

Rules governing Access to the Archives of the International Committee of the Red Cross

Adopted by the Assembly of the International Committee of the Red Cross on 2 March 2017

Introduction

The International Committee of the Red Cross (ICRC) has kept archives ever since it was founded in 1863. They provide an enduring and inalienable record of the history of the ICRC's activities and of the victims of armed conflicts and other violence whom the ICRC has helped. Given the exceptional value of these documents, and in the interest of transparency, the ICRC opened part of its archives to the public in 1996. Various closure periods are observed in order to safeguard the integrity of the ICRC's work and of the individuals and communities concerned.

Section I: General provisions

Article 1 – Purpose

These Rules lay down the conditions governing access to the ICRC's archives. Their aim is to ensure that these records are preserved, shared and protected and that they are consulted in accordance with applicable standards, in particular regarding the protection of personal data, while safeguarding the integrity of the ICRC's work and the individuals and communities concerned.

Article 2 – Definitions

1. The ICRC's archives are made up of the archives of its decision-making bodies, general archives, the archives of the Central Tracing Agency, Human Resources archives and audiovisual archives.
 - a. The archives of decision-making bodies comprise:
 - i documents, in whatever format, submitted to or produced by the ICRC's governing bodies as defined by the ICRC's Internal Regulations
 - ii the internal bulletin.
 - b. General archives comprise:
 - i documents, in whatever format, produced or received by headquarters units and by ICRC delegations in the course of their work or by third-party entities of the ICRC;
 - ii documents donated by individuals and of relevance to the ICRC.
 - c. The archives of the ICRC's Central Tracing Agency comprise:
general documents, individual and event records, card files and lists of names produced or received, in whatever format, by the ICRC's Central Tracing Agency in the course of its work.
 - d. Human Resources archives comprise:
documents of historical interest found in the personnel files of ICRC staff.
 - e. Audiovisual archives comprise:
the ICRC's audio, film and photographic documents, in whatever format.
2. The term “personal data” refers to any information, as defined in the ICRC Rules on Personal Data Protection, relating to an identified or identifiable natural person.

Article 3 – Access rights and restrictions

Public access rights to the ICRC archives and the restrictions thereto are laid down in Section II of the present Rules.

Article 4 – Scope of the Rules

1. The present Rules apply to the archives deposited in the Archives department and all archives not yet deposited, whether held by ICRC headquarters, its delegations or third-party entities of the ICRC.
2. The present Rules do not apply to ICRC documents produced for public use, in particular audiovisual materials.

Section II: Access to the ICRC archives

Article 5 – Opening of archives and closure periods

1. The Assembly, the ICRC's supreme governing body, decides which archives will be open to the public on the basis of an outline of the fonds drawn up and presented to it by the ICRC's Archivist.
2. The following archives may be consulted after a closure period of 50 years, except for documents containing information whose disclosure would violate the protection of personal data or jeopardize the safety and dignity of the individuals and communities concerned or the integrity of the ICRC's work:
 - a. the archives of the ICRC's decision-making bodies, except for the minutes of their closed-door meetings;
 - b. the ICRC's general archives;
 - c. ICRC audiovisual archives that were not made public when they were produced.
3. The following may be consulted after a closure period of 70 years:
 - a. the archives of ICRC decision-making bodies that were not made public in accordance with Article 5(2)(a), such as the minutes of closed-door meetings, including those of the Recruitment and Remuneration Commission;
 - b. files from the ICRC's general archives that were not made public in accordance with Article 5(2)(b);
 - c. the archives of the Central Tracing Agency, according to the Regulations for Consultation of Agency Archives
 - d. ICRC audiovisual archives that were not made public in accordance with Article 5(2)(c);
 - e. Human Resources archives.
4. Archives from other sources that have been deposited in the ICRC Archives may be consulted in accordance with the present Rules governing Access to the Archives of the International Committee of the Red Cross.
5. The closure period is calculated from the end date of the file.
6. Documents that were open to the general public before being deposited in the ICRC Archives remain so thereafter.

Section III: Exceptions

Article 6 – Early individual access

1. Any person who was the subject of individual monitoring as part of ICRC protection activities – or, where applicable, the person legally entitled – is entitled to obtain information contained in the archives of the Central Tracing Agency about such monitoring.
2. Any person who has worked at the ICRC may have access at any time to his or her personnel file in the Human Resources archives.
3. The rights of persons mentioned in paragraphs 1 and 2 above are set out in Chapter 2 of the ICRC Rules on Personal Data Protection.

Article 7 – Special access

1. The ICRC may authorize access to certain archives for research purposes during the closure period laid down in Article 5, subject to the following conditions:
 - a. the researcher has submitted a research proposal;
 - b. the proposed research is of interest to the ICRC;
 - c. such access does not contravene an overriding public or private interest that requires protection.
2. When granting access, the ICRC specifies how the archives may be consulted. In particular, the protection of personal data must be guaranteed.

Article 8 – Extension of closure periods

The Assembly may extend the closure period of certain categories of archives if their disclosure could undermine the integrity of the ICRC's work and/or the protection of the persons and communities concerned.

Article 9 – Non-accessibility because of conservation work

Access to documents made public in accordance with the above-mentioned closure periods may be temporarily delayed in order to permit any necessary work to preserve and/or digitize the documents requested.

Section IV: Terms and conditions

Article 10 – Fees

A fee may be charged for searches in the ICRC archives carried out by ICRC staff at the request of persons outside the organization.

Article 11 – Improper use of ICRC archives

1. Any use of ICRC archives that jeopardizes the dignity or physical and mental integrity of the human person is strictly prohibited.
2. All forms of commercial use of ICRC archives are strictly forbidden.
3. The ICRC Archives draws up regulations for users of the archives. These stipulate that anyone who has seriously violated the present Rules governing Access to the Archives of the International Committee of the Red Cross or the Regulations for Users of the ICRC Archives shall be denied access to the archives.

Article 12 – Online publishing of ICRC archives

1. Archives digitized by the ICRC may be published online 90 years after the date of the last document included in the file. The ICRC nonetheless reserves the right to publish archives online early, namely 70 years after the date of the last document.
2. Online publishing of ICRC archives digitized by third parties requires specific authorization.

Article 13 – Individual complaints

Any person who considers that his or her personal data contained in ICRC archives has been used in a way that violates his or her rights may submit a complaint to the ICRC Data Protection Office. In the event of disagreement, the office may refer the matter to the Data Protection Independent Control Commission.

Section V – Final provisions

Article 14 – Exceptional situations

In situations not covered by the present Rules, the Assembly decides.

Article 15 – Entry into force

The present Rules replace the Rules governing Access to the Archives of the International Committee of the Red Cross of 19 September 2013. They take effect on 1 April 2017 and are not retroactive. Archives previously opened to the public remain so.