity of the object, including the physical, conceptual / spiritual, historical and aesthetic aspects, in my actions as a restorer.

Article 6: It is my responsibility as a conservator, in collaboration with others or alone, to strive to maintain a balance between society's need to make use of cultural heritage and to ensure its preservation.

Article 7: Although certain circumstances may limit both the resources allocated in a situation and the size of the task, this should not affect the quality of the work I have done, regardless of what judgment exists regarding the value or quality of the cultural heritage.

Article 8a: I recognize the vital importance of preventive conservation as the most effective way to promote the long-term conservation of cultural heritage. I will therefore always consider preventive measures before proceeding with direct intervention in cultural heritage. I will limit the physical treatment to what is necessary to preserve the integrity and cultural-historical value of the heritage.

Article 8b: I recognize the importance of future preventive conservation by providing guidance for continued use and care, with the recommendation of a suitable environment for storage and display and the appropriate procedures associated with handling, packaging and transportation in the level of detail required.

Article 9a: I will strive to use only products, materials and procedures that, according to the current level of knowledge, meet the objective of the treatment and that are least harmful to the cultural heritage, the environment or the public.

Article 9b: I will only use those materials that can be removed in the simplest and most complete manner, with minimal risk to any original part. The benefits of the chosen materials and methods must be weighed against their potential harmful effects when further studied in the future, in scientific research, treatment and function. I will not deviate from this without providing a thorough explanation.

Article 10a: I am aware that documentation, both verbal and visual, is important for future restoration treatment(s) and for the understanding of the object. The degree of documentation depends on the nature of the heritage and the treatment(s). This varies from condition assessment before, during and

after treatment, and planning and observations to accountability for all ultimately made choices. The documentation must also state the names of everyone involved in carrying out the work.

Article 10b: To the best of my ability I will ensure that the documentation remains with the property, is stored securely and remains available for future use.

Article 11: I am aware of my own abilities and my limitations as a restorer. I should not initiate or continue treatment that is not in the interests of the cultural heritage.

Article 12: I will strive to enrich my knowledge and skills with the aim of continuously improving the quality of my professional work.

Article 13: If I provide advice on measures to be taken or if I perform procedures that are outside the scope of my expertise and experience, I will consult specialists in that field to assist me in determining an appropriate treatment. I am open to collegial intervision.

Article 14: Emergencies can pose a serious risk of damage or loss of cultural heritage, which justifies immediate action on my part, as a restorer. In the event of an emergency where cultural heritage is exposed to risk, I will provide as much assistance as possible, bearing in mind that strict compliance with the Code may not be possible.

Article 15: I may not remove material from cultural heritage unless it is indispensable for the preservation of the heritage or when it significantly affects the historical, aesthetic, conceptual or spiritual value or the physical integrity of the cultural heritage. If a decision is made to remove materials, they should be preserved if possible and the procedure fully documented.

Article 16: If the social use of cultural heritage conflicts with its conservation, I will discuss with the owner or the legal custodian whether making a reproduction is an appropriate interim solution. I will then recommend proper procedures for reproduction so that the original is not damaged. I recognize that a reproduction is not a restoration.

Article 17: As a restorer, I will communicate openly and clearly with the owner/custodian so that there is a thorough understanding of the risks and responsibilities and that agreements between the relevant parties reflect shared decisions and realistic expectations. Any direct intervention that could result in a change to the cultural heritage requires prior permission from the owner/custodian.

Article 18: Before publishing images of or references to identifiable parts of the object, I must always obtain prior permission from the owner/custodian.

Article 19: I must never support the illegal trade in cultural heritage and must combat this trade as best as possible.

Article 20: I must respect the integrity and dignity of colleagues, the profession of restorer and related professions and professionals.

Article 21: Within the limits of my knowledge, competence, time and technical resources, I will strive to participate in training interns and assistants.

I am responsible for the supervision of the work assigned by me to my assistants and interns and am ultimately responsible for the work undertaken under my supervision. I will respect the integrity and dignity of these colleagues.

Article 22: If work is outsourced (in whole or in part) to another restorer for any reason, the owner or the custodian must be kept informed. As the original restorer, I am ultimately responsible for the work, unless other arrangements have been made in advance.

Article 23: I will strive to contribute to the development of the profession by sharing experiences and information with colleagues, by expanding the knowledge of the profession and by offering and promoting training opportunities both within and outside the field.

Article 24: I will strive to promote a more thorough understanding of the profession and also to raise awareness of conservation and restoration among other professions and the public.

Article 25: I have to respect the copyrights of my colleagues regarding shared conservation / restoration. All reports of conservation / restoration, both in word and in image, are intellectual property of the person(s) who generated them(s) (subject to the terms of their employment contract).

Article 26: As a conservator, I should be aware of situations where there is a potential conflict of interest that may affect the quality of the work or lead to the spread of false information and I should avoid this where appropriate. This includes activities such as authentication, valuation and trading. I should be aware of the fact that research can also involve a potential conflict of interest, which can result in insufficiently conducted research or directed research and misinterpretations. Potential conflicts of interest should be notified in advance to clients, colleagues, and/or the public.

