

Swiss Archives as ‘Safe Havens’ for Archives at Risk

Report mandated by the Federal Department of Foreign Affairs FDFA

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1. Management Summary / Synopsis

In June 2011 the Human Security Division (HSD) of the Federal Department of Foreign Affairs (FDFA), launched the project “Archives and Dealing with the Past”, in collaboration with the Swiss Federal Archives (SFA), and mandated swisspeace¹ for its implementation. The main goal of the project is to provide knowledge as well as practical help to save human rights related archival bodies from potential destruction. In the aftermath of human rights violations (crisis and war), the reestablishment of justice and trust in the Government is essential. Such archival bodies are representing one of the key elements of dealing with the past and enable rehabilitation. For this reason, it is very important to store those archival bodies in so-called ‘Safe Havens’ during an ongoing crisis.² The term ‘Safe Havens’ refers to institutions that are storing archival bodies of third parties in order to protect the data from any potential unqualified or unauthorized access as long as needed. The main goals in the initial phase of the project were to reach out to existing experts in this field, to contribute to the consolidation of a network, and to act as a nexus between governments, international institutions or organizations requesting expertise, and professionals who can provide it. Since then, “Archives and Dealing with the Past” rendered services in several international projects.

In order to facilitate more information on possibilities of cooperation and knowledge exchange, this mapping of the archival landscapes in Switzerland was launched. The main goal was to figure out if there are archival institutions in Switzerland already engaged as so-called ‘Safe Havens’ and if there are more archival institutions, which would like to join in. A further objective of this mapping was to find out whether the institutions already involved see a need for greater involvement of the Confederation³ in this field.

As a first step, we sent out a survey on a broad basis. The main goal was to identify institutions, which already hosted human rights related archival bodies and institutions, which would be interested in acting as a ‘Safe Haven’. Nine Swiss archival institutions answered our first survey with a very heterogenic range of details. Involvement and interest were signalled from Swiss institutions as well as from institutions abroad. Based on those results, four institutions were chosen for further consideration. In a second step, these institutions were contacted for a telephone interview with more detailed questions. The results of the two surveys stated, that in the Swiss archival landscape there are several different institutions with past or ongoing partnerships with foreign archives. In the most cases, the endangered archival bodies were brought to these archives via personal networks. The takeovers themselves were executed in different ways. In cases where endangered bodies were taken over, sometimes little, or very little preliminary evaluations were carried out about storage periods or ownership rights of the respective bodies. All four institutions stated their openness towards future cooperation in this field, within the respected limits of their institution concerning size and security measures as well as the overall costs of such a cooperation. They also expressed similar needs for more coherent national

¹ Swisspeace is a Swiss non-governmental organisation that is active in the fields of peacebuilding and peacekeeping.

² Huskamp Peterson, Trudy; Baumgartner, Elisabeth: Mapping Archives for Dealing with the Past Processes, in: swisspeace Essential 02/2017, S. 7-12.

³ The term "Confederation" is used in this context for the colloquial term "Bund" (abbreviation for Swiss Federal State).

standards, a desire for more involvement of the Confederation and for an institutionalization of processes to handle a possible request to act as a 'Safe Haven'.

2. Overview of archival and other memory institutions in Switzerland

The public archives in Switzerland are adapted to the federal structure of the nation state. According to government structures, the Swiss Federal Archives operate on a national level in Berne, at the cantonal level (state level), every canton is legally obliged to maintain state archives and at the communal level, every commune is legally obliged to sustain a records management and ensure the archiving of the administration in communal archives. Besides those public archives, there is a wide range of private and semi-private institutions holding archival material on specific topics. The following part elaborates the multisectional archival structure of Switzerland in order to understand the various hierarchies and dependences within this system.

2.1 Archives on a national level

On the state level there are several archival institutions. The Swiss Federal Archives are without doubt the most important and biggest archival institution on this level in Switzerland. The Swiss Federal Archives define their role as follows:

"The Swiss Federal Archives preserve the documentation of government actions and make it accessible. This enables the administration to account for its activities and work more efficiently. For the public and researchers alike, archiving is essential for the formation of independent, critical opinions in a democratic state under the rule of law."⁴

In short, the Federal Archives are responsible for the storage of all relevant documents produced by every department of the Federal Administration. The Federal Archives support and advise the departments in the creation, organisation and management of their data and documents. Further tasks of the Federal Archives are the evaluation, preservation and management of bodies as well as ensuring access to bodies for public and research purposes respecting the Principle of Public Access (Öffentlichkeitsprinzip). In addition, the Federal Archives manage the limited access to bodies worth of protection regarding the Federal Acts of Data Protection and Archiving. The Swiss Federal Archives are a public institution financed by the government under the authority of the Federal Department of Home Affairs.⁵

There are other federal institutions maintaining their own archives or having a similar function in storing objects of national value, such as the Swiss National Library, museums and collections of the Federal Office of Culture, the Swiss National Museum, the Archives of the Federal Court in Lausanne and the Swiss Federal Institute of Technology (ETH) in Zurich. The ETH-Archives include the Archives of Contemporary History, which will be discussed in detail later.

⁴ Online Plattform der Schweizerischen Eidgenossenschaft: Bundesarchiv, <https://www.bar.admin.ch/bar/en/home/about-us/the-federal-archives.html>, [Stand 03.12.2019].

⁵ Ebd.

2.2 Archives on state/cantonal, municipal and communal levels

As already mentioned above, every constituent canton in Switzerland has its own State Archives. The tasks of State Archives are very similar to those of the Federal Archives. The State Archives preserve the documentation of cantonal administration. Therefore, the organisation of the State Archives is equal to the organisation of the Federal Archives. The State Archives focus only on the matters of their respected canton, everything concerning the Confederation lies in the hands of the Federal Archives.⁶

In most cantons, the State Archives are the biggest and most professional archival institution in the canton. Therefore, they also provide advice and expertise on archival matters for smaller archives in single communities.

