

# INTERNATIONAL COUNCIL ON ARCHIVES

## BY-LAWS FOR THE SECTION ON ARCHIVES AND HUMAN RIGHTS

Approved by the General Assembly on 22nd October 2019 at its Adelaide meeting

### I PREAMBLE

Whereas the vital necessity of archives for supporting accountability and transparency, for protecting citizens' rights and for establishing individual and collective memory is formally acknowledged in the Universal Declaration on Archives, the International Council on Archives has established a Section to work on all aspects of Archives and Human Rights. The Section has developed out of the long standing ICA Human Rights Working Group originally established following the ICA conference in Cape Town in 2003.

### II NAME

#### Article 1

The name of this organisation is the **Section on Archives and Human Rights [SAHR]**

### III LEGAL STATUS

#### Article 2

The Section on Archives and Human Rights [SAHR] is a section of the International Council on Archives (ICA) established in accordance with the Constitution in force of the ICA. It was established as a provisional section by the ICA EB in Abu Dhabi in April 2019. On the recommendation of the Executive Committee of ICA, it was established as a standing section at the ICA meeting at Adelaide on 20-22 October 2019 and obtained the recognition of the General Assembly of ICA on 22nd October 2019

### IV OBJECTIVES

#### Article 3

In compliance with the objectives of the ICA, the Section aims to:

- a) Promote the preservation of, and access to, archives and records with a human rights dimension
- b) Raise awareness in and outside the archival profession of the importance of archives and records for the protection of human rights
- c) Develop guidelines and professional tools for the management of archives and records that have a human rights component
- d) Alert the leadership of ICA to international discussions on human rights that have an archival component and (where appropriate) advise ICA on the adoption of a formal position

- e) Encourage archival associations to include human rights issues in their training and other activities
- f) Serve as a catalyst for building knowledge, skills and capacity among professional archivists for managing archives with human rights implications
- g) Establish, maintain and strengthen relations between archivists of all countries and between institutions, professional bodies and other organisations, public and private, wherever located, which are concerned with archives and human rights
- h) Engage in joint projects with ICA sections, regional branches and expert groups to broaden the view of what archives can do to advance human rights
- i) Undertake any relevant activities which support these objectives

## **V MEMBERSHIP**

### **Article 4**

1 The Section is composed of:

- a) Category A, B and C Members of the ICA who have registered as members of the SAHR. Institutional Members will normally designate their SAHR representative every four years, in ICA Congress years, unless a replacement is necessary in the intervening period
- b) Category D Members of the ICA who have registered as members of the SAHR
- c) Observers, both institutional and individual, invited by the SAHR Executive Committee, from members of the ICA who have not registered as members of the Section
- d) Observers, both institutional and individual, invited by the SAHR Executive Committee, not being members of the ICA

2 The membership of the Section shall be administered by the ICA Secretariat

### **Article 5**

1 ICA members (Category A, B, C and D) registered as SAHR members (as per Article 4(a&b) above) are entitled to:

- a) Attend and vote at SAHR Assemblies
- b) Vote or stand in elections of SAHR officers
- c) Participate in SAHR activities
- d) Receive SAHR publications, including digital publications

### **Article 6**

1 Observers, invited by the SAHR Executive Committee, may attend Section meetings and activities and have the right to speak only

## **VI PLENARY ASSEMBLIES**

### **Article 7**

1 The SAHR will call Plenary Assemblies at regular intervals to run elections and report on activities of the Section. The Plenary Assemblies may be either physical or virtual

- 2 The Plenary Assembly shall meet
  - in conjunction with the International Congress on Archives and
  - once in between two successive international congresses
- 3 The Plenary Assembly may meet in extraordinary session if summoned by the chair, by the SAHR Executive Committee or on the demand of at least two-thirds of the members mentioned in article 4(a&b)

#### **Article 8**

- 1 The Plenary Assembly will consist of:
  - a) Members of ICA registered as members of the SAHR as per article 4(a&b) above
  - b) Observers invited by the SAHR Executive Committee

#### **Article 9**

A draft agenda, established by the SAHR Executive Committee and taking into consideration proposals submitted by members shall normally be circulated by the Secretary to all members of the SAHR four weeks before the date of the Assembly

#### **Article 10**

Members as defined under article 4(a&b) above shall have one vote each if registered at the Assembly

#### **Article 11**

Speaking rights at the Assembly are granted to:

- a) Members as defined under article 4(a&b)
- b) Members of the ICA Executive Board
- c) Any other individual invited to speak by the SAHR Executive Committee

#### **Article 12**

Decisions of the Assembly shall be by a simple majority of votes of those present, except for changes to these By-laws which require a majority of at least two thirds of the votes of those present

#### **Article 13**

- 1 The quorum of the Assembly shall be ten percent of the number of members entitled to vote
- 2 If there is no quorum, the Assembly may sit as a consultative session. The powers of the Assembly will be vested in the SAHR Executive Committee. Decisions taken by the SAHR Executive Committee will remain in force until the next meeting of the Assembly

#### **Article 14**

The Assembly may:

- a) decide on the strategic orientation of the Section
- b) approve the report of the Chair on the activities of the Section
- c) receive the reports from members of the SAHR Executive Committee
- d) approve the budget

- e) draft proposals of amendments to the By-laws to be submitted to the ICA Executive Board