Article 27: If I take on a work assignment that falls outside the scope of conservation-restoration, I must ensure that this does not conflict with the Code.

Article 28: In order to maintain the dignity and credibility of the profession, as a conservator I only need to apply the appropriate and informative forms of publicity with regard to my work. In particular, caution should be exercised with regard to IT / social media in order to prevent the dissemination of inappropriate, misleading, illegal or unauthorized information.

Article 29: As a conservator, I must be able to deal with contradictions in determining the value of objects and ethical dilemmas in a way that preserves the importance of the significance of cultural heritage and the respect of my colleagues.

SKR : SCR

Schweizerischer Verband für Konservierung und Restaurierung

Association suisse de conservation et restauration

Associazione svizzera di conservazione e restauro

[Ehrenkodex](#)

Code of Conduct

The central concern of conservators-restorers SKR and employees in conservation SKR is the sustainable preservation of the material cultural heritage.

1. Quality requirement

Members of the SKR consider all possible measures and aspects of preventive conservation before any intervention on the object and limit any action on the object to an effective minimum. Your interventions on the entrusted object as well as the selected products, materials and types of treatment should be sustainable, correspond to the current state of knowledge and preserve the possibility of later interventions as undiminished as possible.

Depending on their tasks, members of the SKR work together in an interdisciplinary manner with the respective related professions. They only carry out work that is within the scope of their subject-specific competence.

Members of the SKR agree to outsource work only to employees, interns, subcontractors and volunteers if they can supervise it and/or ensure the required quality.

If restrictions on the scope of treatment have to be accepted, preventive and stabilizing conservation take precedence over restoration. Work that contradicts professional ethics must be rejected.

2. Truthful Information

The members of the SKR are committed to truthfulness and complete information. The results of the work should be comprehensible at all times and made available to the client, colleagues and the public.

3. Behaviour towards colleagues

Members of the SKR respect the professional and personal integrity and competence of their colleagues.

4. Reputation of the profession

Members of the SKR promote professional reputation and understanding of conservation and restoration through qualified work, fair exchange of information and through their personal attitude. Their statements, actions and work are based on internationally and nationally widely recognized ethical and legal foundations for the preservation of cultural property.[218]

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[218] Legal basis: the Charters of Venice, Florence, Washington and Lausanne, the Conventions of The Hague, Paris, Granada and Malta, the Nara Document and the UNESCO Convention on the Protection of Cultural Property.

The commercial trade in art and cultural goods is not compatible with the activity of a conservator, restorer.

5. Training

Members of the SKR are involved in the training of interns within the scope of their possibilities. They ensure their support as well as compliance with the legal conditions of employment.

6. Continuing education

Members of the SKR keep up to date with the latest knowledge through further training.

7. Advertising

In order to preserve the credibility and dignity of the profession, members of the SKR should keep advertising measures in connection with their activities informative and factual.

8. Public Relations

The understanding of the general public is fundamental for the preservation of cultural heritage. For this reason, the members of the SKR participate in public relations and awareness-raising.

9. Validity

By becoming members, the members "Conservator-Restorer SKR" and "Employee in Conservation SKR" submit to this code of conduct.

10. Final Remarks

For the sake of easier readability, the Code of Honour is only written in the masculine form, of course this also refers to women.

Revised version approved at the General Assembly on February 16, 2012 in Neuchâtel.

Previous version accepted at the General Assembly on September 1, 2005 in Lucerne

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Profession-specific guidelines: e.g. "E.C.C.O. Professional Guidelines, 2002" of the European Confederation of Conservator-Restorers' Organisations.

SASD

Slovak Archive of Social Data

[Etický kódex](#) Slovenský archivu sociálnych dát

Access rules

Code of Ethics of the Slovak Social Data Archive

The Code of Ethics of the Slovak Social Data Archive (hereinafter referred to as SASD) is a summary of ethical principles that express the goals, main principles of operation of the SASD archive, archiving principles and user principles for working with archived data. These principles are based on the principles of openness, transparency, professional and civil responsibility and are intended to ensure the long-term operation and fulfillment of SASD's goals. SASD ensures the conditions for preserving data from sociological research in Slovakia for future generations.

The SASD Code of Ethics is part of the principles and rules of operation of the Slovak Social Data Archive. The Slovak Social Data Archive refers to persons and institutions that are responsible for its operation and ensure the fulfillment of its goals. SASD exists in the form of an Internet interface (web page) and also as an archive of physically documented data and descriptions from research.

General provisions

The ethical principles of the Slovak Social Data Archive create a basic framework for ethical and responsible work with archived data from sociological research, with research documentation, when interpreting the results of archived data and responsible operation of the archive, and the protection of copyrighted works of researchers, authors of the design and structure of the SASD. This framework contains the principles of cultivating correct relations with the owners of archived data, users of SASD services and the principles of communication within the social science community.