The work of the State Archives as public institutions is clearly regulated and focusses on cantonal tasks. International or national competences lie within the Confederation or the Swiss Federal Archives.

2.3 Private archives and similar institutions

In addition to the national and cantonal archives in Switzerland, there exists a variety of private archival institutions. Most of them are archives of private associations, political organisations or commercial enterprises. There are no legal bases or obligations for the storage and access to these bodies in Switzerland except for financial files for tax purposes. Private archives store their data mostly in their own interest in order to document the decisions, actions and the history of their own institution. Most private archives focus on specific topics.⁷

Other private archives have specialised in storing archival bodies of third-party private organisations. An example for such an institution is the Swiss Social Archives in Zurich, which specialises on the storage of documents and archival bodies of political movements and parties. The Afghanistan Institute in Bubendorf (canton Basel-Land) is storing only archival material concerning Afghanistan. Some of these archives are financed through donations and public funding in combination with national incentives. Other archives operate as self-sustaining businesses, which store archival bodies of private firms in exchange for money, for example Mount10, a company which stores encrypted private data on its own secured servers.⁸

The access to those archival bodies differs a lot, because these institutions do not have a legal obligation to ensure access to their archives.

3. Methodology

The described mapping of the Swiss archival landscape in this report follows, as far as possible, the guidelines of Trudy Huskamp Peterson and Elisabeth Baumgartner. They presented their guidelines in their paper *Mapping Archives for Dealing with the Past Processes*, published in February 2017. The

⁶ Historisches Lexikon der Schweiz Online: Archive. Kantonsarchive, <https://hls-dhs-dss.ch/de/articles/012820/2019-08-16/#HKantonsarchive>, [Stand: 03.12.2019]

⁷ Historisches Lexikon der Schweiz Online: Archive. Privatarchive, <https://hls-dhs-dss.ch/de/articles/012820/2019-08-16/#HPrivatarchive>, [Stand: 03.12.2019]

⁸ Ebd.; Mount10 Online Plattform, <https://www.mount10.ch/>, [Stand: 03.12.2019]

current report focuses on the identification of potential cooperation partners in Switzerland and the need for consistent procedures. Therefore, the survey is limited to document already existing human rights-related archival bodies kept in Swiss institutions and mapping possible cooperation partners and institutions interested in acting as 'Safe Havens'.

The scope of this report embodies the examination of the existing general expertise concerning the holding in trust of human-rights-related archival bodies within the Swiss archival landscape. To evaluate the practice of these institutions the criteria⁹ listed below are applied:

1. Geographical safety (no civil war or unrest), no foreseeable geological risks
2. Perception of being neutral or sympathetic to the political position of the institutions seeking a 'Safe Haven' for archives at risk.
3. Physical safety, including good infrastructure and sufficient security measures
4. Stable, long term funding (including resource allocations and support from the own organizational hierarchy and the governing board)
5. Ability to provide for accountability and transparency regarding its working methods
6. Experience in handling the format that is to be transferred
7. Experience in handling sensitive materials
8. Willingness to accept the materials as a non-public deposit, not as a donation
9. Adherence to international standards and certification mechanism¹⁰

The questionnaire (see appendix) is based on the above criteria and tries additionally to collect information about any existing human rights-related archival bodies. Three mailing lists were mainly used for the survey: the list of swisspeace "Archives and Dealing with the Past", the Swiss list for information and documentation specialists "swiss-lib" and the mailing list of the Swiss association of archivists (vsa).

In a second stage, telephone interviews were conducted with selected institutions. Based on the information they provided these institutions were considered particularly interesting in the first round of the survey. In this second step, the need for additional support and involvement of the government was examined.

4. Data gathering (Preliminary Results)

The general survey was sent via e-mail to all the archival institutions mentioned in the lists above. After examining the results, the most promising institutions for a second interview round were chosen. The plan was to go deeper into the topic and to focus strongly on the already given information in the first interview round.

⁹ These criteria define the standards for institutions acting as 'Safe Havens' and were established within the Expert Working Meeting from October 2016 "Safe Havens for Archives at Risk".

¹⁰ International Expert Working Meeting: Outcome Paper Safe havens for archives at risk, 2016, S. 2.

4.1 First round of questioning

The people responsible for the handling of these particular bodies and who are experienced in handling this kind of complex tasks were tried to be reached. Furthermore, it was of interest to gather information about former cooperation in this field. In cases where the responsible person was not reachable, the survey was sent to the general e-mail address of the institution.

The e-mail survey was designed to screen efficiently all the institutions with experience and interest in further cooperation from those with no interest in the “Archives and Dealing with the Past” project. For this purpose, the survey was reduced to five questions, which could be answered in a manageable time. Answers of fourteen institutions (nine Swiss institutions, five international institutions) and two private persons came back.

Of those nine Swiss archival institutions which answered the survey, eight signalled that they are interested in future cooperation in the “Archives and Dealing with the Past” project. Two institutions for our second interview round were chosen, the Social Archives in Zurich and the Archives for Contemporary History in Zurich. Furthermore, two archives (the Afghanistan Institute in Bubendorf and the Swiss Federal Archives in Bern) which did not answer our first survey, have been invited to participate in the second survey.

Unfortunately, no institution could be found at the cantonal level, which suited for further investigation. This is hardly surprising, since the cantonal orientation of the state archives leaves little room for international involvement. In addition, the cantonal archives, which responded to the survey, referred to the Swiss Federal Archives, which are, in their view, more suitable for such involvement.