## **VII ELECTIONS**

### **Article 15**

- 1 Elections shall be conducted every four years in the year of the International Congress on Archives, for the following posts:
  - the chair
  - up to two vice-chairs
  - up to two secretaries
  - at least three other members of the SAHR Executive Committee
  - any other officer post on the SAHR Executive Committee
- 2 Elections shall be organised by the outgoing SAHR Executive Committee. Elections may take place by email, provided due safeguards are taken
- 3 Members with the right to vote at the Assembly are entitled to vote in the elections
- 4 The SAHR Executive Committee shall call for nominations from all members normally four weeks before the opening of the Assembly
- 5 Candidates who receive the highest number of votes will be elected
- 6 Postholders are elected as individuals, and not as representatives of any agency or institution they may work for or be associated with

## **VIII SECTION EXECUTIVE COMMITTEE**

### **Article 16**

- 1 The SAHR Executive Committee shall consist of:
  - a) the chair of the Section
  - b) up to two vice-presidents, one serving as senior vice-president
  - c) up to two secretaries
  - d) at least three other members
- 2 In addition, officers responsible for the Section website, for social media, for internal and external liaison, for membership promotion and for other administrative activities will also be elected to the executive committee or invited to join it through co-option

### **Article 17**

- 1 The SAHR Executive Committee is responsible for carrying out the policies and programme, adopted by the Assembly
- 2 The SAHR Executive Committee may, in the interval between Assemblies, take any measure necessary for the functioning of Section that is in accordance with these By-laws

- 3 The SAHR Executive Committee may establish *ad hoc* Committees and give them terms of reference

#### **Article 18**

- 1 Members of the SAHR Executive Committee may serve no more than two consecutive terms in the same position
- 2 If a SAHR Executive Committee member relinquishes his or her office ahead of the completion of their term of office, his or her replacement will complete this term
- 3 If a SAHR Executive Committee member relinquishes his or her office ahead of the completion of their term of office the SAHR Executive Committee is free to co-opt a replacement to complete his or her term of office

#### **Article 19**

- 1 The SAHR Executive Committee shall meet at least once a year, virtually or in person, and whenever convened by the Chair or upon the request of one-third of its members
- 2 In the case of a tied vote in the SAHR Executive Committee, the Chair shall have a casting vote
- 3 The quorum of the SAHR Executive Committee shall be half of its members, including members participating virtually

#### **Article 20**

- 1 Members of the SAHR Executive Committee must be working in, or have worked in, the field of the administration or preservation of records and archives, or of archival training and education

### **IX WORKING LANGUAGES**

#### **Article 21**

- 1 The working languages of the Section will normally be English and French. The official communications and correspondence will normally be in English and/or French
- 2 In order to encourage multilingualism, the Section may adopt further working languages

### **X BUDGET**

#### **Article 22**

- 1 The Section will administer its own budget, in accordance with the ICA constitution
- 2 The Section is entitled to apply for grants from ICA funds
- 3 The Section is entitled to apply for grants from the Fund for International Archival Development (FIDA) for professional projects or activities
- 4 The Section is entitled to apply for grants from external bodies and agencies

### **XI PROGRAMME AND PROGRAMME SUB COMMITTEE**

#### **Article 23**

- 1 The Section will deliver its programme of activities through its Programme sub-committee. The Section Chair will also chair the Programme sub-committee. Membership of the Programme sub-committee is by invitation of the SAHR Executive

Committee, and will normally be linked to specific areas of work or projects associated with Archives and Human Rights

- 2 The Section may be invited by the ICA Executive Board to take responsibility for parts of the programme of ICA
- 3 The Section will report to the ICA Programme Commission on the execution of allocated parts of the professional programme

## **XII PUBLICATIONS AND COMMUNICATIONS**

### **Article 24**

- 1 The Section may produce and circulate its own publications and communications

## **XIII REPORTS**

### **Article 25**

- 1 A report of each SAHR Executive Committee meeting and Assembly, with information on decisions taken and programme activities, shall be made available to members, through the ICA website
- 2 Annual reports will be submitted to the Executive Board of the ICA

## **XIV COPYRIGHT**

### **Article 26**

- 1 Copyright in all papers commissioned by ICA, whether original texts or translations into other languages, and in all publications of ICA and its constituent bodies, except regional branches, is vested in ICA
- 2 Permission to reproduce any ICA copyright material, and consent to transfer copyright to another person or organisation, may only be given in writing by the Secretary General
- 3 These provisions do not affect papers not commissioned by ICA but written by members of the Section
- 4 The Section will use the official ICA logo for formally commissioned work

## **XV ARCHIVES OF THE SECTION**

### **Article 27**

- 1 The Section will make proper arrangements for its archives, including its digital archives

## **XVI REVISION OF THE BY-LAWS AND DISSOLUTION OF THE SECTION**

### **Article 28**

- 1 These By-Laws can be revised or amended only by the ICA Executive Board. Proposals for amendment may be submitted by the SAHR Executive Committee. Such amendments must be submitted in writing to the ICA Secretary General normally four weeks prior to the meeting of the ICA Executive Board at which they will be considered

### **Article 29**

- 1 Should the SAHR Executive Committee terminate its activities or give up the title of section, it will communicate that decision to the President of ICA

- 2 The ICA Annual General Meeting may decide to dissolve a section if it is no longer in compliance with its constitution
- 3 In the event of the dissolution of the section, the ICA Executive Board shall determine the method of winding up

## **XVII IMPLEMENTATION OF THE BY-LAWS**

### **Article 30**

- 1 These By-Laws will come into force immediately following their adoption by the ICA Executive Board

### **Article 31**

- 1 The ICA Executive Board may, by a simple majority vote, adjudicate on any disputes which may arise in respect of the interpretation and implementation of these By-Laws

### **Article 32**

- 1 Any decision by the Executive Board under article 30 may be rescinded or modified by a majority vote of the ICA Annual General Meeting