SASD allows the general public access to basic information about all archived research and to data from sociological research carried out in the Slovak Republic for non-commercial use. By publishing data and research results, it participates in promoting public awareness and increasing the quality and prestige of science. Non-commercial use means use for study and research purposes. Other purposes of use can be specified after agreement with the potential user of the data in the Agreement on provision of data for non-commercial purposes.

SASD is also intended for commercial and other research agencies and institutes as a basis for communication with the academic, scientific-research environment and the wider public through the publication of data from their research according to the terms of SASD.

SASD realizes its goals for the benefit of all citizens and organizations, without any discrimination. SASD approaches third parties objectively, acts and makes decisions impartially. By observing the principles of professional qualification, scientific responsibility, political, religious and ideological impartiality, SASD co-creates the autonomous nature of science in the Slovak Republic and contributes to the maintenance of these principles in a wider international context.

SASD archives data from empirical sociological research in electronic and printed form according to international standards.

SASD takes care of the application of basic ethical principles in the social sciences, primarily:

a) Principles of professional competence, i.e. the starting point of the approach is the assumption that the knowledge of any scientist is limited and that every scientific worker recognizes the need for continuous education in order to maintain and develop his professional skills.

b) The principle of integrity, i.e. that the knowledge will be used honestly, fairly and with respect to others, to their professional activities and the results of their work, it is also assumed that the use of this knowledge will in no case threaten the well-being of others.

c) Principles of professional and scientific responsibility, i.e. acceptance of SASD as part of a wider scientific community, which recognizes the principles of collegiality and cooperation and which is also part of public life. It is based on the assumption of public trust in truthfulness, impartiality and ethical work with research results.

d) Principles of respect for human rights, dignity and diversity of individuals, cultures, ways of interpreting the world, value systems and methodological procedures in scientific knowledge.

e) Principles of social responsibility of scientists towards local and professional communities in which they live and work. The results and findings are to be published and used in such a way that they contribute to the public welfare and raising the level of social sciences.

1. Ethical principles of operating and developing the archive

The Slovak Social Data Archive archives only those researches that were not carried out in violation of the basic ethical standards of sociological research or that are supported by professional ethical codes of work in social science research.

Sociological research is based on public trust. This means that the research was conducted honestly, objectively, without negative consequences for the respondent and was based on the voluntary cooperation of the respondents.

The SASD operator ensures the protection of the copyrights of the creators of the structure and design of the SASD and the observance of the rules of relations with the owners and users of the archived data. The SASD operator ensures public accessibility of the archive through the Internet interface.

The operator of SASD ensures the protection of documentation and information about research, along with archiving data against loss and destruction by completing and backing them up in electronic (on CD carriers) and in printed form.

Changes in the structure, design and rules of operation can only be made by the administrator and operator of SASD after agreement with the authors. This rule is valid for a period of 5 years from the commissioning of the SASD, i.e. until 31.12. 2010.

2. Ethics of working with the intellectual property of research authors during archiving

The Slovak Social Data Archive ensures the storage and archiving of data in accordance with the conditions determined by the copyright holder for research and which do not conflict with existing legislation and principles of professional responsibility. The owner of the copyright can determine the

protection period to limit the availability and the date of making the data available and thereby protect his intellectual contribution to the preparation, implementation and evaluation of the research.

SASD ensures the protection of copyrights, protects the data stored in it from loss and deterioration, publishes the authorship of individual researches and contacts of responsible researchers and institutions, which can grant an exception for the use of data in the case of a protection period.

SASD ensures the content integrity of archived data and protects them from destruction, loss and all forms of manipulation, falsification and censorship.

3. Ethics of personal data protection

SASD archives data sets from empirical social science research for the purpose of further providing these data for non-commercial statistical or other methodologically treated processing. The purpose of archiving is not the completion of information of an individual nature, but above all the anonymous statistical processing of respondents' answers. In the case of qualitative research, SASD will ensure the protection of personal data in accordance with applicable legislation. For this reason, all data provided by SASD is anonymous. Personal data can only be provided if the respondent declares in writing his consent to the publication of identification marks. The basic principles of personal data protection are:

- data files and their corresponding documentation provided to the public do not contain any personal data (names, addresses, social security numbers, photos, etc.) on the basis of which it would be possible to identify specific research respondents,

- if some data in the data file would make it possible to indirectly identify a specific person, the data file provided to the public is anonymized (these characters are removed or modified using categorization),

- data files that cannot be anonymized will not be provided.

4. Ethics of the principles of providing information and data from sociological research

For the needs of non-commercial and scientific research, access to information about archived research and access to selected data and their complete documentation is possible directly (on-line) via the Internet. All data is available free of charge. Data are distributed in SPSS format, documentation is also accessible in DDI (Data Documentation Initiative) format, which is an international standard for electronic archiving of research data, which is compatible with other world archives.