4.2 Second stage of the survey

Institutions with prior experience in human-rights-related archival bodies or with experience in similar cooperation with foreign archives and/or authorities were selected. The second consultation aimed at gathering more information on how cooperation was established and under which circumstances, as well as to identify potential problems and opportunities of current practice. In order to gather deeper information about already established cooperation in this field, the questions were individualized. The interviews with the Federal Archives and the Afghanistan Institute were conducted via e-mail, the Social Archives and the Archives for Contemporary History were interviewed on the phone. In the following chapter the chosen institutions are introduced and the general direction of individual questions are presented.

4.2.1 Social Archives in Zurich

With its collection of historical and current documents on social issues, the Swiss Social Archives are a unique institution in Switzerland. They form part of the Swiss archival and library landscape and cooperate with related institutions in Switzerland and abroad. The Social Archives is a research infrastructure recognised by the Swiss Confederation with its own research promotion fund.¹¹

¹¹ Sozialarchiv Online: Über uns, <https://www.sozialarchiv.ch/sozialarchiv/ueber-uns/>, [Stand 03.12.2019].

In the first round of the survey, the Social Archives in Zurich had already informed us relatively extensively on three archival bodies related to human rights, which form part of their archives. Two of these archival bodies have already been returned to their country of origin. One of these archival bodies was even sealed and inaccessible during the entire storage period in Switzerland. The questions were therefore mainly directed at the circumstances of the initiation of this cooperation. Important was also whether certain agreements had been made in advance about the storage period or the access rights. Furthermore, we were interested in technical protection possibilities of the Social Archives and the spatial possibilities, which the archives would be able to provide for future cooperation. The last question focused on the expectations and needs of the Social Archives.

The contact person in this institution was the director, Prof. Dr. Christian Koller. He answered the first e-mail request and was personally interviewed on the phone.

4.2.2 Afghanistan Institute

The Afghanistan Institute is run by the Bibliotheca Afghonica, which exists since 1975. It has been under the supervision of the Federal Department of Home Affairs since 1983. The non-profit status of this institution is officially recognised. The aim of the Afghanistan Institute is to preserve and research Afghan nature, history and culture. The archives of the Afghanistan Institute is only accessible to the public to a limited extent but they are generally accessible for scientific purposes.¹² The institution hosts vast collections on the Afghan-Soviet war in the 1980s and has a large network of Afghan citizens abroad.

The contact person at the Afghanistan Institute was Paul Bucherer, director of the Institute.

4.2.3 Archives for Contemporary History

The Archives for Contemporary History at ETH Zurich collect written, audio and visual documents from private collections on the history of Switzerland from the late 19th century to the present and provide public access to these historical sources. With the preservation and care of Swiss cultural assets, this institution fulfils a task of national importance within the framework of ETH Zurich's strategic orientation. The so-called special archives complement the state's tradition-building activities. The Archives for Contemporary History are part of the Institute for History at ETH Zurich. The institution primarily secures and catalogues the personal and professional archives of natural persons and private organisations on the three main themes of politics, economics and the history of the Jews in Switzerland.¹³

The contact person at the Archives of Contemporary History was Dr. phil. Daniel Nerlich, who is the deputy head of the institution.

4.2.4 Swiss Federal Archives

As already explained in Chapter 2, the Swiss Federal Archives is the only national public institution of this kind in Switzerland and responsible for all archival aspects of the federal administration. The size,

¹² Afghanistan Institut Online: <http://www.afghanistan-institut.ch/>, [Stand: 03.12.2019].

¹³ Archiv für Zeitgeschichte Online: Kurzporträt, https://www.afz.ethz.ch/ueber_uns/kurzportraet/, [Stand: 03.12.2019].

the knowledge and the responsibility as well as already existing cooperation between the Swiss Federal Archives and the Federal Department of Foreign Affairs qualify this institution for obtaining a key function in the area of establishing Swiss archival institutions as 'Safe Havens' for archives at risk.

The contact persons at the Federal Archives were Stefan Kwasnitza, Deputy Director of the Archives, and Dea Seidler-Ajeti, Deputy Communications Officer.

5. Outcome

5.1 First interview round

The following chapter presents the results of all the institutions that were only considered in the first survey. The individual institutions are briefly presented, and it is analysed whether these institutions could nevertheless be considered as 'Safe Havens'.

5.1.1 Mount10

Mount10 is a private company, which stores data of private persons on specially secured servers and can finance itself thereby profitably. The servers are additionally geographically secured in former bunkers of the Swiss Army. For security reasons, Mount10 only stores encrypted data. This leads to the fact that those responsible at the company do not know what kind of content is stored on their servers. This circumstance makes a further analysis of this company impossible, even if human rights-relevant stocks were possibly available in the inventory of Mount10.

Whether Mount10 is suitable as a 'Safe Haven' is difficult to estimate from the information that has been worked out. The basic criteria of geographical security (point 1) and physical security (point 3) are certainly given, but the lack of transparency (point 5) and the fact that the inclusion of endangered files would be subject to a charge, speak against their use as a 'Safe Haven'.

5.1.2 HURIDOCS

HURIDOCS (Human Rights Information and Documentation Systems) is a non-profit organization (NGO) headquartered in Geneva. The organization describes itself as an open source software development company for human rights organizations. HURIDOCS offers various digital solutions for organizations that try to document human rights violations or to secure data of such violations for later prosecution. HURIDOCS is completely funded by donations and does not receive any federal money.¹⁴ In response to our survey, HURIDOCS replied that they manage databases of over 100 human rights groups and organizations around the world on their servers. But details about these databases are strictly confidential. They also stated that they had worked with swisspeace and the "Archives and Dealing with the Past" project several times. In a recent case, HURIDOCS worked with the UN Truth Commission in Mali.

