InterPARES 2 Project

International Research on Permanent Authentic Records in Electronic Systems

Domain 1 Research Questions

Case Study 12:
Antarctic Treaty Searchable Database

Jennifer Douglas, UBC

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1.1 (a) What types of documents are traditionally made or received and set aside (that is, created) in the course of artistic, scientific, and government activities that are expected to be delivered on-line? (b) For what purposes? (c) What types of electronic documents are currently being created to accomplish those same activities? (d) Have the purposes for which these documents are created changed?

- Before answering the above questions, it is important to note that the Antarctic Treaty Searchable Database does not participate in an activity per se. The database consists of copies of official treaty and policy documents, and is used (and intended to be used) as an information resource. It must also be noted that the database does not replace a previous method of documentation. The United States Department of State is responsible for providing public access to policy documents adopted by the Antarctic Treaty Consultative Parties. Berkman undertook the creation of the database entirely on his own initiative and with the intention of creating an additional tool to contribute to knowledge about the Antarctic. Although there is limited information in the case study report about the handbook published by the US Department of State, the following answers attempt to draw a comparison between it and the database.

    a) The United States Department of State has published several editions of the *Antarctic Treaty Handbook* which compiles most of the policy documents adopted by the Antarctic Treaty Consultative Parties, organized in topical sections with introductory notes added by the US Department of State and extracts of reports of the Antarctic Treaty Consultative Meetings.

    b) The *Antarctic Treaty Handbook* is published by the US Department of State to satisfy its role as depository government, and to provide access to policy documents for research and educational purposes.

    c) In 2002, the Department of State copied the contents of the *Handbook* onto 12 .pdf files and made these available via their Web site. This method of making the

Handbook available exactly reproduced the structure and function of the hardcopy version. In 1999, Paul Berkman developed the *Antarctic Treaty Searchable Database*, which contains content copied from documents such as those included in the *Handbook*, but which allows for increased search capabilities.

d) The purposes for which each of these resources were created are the same: to provide access to Antarctic policy documents. Berkman contends that the database allows a deeper understanding of the information contained in the documents, since its search and display functions permit the exploration of various relationships among the documents, but the basic function of both the database and the hardcopy handbook is to provide access.

1.2 What are the nature and the characteristics of the traditional process of document creation in each activity? Have they been altered by the use of digital technology and, if yes, how?

- The case study documentation does not describe the traditional process of document creation (i.e., the compilation of the *Antarctic Treaty Handbook* by the Department of State.) It may be assumed, however, that the processes used to create the handbook and those used to create the database differ considerably. The first stage of the creation of the database involves collecting copies of treaty and policy documents in hardcopy and in digital format, and digitizing paper copies. The database technology developed by the creators allows these digitized documents to be broken down into information granules based on structural patterns inherent to the documents. The granules are then assigned unique categorical tags and indexed so that they can be hierarchically displayed and so that they retain links to the document from which they are obtained.

1.3 What are the formal elements and attributes of the documents generated by these processes in both a traditional and a digital environment? What is the function of each element and the significance of each attribute? Specifically, what is the manifestation of authorship in the records of each activity and its implications for the exercise of intellectual property rights and the attribution of responsibilities?

- Once again, it must be stressed that in this case study there are no records resulting from activities.

- In terms of the manifestation of authorship, Berkman is competent for the issuing of the database as part of his independent initiative to create a more efficient and effective method of accessing documents related to Antarctic policy. He is not competent to issue the original documents of which the database consists, and he does not claim responsibility for the accuracy and reliability of the information included in the original documents. If responsibility for the database shifts to the Antarctic Treaty Secretariat, as Berkman suggests it might, the Secretariat may have to assume increased responsibility as a body competent to issue documents resulting from their own proceedings.

1.4 Does the definition of a record adopted by InterPARES 1 apply to all or part of the documents generated by these processes? If yes, given the different manifestations of the record's nature in such documents, how do we recognize and demonstrate the necessary components that the definition identifies? If not, is it possible to change the definition maintaining the theoretical consistency in the identification of documents as records across the spectrum of human activities? In other words, should we be looking at other factors that make of a document a record than those that diplomatics and archival science have considered so far?

- The Diplomatic Analysis for this case study determines that the database does not meet the requirements of a record, primarily because the database does not participate in an action, and does not possess (or require) an archival bond. The Diplomatic Analysis concludes that the database consists instead of a collection of simple copies of various treaty and policy documents. Because it consists of copies purposefully selected for dissemination purposes, and because it is capable of being understood independently of its context and of other documents, the database must be considered a publication.

- The definition of a record should not be changed to encompass an entity such as the Antarctic Treaty Searchable Database, since the database was clearly developed as a reference resource for purposes of publication. The original policy documents which are copied and/or extracted are records of the transactions in which they participated; there is no need to expand the definition of record to include the copies and/or extracts of those original records included in the database.

1.5 As government and businesses deliver services electronically and enter into transactions based on more dynamic web-based presentations and exchanges of information, are they neglecting to capture adequate documentary evidence of the occurrence of these transactions?

- Since no transaction takes place, this question does not apply.

1.6 Is the move to more dynamic and open-ended exchanges of information blurring the responsibilities and altering the legal liabilities of the participants in electronic transactions?

- Berkman specifically states that, as creator of the database, he has no legal obligations or responsibilities. The end-user license agreement included with the webCDserver versions of the database constitutes a disclaimer against the accuracy and reliability of all documents included in the database; any inaccuracy in the copies included in the database is attributed to the creators of the original documents. If responsibility for the database shifts to the Antarctic Treaty Secretariat, as Berkman suggests it might, questions about who is responsible for the accuracy, authenticity and reliability of information in the database may arise; however, it is likely that legal liability will remain with the creators of the original documents.

1.7 How do record creators traditionally determine the retention of their records and implement this determination in the context of each activity? How do record retention decisions and practices differ for individual and institutional creators? How has the use of digital technology affected their decisions and practices?

- There is nothing in the case study report or supporting documents that refers to retention decisions and practices.