The data are divided into categories according to the degree of availability, according to the restrictions placed on the availability of the data by the copyright owners or SASD. The conditions under which the data will be provided to the potential user are defined in the Access Rules according to the Categories of archived data.

In the case of each transfer of data from SASD, an Agreement on the provision of data from SASD will be drawn up between the person interested in the data and SASD, which will specify the conditions of data provision, accompanying documentation, purpose of their use, user/institution and signature. In the case of data without access restrictions, the agreement can be completed based on the principle of trust via the Internet, with only the basic identification data and contact details of the customer. The electronic form of the agreement has the standard character and binding force of a legal agreement.

The standard conditions for using data from SASD included in the Data Provision Agreement include:

- the requirement to comply with the stated purpose of data use,
- the condition of personal data protection of respondents,
- the obligation to provide relevant citations,
- prohibition of data distribution without the knowledge of SASD,
- obligation to inform SASD about publications created on the basis of data.

SASD is not responsible for the validity and reliability of the provided data, nor for the interpretations based on the provided data.

Final provisions

In the event of copyright infringement, SASD reserves the right to seek redress through all legal means provided by existing legislation.

In the event of a dispute over the interpretation of SASD rules and ethical principles, the archive operator will appoint a commission (with an odd number of members) from representatives of three different professional sociological institutions (one representative each), which will decide on the interpretation by a majority. Decisions and interpretations of disputed provisions should be made in the spirit of possible use of the decision in the future and possible integration into the ethical principles of SASD.

According to: Code of Ethics (American Sociological Association), Ethical Code of Research Practice (ESOMAR), Code of Ethics Film Archives and Film Archivists (FIAF)

(MZ, MT)

APDIS

[CÓDIGO DE ÉTICA](#)

Adopted on June 25, 1999 by the three Associations:

Associação Portuguesa de Documentação e Informação na Saúde - APDIS

Associação Portuguesa de Bibliotecários, Arquivistas e Documentalistas - BAD

Associação Portuguesa para o Desenvolvimento da Informação Científica e Técnica - INCITE

PRESENTATION

PREAMBLE

1. INTELLECTUAL FREEDOM

2. PRIVACY OF USERS OF INFORMATION SERVICES

3. PROFESSIONALISM

PRESENTATION

The Code of Ethics for Information Professionals in Portugal is the expression of a deep desire and hard work of the Associations and professionals in Libraries, Archives and Documentation and Information Services.

To implement this project, the Ethics Committee for Information Professionals in Portugal was created with representatives appointed by the associations BAD, INCITE and APDIS and coordinated by colleague Antonieta Vigário, researcher on this matter.

From 1994 to 1998, the Commission conducted work throughout the country, involving the largest number of professionals, students in the field and users of information services. The work involved awareness-raising and listening to the concerns and ethical questions that arise in carrying out this professional activity. Processing the data collected essentially led to the preparation of the draft Code of Ethics.

The Ethics Committee solemnly handed over this project to the presidents of the three Associations, on December 10, 1998, the date on which the 50th anniversary of the Universal Declaration of Human Rights was celebrated. It was the way to mark this historic milestone by stating that information professionals in Portugal want to assume that the ethical values they defend are based on the Human Rights expressed in this Declaration.

After being submitted for discussion among members of associations of information professionals in Portugal, the draft Code of Ethics was presented in a public session of professionals from the three

Associations on July 25, 1999. Some changes were introduced when drafting the text, resulting in the version that is now presented.

We would like to express our gratitude to everyone who collaborated in this work and in particular to members of the Ethics Committee for Information Professionals in Portugal and especially its coordinator.

The Code of Ethics is a reference for professional practice. It is a declaration of principles that will have its expression in the conception and execution of the most diverse tasks, in the behaviors and contexts of the exercise of the activity.

Ethical decisions are not easy, and it will not be easy to put these principles into practice. We are aware of our responsibilities and conflicts that are present in our professional activity. However, we do not give up and are faithful to the principles that we accept as fundamental in the exercise of the profession.

From now on the Code of Ethics exists. Our future challenge is to apply its rules in all situations, base our decisions, analyze our practices in light of its principles, study and enrich the meaning of this Code.

PREAMBLE

The information professionals referred to in this Code are "Documentalists, librarians, archivists, managers of information and knowledge, and others who are intermediaries between content creators,

information providers, information users and information technologies"(1).

The objectives of this Code of Ethics are:

To be an instrument of clarification and assistance in the ethical decision-making of information professionals in Portugal.

Give users of Portuguese information services (libraries, archives, information services) confidence that professionals respect their rights.

Present to society the commitment that information professionals who work in Portugal the ethical values that guide their professional activity.

Help the professional integration of new members, succinctly expressing the values of the profession.

1. INTELLECTUAL FREEDOM

Information professionals in Portugal are uncompromising defenders of access to information and join forces so that this attitude is corroborated by a continuous and demanding practice of warning against all possible forms of censorship.