The online tool Uwazi shows the versatile engagement of HURIDOCS in different projects and offers an overview of the different databases and their functions. In addition, HURIDOCS online offers a variety

¹⁴ Huridocs Online: <https://www.huridocs.org/>, [Stand: 03.12.2019].

of reports on various human rights violations or crisis areas. For example, the database "Tibetan Centre for Human Rights and Democracy" collects and publishes accessible information on Tibetan political prisoners.¹⁵ According to Bert Verstappen, HURIDOCS is committed to confidentiality towards its partners in the collection of these files. Additional information on HURIDOCS cooperation with suppliers of human rights records is therefore not available.

HURIDOCS can certainly be described as an important actor in this field among the information provided and should be consulted as a partner in the search for digital solutions for endangered, foreign, human rights-relevant bodies. In general, it can be assumed that all nine basic criteria for a 'Save Haven' (limited to online data storing) are fulfilled by HURIDOCS. Regarding points 4 (stable, long-term financing) and 5 (ability to provide accountability and transparency), certain question marks remain regarding the data collected.

The contacts at HURIDOCS were Friedhelm Weinberg, executive director, and Bert Verstappen, senior documentalist.

5.1.3 State Archives of the Canton of Glarus (Landesarchiv Glarus)

The Landesarchiv Glarus is the State Archives of the Canton of Glarus. It is one of the few cantonal institutions that responded to our first survey. The person in charge (Beat Mahler, archivist) replied that they are currently acting as a 'Safe Haven' for an archival body, but that this cooperation came about ad hoc. For example, essential points such as the sensibility of the documents, storage period, ownership, right of use or access conditions were not regulated in advance. The publication of more detailed information on this archival body is not in the interest of the institution, which is why a further investigation was disregarded. In addition, the Landesarchiv Glarus does not consider itself to be a suitable institution for such archival bodies and would urgently like to hand over the corresponding ones to a more specialised place.

5.1.4 State Archives of the Canton of Graubünden

The Graubünden State Archives were the second cantonal institution to respond to the first survey. The person responsible (Reto Weiss, state archivist) stated that they had already taken part in June 2016 in the then Round Table on the subject of 'Safe Havens'. At that time, it had already been communicated that in the canton of Graubünden some former military fortresses could be used for the storage of analogue archival bodies. The State Archives themselves have no foreign archival material relevant to human rights in their possession. According to Reto Weiss, the storage of such files is an issue that should rather be dealt with on a national level. They are not equipped to assess the security issues, but they are open to an exchange of knowledge. Even though they do not consider themselves an optimal institution for the hosting of such bodies.

¹⁵ The Tibetan Political Prisoner Database on Uwazi: <https://tchrd.uwazi.io/>, [Stand: 17.12.2019]

5.1.5 Federal Office for Civil Protection FOCP/ BABS Kulturgüterschutz

According to the 1954 Hague Convention, the FOCP protects cultural property from Switzerland and abroad that creates identity. This also includes cultural property, which is endangered, for example, by armed conflicts. Accordingly, the institution replied to the first survey that it only preserves foreign cultural property and no foreign files relevant to human rights. However, the FOCP is generally very interested in an exchange of knowledge on this subject, especially regarding technical details.

Nevertheless, since the institution is not an archive in the classical sense, it does not regard itself as a possibility of a 'Safe Haven'.

5.1.6 Data and Research Information Services FORS, Université de Lausanne

The FORS in Lausanne, officially launched in 2008, describes its own mission as follows:

*"FORS is the Swiss Centre of Expertise in the Social Sciences. FORS implements large-scale national and international surveys, offers data and research information services to researchers and academic institutions, and conducts methodological and thematic research."*¹⁶

FORS pooled the responsibility for a number of existing long-term projects, including the Swiss Household Panel (SHP), the Swiss Electoral Studies SELECTS and SIDOS, and the Swiss Information and Data Archives for the Social Sciences.

The Institution maintains national social science digital data archives, which are mainly funded by the Swiss National Science Foundation (SNSF) and the State Secretariat for Education, Research and Innovation (SERI). While the institution momentarily has a lot of sensitive data and procedures in place to protect confidentiality, they have very little data from third party archival bodies.

As an example, the institution mentioned hosting the SNSF-funded r4d "Pluralistic Memories Project", which gathered testimonies from people in recent conflict zones (Palestine, Sri Lanka and Burundi). The original materials (audio recordings and anonymised transcripts) are stored in the system of the FORS. The archives will keep these highly sensitive foreign data at their institution, because there exist no suitable local archives. The archival system is secure and hosted by the University of Lausanne. The FORS intends to keep these materials permanently, even if they might be transferred in the future to their host countries, assuming that, long-term political stability can be ensured.

FORS only stores data related to ongoing, completed or planned research. The data mentioned were collected explicitly for research purposes and are therefore not from foreign, endangered archives. Nevertheless, the data concerns persons from crisis areas which cannot be stored in the respective countries. One can therefore say that FORS nevertheless acts as a 'Safe Haven' in this matter. The nine basic criteria for a 'Save Haven' are generally fulfilled by FORS. It is important to note, however, that the institution specialises above all in the administration of digital archival bodies and is there fore

¹⁶ FORS Online: About FORS, <https://forscenter.ch/about-fors/mission/>, [Stand: 10.12.2019].

probably particularly suitable for the storage of such files. The institution is also interested in an exchange of information regarding the storage of foreign archival bodies relevant to human rights.

The contact person at FORS was Dr. Brian Kleiner, Head of unit Data and Research Information Service.

5.2 Second interview round

The following chapter presents the results of the second round of interviews and compares the statements made in the survey with the nine basic criteria for 'Safe Haven' archives from chapter three.

5.2.1 The Social Archives Zurich

As mentioned before, the Social Archives have taken up three foreign archival bodies relevant to human rights. During the Cold War, the archives of the Social Democratic Party of Czechoslovakia were kept in exile. This collection was sealed and handed over to the Documentation Československé dokumentační středisko in Prague in 2000, authorised by Miroslav Tuček and Karel Hruby. Furthermore, a collection of small letters by Miroslav Tuček, head of the Social Archives from 1968 to 1987, is still kept in the Social Archives. This collection of texts partly contains individual original documents. In addition, in the 1980s an archival body of the Polish labour union Solidarnosć was taken over. However, this is not an actual organisational archival body, but a documentation, which is still kept in the Social Archives and is freely accessible for use.