Information professionals in Portugal assume the following responsibilities:

1.1. Facilitate access by users of information services to all types of information published in any format.

1.2. Build collections suited to the information needs of service users, with a proactive attitude so that these needs are anticipated even before they are expressed.

1.3. Make a selection of materials, balancing supply and demand, updating and preserving the diversity of subjects and the balance between different points of view.

1.4. Process all information in order to facilitate access to it.

1.5. Provide access to existing information as part of your service.

1.6. Explain, when defining the information policy of the service under your responsibility, that its main mission is to make information available, of all types, on all media, for all users.

1.7. Do not allow outside interference, which may prevent or hinder access to the information available in the service.

1.8. Do not allow your personal opinions to interfere with the freedom of access to information.

1.9. Oppose the implementation of any technological solution that could limit or manipulate access to information.

1.10. Develop, participate in the preparation, understand, support and disseminate legislation regarding the right of access information without any interference.

Information professionals believe that this code will help to integrate the human rights they already respect into their professional activities.

Information professionals in Portugal consider it their duty to respect Article 19 of the Universal Declaration of Human Rights:

Everyone has the right to freedom of opinion and expression, which includes the right to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.(2)

2. PRIVACY OF USERS OF INFORMATION SERVICES

Privacy is worth it.

Information professionals in Portugal recognize the importance and uniqueness of each of their users, and therefore respect their privacy as a right.

Information professionals in Portugal assume the following responsibilities:

2.1. Use personal data only for the purpose for which it was collected.

2.2. Consider as private data: reading records, loan records, bibliographical consultations and any data that identifies users of its services and their activities.

2.3. Do not divulge private data and observe security requirements so that this data cannot be intercepted.

2.4. Ensure that paper or automated records are not left in places that are easily accessible to other users.

2.5. Take every care to ensure that the manipulation and access to automated records is only carried out as authorized elements of your service.

2.6. Ensure that data on reading habits or bibliographic interests of service users are collected for the normal functioning of the services and may only be used for research or statistics.

2.7. Do not inform any user of your services about tasks performed by another user.

2.8. Consider as abusive any request for information the intention of which is to violate a user's privacy.

2.9. If, for any reason, there is pressure to provide private information, professionals will only do so with the prior written authorization of the users who provided it.

Information professionals in Portugal consider it their duty to respect Article 12 of the Universal Declaration of Human Rights:

No one will suffer arbitrary interference in their private life, family, home or correspondence, nor attacks on their honour and reputation. Against such interference or attacks, the person is entitled to the protection of the law. (3)

3. PROFESSIONALISM

Information professionals in Portugal seek to carry out their professional activities with the highest degree of professionalism.

Information professionals in Portugal assume the following responsibilities:

3.1. Ensure a competent professional performance.

3.2. Consider the sense of duty towards users of information services as their core duty.

3.3. Increase public knowledge of the possibilities inherent to the service they perform and the services they make available.

3.4. Seek continuous professional development, supporting colleagues who wish to do the same.

3.5. Support all professional standards aimed at fostering professional competence.

3.6. Consider the information needs of service users and the general public above their own interests and those of the organization in which they work.

3.7. Inform their employers, service managers, colleagues and users of the existence of conflicts of interest that may arise during professional activity.

3.8. Contribute to the development of information policy.

3.9. Promote, through their actions, the public's confidence in the correctness of processes and professional efficiency.

3.10. Maintain the confidentiality of information within the organizations in which theywork. This respect is maintained even beyond the termination of the employment relationship.

3.11. Are aware of the scope of their professional activity, not giving themselves, or the organization of which they are part, a vision that goes beyond the limits of their professional specificity.

3.12. Establish fair contracts, both with users of their services and with suppliers, and in no way allow their personal interests to benefit from these contracts.

3.13. Proceed in such a way in relations with service users that their conduct is objective and impartial.

3.14. Ensure that the information provided to users is adequate, complete and clearly presented.

3.15. Accept responsibility for the quality of their work and the consequences of careless mistakes.

3.16. Provide the best possible information according to the needs of users, or indicate the most appropriate service to address them.

3.17. Acquire training that corresponds to the specific needs of a good professional performance.

3.18. Consider that being up-to-date is an essential part of professional ethics.

3.19. Fill gaps in their training, maintaining up-to-date knowledge of professional practices, with an active attitude towards seeking professional knowledge.

3.20. Contribute to the development of scientific research in information sciences.

3.21. Exchange professional information through professional associations, providing information, publishing articles, books, or proposing training initiatives.

3.22. Support participation in courses, seminars, conferences or any other actions that broaden the spectrum of professional knowledge.

3.23. Share knowledge between professionals and users of information services in order to increase the effectiveness of the profession.

3.24. Inform the public of professional activities carried out in this field.

In line with their respect for the Universal Declaration of Human Rights, information professionals in Portugal undertake to comply with this Code of Ethics.