The two archival bodies relating to Czechoslovakia have been transferred to the Social Archives Zurich mainly through Miroslav Tuček's private relations. Mr. Tuček was also the head of various exile organizations from Czechoslovakia at the time and therefore very closely interlinked.

Due to the complicated and challenging process in these days, Mr. Koller was no longer able to give a detailed account of the union's archival bodies at Solidarnosć. However, he assumes that Mr. Tuček was also significantly involved in this cooperation. The collection was brought to the Social Archives at a time when the labour union Solidarnosć was already "halfway" legalized. Had all the archival bodies fallen into the hands of the Soviet government, they would most likely have been used to monitor and prosecute individuals. The two archival bodies from Czechoslovakia focus on the Social Democratic Party of Czechoslovakia, which also had an illegal status during this period.

No agreements were made about the storage period. The archival bodies arrived in Switzerland at a time when hardly anyone would have expected the collapse of the Soviet Union. Thus, these archival bodies were placed in the care of the Social Archives for an indefinite period. In this situation, very pragmatic action was taken. According to Koller, the archival bodies remained sealed and unopened in order to protect the people treated in these files. A deeper analysis of the content of these archival bodies by the Social Archives was never planned.

Regarding the spatial and technical possibilities of the Social Archives, Mr Koller stated that the Social Archives would be more suitable for smaller archival bodies, as there are almost no space reserves. In an emergency scenario, one would also be prepared to accept partial archival bodies. All archival rooms of the Social Archives are secured by alarm, but special, reinforced security precautions cannot be

guaranteed. Mr Koller also pointed out that some of the facilities were only partially protected from potential flooding caused by the river Sihl due to their geographical location. Regarding the security of digital archival bodies, Mr Koller said that the Swiss Federal Archives would certainly offer better solutions, as the Social Archives have no special digital protection mechanisms.

Overall, the Social Archives are willing to serve as a 'Safe Haven' for endangered archival bodies and declare themselves ready and qualified for possible future cooperation. However, it should be noted that such cooperation must take place within the given restrictions of the institution and that the archival bodies taken into consideration need to have a thematic reference to the core themes of the Social Archives.

They would strongly welcome standardised procedures for cooperation and favour a point of information or a contact person. This example stands for the needs for action to possibly be taken on a national level. Especially guidelines concerning the handling of digital collections are missing. Mr Koller also states the importance of accessible information on potential (political) risks that may occur for institutions involved as 'Safe Havens'.

Of the nine basic criteria for a so-called 'Safe Haven', the Social Archives fulfils points 1, 2 and 4 to 9. In our opinion, point 3 (physical safety) is fulfilled in general, nevertheless the Social Archives expressed certain doubts here.

5.2.2 Afghanistan Institute

The Afghanistan Institute only collects archival bodies concerning Afghanistan. Especially, their collection on the Afghan-Soviet War in the 1980s is related to human rights.

In 1985 Professor Ermacora, a member of the UN Commission on Human Rights, was to write his second report on the human rights situation in Afghanistan during the war. His first report on this war revealed numerous human rights violations by the Soviet army in Afghanistan and was received with great interest by the public. The UN thus initiated a second report, which was barely financed by political means. Professor Ermacora addressed the Bibliotheca Afghanica, which supported him with a large-scale fundraising campaign. The fundraising campaign raised around 20,000 Swiss francs within a week. To do the research, students from the universities of Basel and Berne, who had been trained as intelligence officers in the Swiss army, were immediately recruited by the foundation. The researchers started their work in offices in Liestal based on the vast documentation available at the foundation. The outcome reached beyond the simple compilation of new sources. They were required to put each reported event in a broader Afghan context using the Bibliotheca's resources. The expertise of the Bibliotheca Afghanica was crucial to contextualize the news articles and other sources.

Although the data collected for this purpose are not original documents in the strict sense originating from foreign, endangered archives. Nevertheless, they document human rights violations in large numbers. Still the Afghanistan Institute provides priceless expertise regarding questions of saving endangered archival bodies, information, and cultural assets. The Afghanistan Institute expressed an

interest in being considered for future cooperation concerning Afghanistan. The institution is able to provide the necessary capacity and security infrastructure is available as well.

Of the nine criteria for a so-called 'Safe Haven', the Afghanistan Institute certainly fulfils points 1 to 3 and 5 to 8. The fulfilment of points 4 (stable, long term funding) and 9 (Adherence to international standards) cannot be guaranteed without more stable funding.

5.2.3 Archives for Contemporary History

The Archives for Contemporary History have not yet included any foreign archival bodies relevant to human rights as a 'Safe Haven'. However, the institution has a strong thematic connection to such archival bodies and there is a great interest towards this topic. The institution disposes of expertise, which it intends to contribute to this project.

Mr. Nerlich cited three example collections (three among several) which are relevant to human rights and have been collected in connection with research projects and are now forming an integral part of the collection of the Archives for Contemporary History. As an example, we chose the collection "Verband Schweizerischer Jüdischer Fürsorgen" (Association of Swiss Jewish Carers), which was taken over in 1997 by the Zentralstelle Zürich (Central Office of the Association) with its 12'250 refugee files, minutes, statutes, regulations, annual reports and personnel and administrative files. The collection includes personal files of Jewish refugees from the Second World War, but also personal files of refugees from conflicts from Bosnia, Hungary, Czechoslovakia, Poland and the Soviet Union, as the association also supported refugees from other wars. The personal files were indexed in a separate database. These files were used in the course of the reappraisal of the role of Switzerland in the Second World War. Access to these files is subject to data protection regulations.