NOTES:

1. Conference on Freedom of Expression and Public Access, Helsinki, 10-11 June 1999

2. UNITED NATIONS – International Charter of Human Rights . Lisbon : United Nations Information Centre, 1993, p. 23.

3. UNITED NATIONS – International Charter of Human Rights . Lisbon : United Nations Information Centre, 1993, p.22.

Associazione Nazionale Archivistica Italiana (ANAI)

Approved by the National Assembly of Members on 1 April 207

Preamble

The Italian National Archival Association (hereinafter the Association), by resolution of the National Assembly of Members on 1 April 2017, has adopted the following deontological rules of conduct in accordance with its Statute (art. 3-c) and with the purposes indicated by the International Council of Archives to offer the profession high-level rules of conduct, to inspire public confidence in the profession and to show the profession at its best and competent in the treatment of archives important for the defense of human rights.

The term "archivist" refers to anyone who has responsibility for controlling, managing, treating, preserving, restoring and administering archives, whether he or she is a permanent employee of an archival administration or of other public and private entities, or a freelancer who provides his or her work in different forms (external collaboration, consultancy, design, etc.).

Observance of the code of ethics is an indispensable condition for membership in the Association, which therefore, on the basis of the invitation addressed by the International Council of Archives, urges "employer bodies and archival institutions ... to adopt general programmes and daily practices which will enable the application of this Code" and undertakes to improve the professional quality of its members through its action, resorting, if necessary, to the imposition of appropriate sanctions in cases of non-compliance.

Title I - General principles

Art. 1. Guiding Principles of the Archivist's Activity

The fundamental principles that inspire the archivist are responsibility, impartiality, probity, fairness, loyalty, equity, objectivity, confidentiality, competence, diligence, professional development, legality and a collaborative spirit.

Art. 2. Scope of Application

The deontological rules apply to all archivists who are members of the Association in the exercise of their professional activity and in their relations with each other and with third parties. The specific provisions of this Code do not limit the application of the general principles of fairness, competence and professional loyalty. In particular, the International Code of Ethics for Archivists approved by the General Assembly of the International Council of Archives in Beijing on 6 September 1996, the Code of Ethics and Good Conduct for the Processing of Personal Data for Historical Purposes (Annex A 2 of Legislative Decree 196/2003), the Universal Declaration on Archives adopted by UNESCO on 7 November 2011, and the Fundamental Principles on the Role of Archivists and Document Managers for the Protection of Human Rights, adopted as a working document by the International Council of Archives in September 2016, are to be considered an integral part of these ethical standards.

Art. 3. Responsibilities

The archivist, aware that the possibility of having orderly, reliable and accessible archives contributes to the better functioning of a democratic society, inspires his or her behaviour to an ethic of responsibility that takes into account both the need to safeguard documentation and the rights and needs of citizens, clients, users and colleagues. If these interests are contradictory, the archivist shall seek the fairest balance between them, minimizing and justifying the necessary limitations. The archivist takes it upon himself to defend the profession for its social utility, in protecting the integrity and evidential value of the archives, pays particular attention to those that document human rights and fundamental freedoms, promotes the autonomy and efficiency of the institution for which he works and refrains from competing with it.

Art. 4. Creation, Management, Conservation and Stewardship

The archivist undertakes to promote the correct production, organization, management and conservation, with the related context data, of the documents of the current and deposit archives, the prudent selection, recovery, acquisition, reorganization and protection of documents of permanent legal and cultural value. To this end, he operates in accordance with the generally accepted principles, methodological criteria and practices of the profession, also taking care of the systematic and continuous updating of its historical, administrative and technological knowledge. In particular, he promotes the preparation of procedures for correct organization and protection right from the creation of documents.

He undertakes to protect the physical and conceptual integrity of the archives and the authenticity of documents, including electronic and multimedia, and of databases of archival value, of which he promotes the conservation, with particular care of documents exposed to the risks of deletion, dispersion and alteration of data. The archivist avoids and opposes any action aimed at manipulating, concealing or distorting testimonies, facts, documents and data. They safeguard the conformity of the reproductions of the documents to the originals.

The archivist does not make acquisitions that put the integrity and security of documents at risk. He documents the processing activities of which he is the author, he also proceeds with preventive conservation activities by resorting to restorations only where necessary for the protection of the documents and in any case with reversible effects. Where appropriate, he dispenses with invasive restorations and makes appropriate reproductions available to researchers. In order to facilitate consultation, he arranges or allows virtual restorations; In this case, the archivist shall also make available the state of the reproduction prior to its artificial enhancement.

Art. 5. Description, Communication and Use

In accordance with the framework of current legislation, the archivist produces descriptions of the historical collections entrusted to him, at adequate levels of analysis, and takes care of the development of links with the descriptions of the producers, conservators and other objects, including those of a non-documentary nature, that are in significant relation to these collections.

The archivist favours free access to archives, both for the protection of rights, administrative transparency and social control over the work of public institutions, and for cultural purposes. He therefore does not accept unreasonable limitations on access as a condition of accepting documents and, if necessary, renegotiates such agreements. The archivist promotes research and information activities, as well as the locating of sources, promoting the development of autonomous critical skills in users.

Compatibly with the protection of documents in precarious conditions of preservation and with respect for the various types of confidentiality and secrecy, the archivist favors the provision of reproductions to researchers. If confidential documents have been temporarily extracted from an archival unit, so as not to have to exclude it entirely from consultation, the archivist shall inform the researcher. The archivist reminds researchers of their responsibilities with regard to copyright enforcement. In the case of systematic data collection carried out in collaboration with other public or private entities, the archivist agrees *a priori* on the methods of use and the forms of protection of the data subjects.

The archivist makes the most of the archives entrusted to him, taking care on the one hand to offer communications that are as objective as possible and, on the other hand, to make transparent the criteria adopted of an interpretative nature, whose legitimate plurality derives from their subjective nature. The archivist aims to maintain the relationship of trust based on professional impartiality, even with users who do not share his interpretations. The archivist avoids the permanent exposure of documents whose exposure to light, even if weak, could damage them. Where he uses facsimiles, he shall ensure that their production does not damage the originals and shall inform users that they are reproductions.

Art. 6. Confidentiality

The archivist pursues the optimal balance between the duty to facilitate access to the archives for which he is responsible and the duty to protect the various types of confidentiality and secrecy legitimately established according to the regulations in force. He is aware that an essential condition for the lawfulness of the processing of confidential personal data for historical purposes, without the consent of the data subjects, is compliance with the Code of Ethics and Good Conduct attached to the Privacy Code. Where the law allows it, he shall facilitate conditional consultation of documents containing confidential data, warning users of the limits on the dissemination of such data and of the penalties applicable in the event of infringement. The archivist reminds researchers of the precautions that allow confidential data to be communicated or disseminated, where pertinent and indispensable to the research, without infringing on the rights, freedoms and dignity of the persons concerned.

He shall develop appropriate measures to prevent the possible destruction, dispersal or unauthorised access to documents of a confidential nature. He shall ensure the protection of secrets without destroying data and with respect for the persons concerned, including those who have not been consulted on the fate of the documents.

The archivist undertakes not to make any use for his own research, or other private utility, of the information obtained by reason of his activity, but not available to users or not made public. The archivist guarantees the confidentiality of the users and the sources they use. In the event that the archivist carries out research for purposes unrelated to his professional activity, he shall comply with the same rules and limits as for users.

The archivist respects the duty of confidentiality even after the cessation of his activity.

Art. 7. Updating data

The archivist shall facilitate the exercise of the data subjects' right to update, rectify or supplement data, ensuring the preservation of both the updated documentation and the testimony of the intervention carried out, including its temporal reference, and of the sources in their original formulation. When considering requests for updates regarding deceased persons and documents that are very old, the archivist also considers the time that has elapsed.

Art. 8. Oral Sources

The general need to contextualise documents, which requires the preservation of reliable evidence of their creation and use, takes on aspects of particular delicacy in relation to oral sources. Therefore, the archivist who acquires them requires the parties to provide a written declaration regarding the communication to the interviewees of the purposes of the interviews and the identity and activities of the interviewer, as well as proof of the consent expressed, at least verbally, by the interviewees themselves regarding the purposes of the data collection.

Art. 9. Impartiality

The archivist shall behave impartially towards all those who use the archives, without discrimination on the basis of gender, ethnicity, nationality, social status, religious faith or political opinion, balancing their interests with the needs of protecting and preserving the archives for the benefit of future generations. His activity must not contravene the legislation in force on the conservation, protection and enhancement of archives and with the good practices and quality standards adopted by the International Council of Archives, whose principles must be made known to clients and users, so that they too may comply with them.

He impartially selects or samples the documents to be kept or destroyed, with criteria that are as objective as possible, with the main aim of safeguarding rights and testifying to the essential functions performed by the producer and the social phenomena reflected in the relevant documents. The archivist makes the selection also taking into account the need to preserve documents useful for defending human rights, sanctioning their violations, protecting their victims, and guaranteeing the fair possibility of defence for those accused of such violations.

Art 10. Legality, Probity, Fairness and Loyalty

The archivist operates within the law and bases his conduct on the observance of the duties of probity, loyalty and fairness. Loyalty to the client prevents the archivist from unauthorised disclosure of information acquired in the course of the processing of the current and deposit files that could harm the legitimate legal and economic interests of the employer.

The archivist refrains from situations and behaviours that would create even the appearance of a conflict of interest; avoids or at least reports to the interested parties situations of conflict that may compromise the quality of their professional services and if in doubt consults the Board of Arbitrators. He does not accept gifts or derive personal advantages in connection with institutional tasks. He favours checks and investigations by the authorities and does not encourage illicit trade with acquisitions of dubious origin. In the absence of reliable data, he only accepts emergency deposits. He cooperates in the repatriation and delivery of documents to the most appropriate conservation institutions.