In general, such cooperation or takeovers of archival bodies took place in relation with a planned or ongoing research project. The Archives for Contemporary History also actively approached potential partners to propose such solutions. Mr. Nerlich also sees this as one of the great strengths of the institution. The institution provides an important expertise regarding the acquisition of foreign archival bodies and is well informed about the legal background as well as necessary preliminary clarifications for such cooperation. For this reason, the frameworks have always been worked out carefully beforehand. In most cases, gift contracts were signed in advance. Mr. Nerlich, however, signalled that the archives could also act as a custodian solution for an endangered archival body. Thus, a temporary storage of an archival body would also be possible. So far, however, it has been primarily long-term storage.

Answering the question of spatial and personnel capacity, Mr. Nerlich stated that the Archives for Contemporary History generally have enough capacity to store archival bodies as a depot at short notice. If, however, such an external archival body had to be indexed or researched on, the funding of the additional work would have to be assured.

The security situation is similar to the situation of the Social Archives. The premises are protected by an alarm system. However, special, specific security measures are not available. No special additional protection can be provided at short notice whether for analogue archival bodies nor digital collections.

Regarding natural disasters, Mr Nerlich added that the Contemporary History Archive is part of ETH Zurich's emergency planning. This emergency plan envisages, that in the event of a major catastrophe (flood), 5 - 6 kilometres of storage space will be available in a secure location in a recently completed building.

The Archives for Contemporary History are generally very interested in being active in this field and have already signalled their interest several times in the past. They could well serve as a 'Safe Haven'. According to Mr. Nerlich, however, guidelines and responsibilities would have to be drawn up by the government for this purpose. All relevant questions concerning storage duration, ownership, conditions of use, return etc. would have to be clarified in advance. In addition, there must also be a thematic proximity to topics of the institution.

The Archives of Contemporary History would also be prepared to accept partial archival bodies as an emergency solution. They would be ready to step in; especially in case of immediate danger that cannot be met by institutions in the country of origin.

However, the most important condition of the Archives for Contemporary History for such cooperation is the commission or authorisation by the Federal Government or the ETH.

The conditions and framework for the integration of foreign bodies are linked to the international cooperation of the Swiss government with the country in question. They have to be regulated at a national level. The Archives for Contemporary History cannot conduct negotiations on this level and suggest that the Confederation should assume a liaison function here.

The available data show that the Archives for Contemporary History meet all nine points of the basic criteria for a 'Safe Haven'.

5.2.4 Swiss Federal Archives

In cooperation with the Federal Department of Foreign Affairs, the Federal Archives secured two endangered collections. The historical archives of a national police and files of the Nuclear Claims Tribunal (NCT) of the Republic of the Marshall Islands (RMI). Both collections are stored digitally. The police body comprises 35 million files and is 16 terabytes in size and is stored by the FDFA, while the Marshall Islands body is two terabytes in size and hosted by the Federal Archives. The Marshall Islands' files cover the archives of the institution "Nuclear Claims Tribunal" and contain crucial information on complaints by the local population and its whole background in the 1980ies. The American government carried out nuclear tests on the islands between 1946 and 1958 and had part of the population relocated.

For both foreign archival bodies, agreements were established between the two partners in the process of the takeover to secure a long-term storage, either in by the FDFA or the Federal Archives.

Both archival bodies were in danger of being lost. With regards to the police archive, the loss of documents was feared and the documents of the Marshall Islands case were endangered due to climatic conditions.

About the available capacity for recording endangered archival bodies, the Federal Archives generally responded very positively. In principle, the capacity to adequately accommodate endangered archival bodies does exist. However, each individual case of a transfer must be evaluated regarding technical and spatial capacity. They have a standardised archiving process, which ranges from pre-archival advice to the mediation of the documents. It includes both organisational and technical aspects. Within this standardised process, endangered archival bodies can be generally accepted. In general, however, the requirements of the individual archival bodies must be checked each time they are taken over. In the case of an acute risk situation, archival bodies could also be accepted at short notice. The processing time of the standardised process can vary depending on the type, condition and requirements of the archival body.

The Federal Archives are interested in continuing to play an active role in this field in the future and in participating in a general exchange of knowledge. They would also like the FDFA to be more deeply involved in this area. Specifically, the institution welcomes the idea of a close coordination with the FDFA and a respective examination of individual cases by the Federal Archives.

The information provided by the Federal Archive shows that this institution already has some experience as a 'Safe Haven' and that the Federal Archives meet all nine criteria for this purpose.

5.3 Survey gaps

The present survey does not claim to provide a complete mapping of all possible actors in the Swiss archival landscape as 'Safe Havens'. For this reason, certain aspects and contents that are missing from the present report will be addressed and discussed here.

As already mentioned in chapter 2.3, private archives in Switzerland have no legal obligations to provide public information about their collections and some of them are only loosely or not at all embedded in the Swiss archival landscape. The authors of this report suppose that this could also be one of the reasons why only very few private archives responded to the very broadly based initial survey. However, we assume that a number of such archives store human rights-related bodies with foreign reference and that such archives could make a valuable contribution to the project "Archives and Dealing with the Past".

In addition, our survey has provided us with data on human-rights-relevant archival bodies, which we cannot publish due to the sensitivity of these files.

5.4 Workshop Outcome

On January 21st, 2020, the Federal Department of Foreign Affairs and swisspeace invited several actors to a joint workshop at the University of Berne. The authors presented the outcome of the several

surveys. In the second part, survey gaps as well as the requirements of the actors have been discussed in detail. In the following, an addition to the survey results is made.

5.4.1 Missing actors (actors not being part of the survey)

In January 2020, actors from Swiss archival institutions have been invited to participate in a workshop. The main goals were to invite important actors and to learn from their experiences, and to identify their needs and desires. The mentioned institutions and actors below have not participated in the survey before.

5.4.1.1 Swiss Foundation for Safe Havens for Archives at Risk

swisspeace, in collaboration with the library of the University of Basel, is establishing a foundation in order to facilitate information, funding and practical help for organisations searching for assistance for Archives at Risk. The foundation is yet to be established.

5.4.1.2 Centre de documentation, de recherche et d'information des peuples autochtones DOCIP

DOCIP is a Swiss not-for-profit foundation whose primary objective is to support Indigenous Peoples in defence of their rights, mainly within the framework of the UN and European institutions. DOCIP is governed by Article 80 et seq. of the Swiss Civil Code and is headquartered in Geneva (Switzerland). It is subject to cantonal and federal bodies that are in charge of monitoring foundations.¹⁷ They host a vast collection of information related especially to legal questions of indigenous peoples. Their collection is described on their website: <https://www.docip.org/en/our-services-solutions/documentation-center/>

5.4.1.3 Gesellschaft für bedrohte Völker GfbV (Society for Threatened Peoples)

The Society for Threatened Peoples (STP) is an international human rights organization that advocates for threatened ethnic and religious minorities, nationalities and indigenous communities.¹⁸ They are not an archival institution in the pure sense, but through their work and contacts worldwide, they face a lot of different kinds of human rights related information. The treatment of this kind of data is difficult and sensitive and they would appreciate national guidelines to fall back to.

5.4.1.4 Digital Storage Solutions

The Federal Office for Civil Protection FOCP/ BABS Kulturgüterschutz is in contact with operators of bunker-like premises in the Swiss mountains in order to establish a 'Safe Haven' for threatened digital data.

5.4.1.5 The Archives of the Basel Mission and the Basler Afrika Bibliografien BAB

Both institutions hold vast collections of archival bodies as well as printed matters on different regions. The Archives of the Basel Mission cover the former missionary field of the Mission Society (India, China, Ghana, Cameroon, Nigeria, South Africa and others) in the last two hundred years, as well as the complete archives of the Union Trading Company.

¹⁷ <https://www.docip.org/en/docip/>, visited 28.01.2020.

¹⁸ <https://www.gfbv.de/en/about-us/thats-what-we-do/>, visited 28.01.2020.

5.4.1.6 The Swiss Society for Cultural Property Protection (SSPCP)

The society aims at assisting Swiss Federal, Cantonal and Municipal authorities as well as private owners and organisations in charge of cultural property objects in their duty to protect the cultural heritage of Switzerland.

The society is active in all parts of Switzerland and pursues its objectives in confessional and political neutrality.¹⁹

5.4.2 Blind spots

Several questions were raised during the workshop, some of them remain unanswered. As mentioned before, financial funds are crucial for archival institutions ready to act as 'Safe Havens'. On the legal basis of the "Bundesgesetz über den Schutz der Kulturgüter bei bewaffneten Konflikten, bei Katastrophen und in Notlagen" (Federal law on the protection of cultural goods in case of armed conflicts, catastrophes and emergencies), the Federal Office for Civil Protection is able to provide a subsidies to support such activities in certain cases. Nevertheless, this funding option remains the only one available on a national level.

Besides legal and financial concerns, the risk assessment of involved persons shall not be forgotten. A person who tries to take any kind of data over national borders or through conflict-affected zones puts themselves at very high risk.

5.4.3 Lessons learnt

Out of the closing discussion within the workshop, several actors stated that many archival institutions face requests on short notice, struggle with funding options and favour digital formats of archival bodies to host as 'Safe Havens'.

They emphasise the creation of central office for all kind of information as important and helpful for future cooperation.

6. Recommendations

In this chapter, the suggestions to improve the situation of the institutions acting as 'Safe Havens' will be analysed and some changes in current practice will be suggested. In addition, suggestions and proposals from institutions that were only considered in the first round of interviews will also be included.

The authors consider Switzerland with its diverse archival landscape as a valuable option for activities in the field of 'Safe Havens' for archives or archival bodies at risk. Switzerland's foreign policy looks back on a long tradition of neutrality in conflict and many experiences have been made with mediation between governmental as well as non-governmental actors. In addition, human rights have always been a main interest of Swiss foreign policy. Swiss researchers, Swiss funding organisations, and the Swiss administrations have gained valuable experience in processes of dealing with the past and the rehabilitation of formerly neglected actors in Swiss history. The „Independent commission of experts

¹⁹ <http://www.sgkgs.ch/index.php?setLang=2>, visited 28.01.2020.

„Schweiz – Zweiter Weltkrieg“ (Switzerland – World War II, 1997 – 2001), the national research programme NFP 42+ «Beziehungen Schweiz – Südafrika» (Relations between Switzerland and South Africa, 2000 - 2004), the „Independent commission of experts ‚Administrative Versorgungen‘ (Administrative Mandatory Measures, 2014 - 2019) and the national research programme NFP 72 ‚Fürsorge und Zwang – Geschichte, Gegenwart, Zukunft‘ (Welfare and coercion – History, Present, Future, started in 2017) contributed substantially to international discourses on rehabilitation, dealing with the past and the prevention of re-occurrence.

Very skilled researchers, archivists and information specialists are currently working in the domain of research, in archival institutions related to human rights, and provide valuable expertise. In cooperation with archival institutions in need of ‘Safe Havens’, Switzerland is thus able to provide knowledge, space and a recognised international reputation. We would like to specially mention the Social Archives and the Archives of Contemporary History in Zurich and the Federal Archives in Berne in this context.

The federal character of the Swiss archival landscape is as well considered a strength in processes of ‘Safe Haven’ activities. The structures facilitate individual initiatives and efforts and “flying below the radar” sometimes has the potential to ease regulations and procedures.