Art. 11. Equity and Objectivity

The archivist carries out his or her professional activity with fairness, objectivity and confidentiality. Their behaviour should not be influenced by their personal beliefs. His professional conduct must neither favour nor cause detriment to the positions of persons or entities with whom he has or has had personal relations of any kind.

Art. 12. Competence and Diligence and Professional Development

The archivist fulfils his professional duties with competence and diligence, committing himself to carry out the tasks entrusted to him in a workmanlike manner. The archivist does not accept assignments for which he or she does not possess adequate competence.

The archivist constantly takes care of his professional preparedness and pursues the updating of his professional knowledge both in the specialist field and in the general field. When engaged in teaching, he highlights the ethical aspects in all aspects of professional life.

Art. 13. Social Security, Tax and Insurance Obligations

The archivist, within the scope of his responsibilities, diligently provides for the social security, tax and insurance obligations prescribed by the regulations in force.

Art. 14. Advertising

The archivist who advertises his professional activity does so in truthful, impartial and non-misleading forms, which in any case do not offend the dignity of the profession.

Title II - Relations with Colleagues

Art. 15. Collegial Relationships

The archivist behaves in a cooperative and loyal manner towards his colleagues and those in the parallel professions. He keeps up to date and shares experiences and results with colleagues, refraining from spreading disparaging criticism about them.

Art. 16. Prohibition of Unfair Competition

The archivist shall refrain from any conduct that could be considered as unfair competition. In addition, the archivist does not exploit or disseminate any information obtained about other colleagues, his own clients or the clients of other colleagues, for example to obtain commissions.

Art. 17. Relationships With Collaborators, Employees and Trainees

The archivist, within the scope of his responsibilities, chooses his collaborators exclusively on the basis of specific skills, without discriminating in any way on the basis of other personal characteristics. Compensate collaborations in a fair and proportionate manner to the contribution received. He allows his collaborators or employees to improve their professional preparedness. He allows and encourages adequate training for practitioners, following their activities and sharing their experience with them. He manages employees fairly without putting them in situations of ethical conflict; welcomes and organises the possible intervention of volunteers in order to enrich the service without this constituting unfair competition with professionals. The archivist requires collaborators, employees and trainees to comply with ethical rules.

Title III - Relations with Employers

Art. 18. Relationship of Trust

The archivist maintains a relationship of trust with the employer, whether public or private, based on the utmost loyalty, fairness and confidentiality, within which he must protect both the preservation of the archives and the legitimate interests of the client. He may have conscientious objections should he consider that he is being induced to practices which he considers to be prejudicial to the institution,

profession or professional ethics. He shall keep information on the security of the institution confidential and respect its rights in the results of his research work. In participating in public discussions on sensitive matters such as the protection of human rights, and the professional responsibilities that flow from them, the archivist makes use of his or her right to freedom of expression without disclosing information that has not been properly made public.

Art. 19. Failure to Perform Activities

Failure or delay in completing a task is a violation of professional duties when the failure is attributable to negligence or carelessness, regardless of whether it is detrimental to the interests of the client.

Art. 20. Duty to Provide Information

The archivist informs the employer of the working conditions, methods and means necessary to carry out the work and provides him with all the relevant information. He shall inform the employer in writing of the amount of remuneration required and the foreseeable costs and shall request that the task be given to him in writing. The archivist provides information on the legal regulations for the conservation, protection and enhancement of archives.

Art. 21. Liability

An archivist who takes on professional duties offers the client guarantees against the consequences of his or her professional risks, for example by concluding, also through associations, insurance contracts for civil liability and for any damage caused in the exercise of his professional activity.

Title IV - Sanctions and Validity

Art. 22. Voluntary Nature of the Activity

Disciplinary liability derives from voluntary failure to comply with the duties and rules set out in this Code, even if by acts of omission. Subject to evaluation by the Board of Arbitrators, for the purposes of disbursing sanctions is not limited to the specific violation charged, but also the overall conduct of the member, taking into account the seriousness of the fact, any recidivism and the specific subjective and objective circumstances that contributed to determining the infringement.

Art. 23. Disciplinary and Regulatory Powers

If the member violates one or more ethical rules that he has undertaken to comply with by joining the Association, the National Board of Directors, upon notification received or following its own investigation, refers it to the Board of Arbitrators, which within sixty days, after hearing the defence of the interested party, adopts the appropriate sanctions, proportional to the infringement committed.

Art. 24. Sanctions

Violations of this Code of Ethics are punishable by a warning; the most serious violations with suspension in relation to seriousness; serious violations and recidivism, and very serious violations with expulsion. The sanctions adopted by the Board of Arbitrators are implemented by the National Executive Council. The sanctions are reported on the list of members referred to in the Articles of Association.

Art. 25. Revision

This Code of Ethics enters into force 15 days after the approval of the General Meeting. At least every three years, the revision and possible updating of the Code of Ethics shall be placed on the agenda of the General Meeting.