Nevertheless, many archival institutions in Switzerland, especially non-governmental and non-profit institutions, face problems on the level of finances, infrastructure, and sometimes know-how or network when facing legal and organisational questions.

The answers of the Social Archives and the Archive for Contemporary History show that those responsible at these institutions would like the Federal Administration to be more closely involved in this issue. Both institutions ask for clearer guidelines and a uniform procedure for the handling of such archival material. Both institutions also addressed the problem that the acquisition of such archival bodies may interfere with Switzerland's foreign policy. The Federal Archives have expressed very similar opinions in this respect.

The example from the Canton of Glarus also shows that it is indispensable to legally regulate the framework for such a takeover in advance. The archives keep a foreign archival body that they would prefer not to keep any longer. National guidelines, which prescribe certain conditions for such a transfer, could prevent institutions from similar experiences.

The information from the Graubünden State Archives points in a similar direction. The Swiss Federal Archives were named as the institution with the optimal institutional position within the Swiss administration, which should be primarily considered.

In terms of the data we have compiled, we recommend the development of a uniform national procedure and the formulation of a legal frame to offer a certain security for archival institutions taking over foreign archival bodies relevant to human rights. In addition, we recommend that the Federal Department of Foreign Affairs should position itself as an active link or nexus for national institutions between itself and foreign archives and states. For example, a national liaison for addressing questions concerning a possible takeover would improve the whole process. For this purpose, the creation of an information or

mediation unit could be beneficial. A close connection to the FDFA and the establishment of an extensive network in the Swiss archival landscape of this office would certainly be necessary. The question remains, however, whether this office should be housed within the FDFA itself or whether it should be created by an external organisation. We argue that there could be advantages in having a non-governmental organisation creating this post, but with the FDFA's support and financing. In certain situations, a solution without the involvement of the FDFA could even prove as faster, less official and thus easier.

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8. Annexes

8.1 Survey sent in the first round

Archives and Dealing with the Past: Mapping of Swiss Institutions

Dear Madam/Sir,

In June 2011 the Human Security Division (HSD) of the Federal Department of Foreign Affairs (FDFA), launched the project 'Archives and Dealing with the Past', in collaboration with the Swiss Federal Archives (SFA), and mandated swisspeace for its implementation. The main goals in the initial phase of the project were to reach out to existing experts in this field, to contribute to the consolidation of a network, and to act as a nexus between governments, international institutions or organizations requesting expertise, and professionals who can provide it. Since then, 'Archives and Dealing with the Past' rendered services in a number of international projects.

In order to facilitate more information on possibilities of cooperation and knowledge exchange, we are establishing a mapping of the archival landscapes in Switzerland. We are interested in figuring out if there are archival institutions already engaged as so-called 'Safe Havens'. The term 'Safe Havens' refers to institutions that are storing archival bodies of third parties in order to protect the data from foreign access as long as needed.

- *If you and your institution are interested in engaging as a 'Safe Haven' for archival bodies of third parties, please contact us via e-mail or phone.*
- *If you and your institution are interested in any cooperation or knowledge exchange in the field of 'Archives and Dealing with the Past' and the topic of 'Safe Havens', we would as well be interested in establishing a personal contact.*
- *If you and your institution are already hosting foreign, human rights related archival bodies (digital or analogue), we kindly ask you to answer the questions below or to contact us directly. Please be aware of the sensitive content your answers may contain. We suggest answering the questions only superficially if you choose to communicate via email. We will come back to you if more information is needed.*

Questions:

1. *Are there any human rights related bodies of third parties stored in your archives?*
 - a. *Do you host digital or analogue bodies?*
2. *Does your institution have the technological and spatial capacity to store human rights related, endangered bodies in an appropriate way?*
 - a. *Does your institution have the capacity of labour force needed?*
3. *Is your institution able to provide the necessary security for the hosting human rights related, endangered bodies?*
4. *If you are hosting human rights related, endangered bodies: what is the duration of the commitment to host those bodies?*
 - a. *What are your partners for this cooperation?*
 - b. *How was the actual cooperation established?*
5. *Do you see any potential for future cooperation and/or knowledge exchange in the field of 'Archives and Dealing with the Past', especially as a 'Safe Haven' for endangered archival bodies?*

If you have any questions, please do not hesitate to contact us directly.

Thank you for your cooperation and with kind regards,

Anna Sommer

8.2 List of institutions considered for the first survey round

8.3 List of institutions interested in exchanging information and know-how on the topic of 'Safe Havens'

Name of the institution:	Contact person:	Contact details:
Bundesamt für Bevölkerungsschutz (BABS) Kulturgüterschutz	Rino Büchel	Rino.Buechel@babs.admin.ch
City Archives Malmö	Emelie Wieslander	Emelie.wieslander@malmo.se
Data and Research Information Services FORS Université de Lausanne	Brian Kleiner	brian.kleiner@fors.unil.ch
Embassy of Argentina	Ramiro Fernandez Gerszenswit	gwi@mrecic.gov.ar
Huridocs	Bert Verstappen	info@huridocs.org
International Institute for Social History (IISH)	Afelonne Doek	ado@iisg.nl
Landesarchiv Kanton Glarus	Beat Mahler	Beat.Mahler@gl.ch
Staatsarchiv Graubünden	Reto Weiss	Reto.Weiss@saq.gr.ch

8.4 List of institutions interested in acting as a 'Safe Haven'

Name of the institution:	Contact person:	Contact details:
Sozialarchiv Zürich	Christian Koller	koller@sozarch.uzh.ch +41 43 268 8740
Archiv für Zeitgeschichte	Daniel Nerlich	nerlich@history.gess.ethz.ch +44 41 632 6619
Bundesarchiv Bern	Stefan Kwasnitza	Stefan.Kwasnitza@bar.admin.ch
Afghanistan Institut	Paul Bucherer	info@afghan-institut.ch