



Institute for Development
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Assessment of the Openness of State Archives

Country: **Romania**

Archival Institution: **National Council for the Study of the Securitate Archives of Romania**

Evaluator: **Alexandru Murad Mironov, Faculty Member at the History Department, University of Bucharest.**

The project was funded by the [Open Society Institute Budapest Foundation \(OSI\)](#) and has been implemented by a Georgia-based civil society organization [Institute for Development of Freedom of Information \(IDFI\)](#)

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Methodology for Evaluation of Openness of State Archives (OSA)

Introduction

The public has the right of access to archives of public bodies. Openness of archives is not only an issue related to interests of historians or specialists, but an issue of access to information, which in itself is a human right. The OSA Methodology is envisioned to be universal with the goal of assessing the standards of access to archives, identifying the strengths and weaknesses of the legal frameworks and their enforcement firstly in post-soviet space and then around the globe.

Structure and Logic

The Methodology is composed of 86 indicators, each of which granted different weight and index of social importance.

The Methodology covers all the major components of openness of state archives: from the legislative framework, to access to archival files in the reading room and via online sources, and freedom of access to archival files/records and relevant databases (online sources, catalogues, inventories, etc.).

The selection of indicators for the Methodology was largely based on the principles of access to archives adopted by the International Council on Archives (ICA) that elaborated the following general principles:

- Archives and archivists should promote the widest possible access to archival materials and provide an impartial service to all users.
- Archives and archivists should respect both access to information and privacy, and act within the boundaries of relevant legislation.
- Institutions holding the archival fonds ensure that restrictions on access are clear and of stated duration, are based on pertinent legislation, acknowledge the right of privacy, and respect the rights of owners of private materials.
- The access rules apply equally to all individuals without discrimination. When a closed file is reviewed and access to it is granted to a member of the general public, the file is available to all other members of the public under the same terms and conditions.

Various best practices were also reviewed: the analytical report „Open Access to KGB Archives: Ukraine’s Experience for Eastern Partnership Countries” („Открытый доступ к архивам КГБ: Украинский опыт для стран восточного партнерства“), a guide-book „Right for the Truth“ („Право на правду“), as well as other best practices and adopted documents. We also analyzed all the archival and other relevant laws in each country to be evaluated.

The documents and standards mentioned above do not contain methodologies or indicators for evaluating archives; this we elaborated through cooperation with our partners. **The resulting methodology is unique by its essence.** All the indicators have been properly referenced.

During the indicator selection and elaboration process, an effort was made to ensure that our Methodology could be used for all state archives in the target states. The Methodology and its indicators were elaborated with the active participation of the organizations and independent experts, who have the most expertise and experience in given area.

The indicators are divided into five groups (benchmark indicators) that represent the key characteristics of a well-functioning system of open access to the state archives in post-soviet countries. These groups are:

1. Homogeneity of the legislative framework:
 - 1.1 General archival legislation;
 - 1.2 Other legislation referring to FOI and archives;
 - 1.3 Archive services;
2. Website: Archive websites and distant and online services;
3. Reading room: Services and procedures for the researchers physically working in the archives.

Limitations

Access to archives varies significantly by country. The OSA Methodology is intended to be applicable on a global scale, meaning that the indicators cannot be too specific and cannot cover all the possible variations and exceptions.

About the Project

The Methodology has been developed within the framework of the project - [Enhancing Openness of State Archives in Former Soviet Republics](#).

The project was funded by the Open Society Institute Budapest Foundation (OSI) and has been implemented by a Georgia-based civil society organization [Institute for Development of Freedom of Information \(IDFI\)](#) on its initial stage together with the nine partner organizations or/and individual experts from each country in the Eurasian region covered by the project:

- Armenia, Hranush Kharatyan – Historian, archivist. Has worked as a head of archives direction of NGO Hazarashen - Armenian Center for Ethnological Studies. At the moment is working on the publication of the book of memory of deportation of Armenians in 1949 in cooperation with the National Archives of Armenia.
- Azerbaijan, Eldar Zeynalov - Human rights activist and journalist. Has experience of working in the Archive of Political Documents of Azerbaijan (former united Azerbaijan Communist party archive). Founding director of NGO - Human Rights Center of Azerbaijan.
- Belarus, Dmitriy Drozd - Historian, archivist, publicist, photographer (the member of the Union of Photographers of Belarus). Researcher of the Belarusian Documentation Center. Author of six books and hundreds of articles. In 2016 won human rights award in the Journalist of the Year nomination.
- Bulgaria, Momchil Metodiev - Editor in Chief of the Christianity and Culture Journal and Research Fellow at the Institute for Studies of the Recent Past, Sofia, Bulgaria. He took part in the compilation of several documentary collections published by the Bulgarian

Dossier Commission and has worked for several Bulgarian and international projects researching the communist past.

- Czech Republic, Pavel Zacek - MP of the Czech Republic and the Lecturer at CEVRO Institute. He served as the first Director of the Czech government agency and research Institute for the Study of Totalitarian Regimes, investigating the crimes of the Communist regime of Czechoslovakia.
- Georgia, Anton Vatcharadze - Archives and Soviet Studies Direction Head - of the Institute for Development of Freedom of Information (IDFI) – Organization based in Tbilisi, Georgia, which promotes human rights and good governance by raising civic awareness through sound informational reports, research and policy recommendations.
- Hungary, Sandor Horvath - Head of Department for Contemporary History and Senior Research Fellow at the Institute of History, Research Centre for the Humanities, Hungarian Academy of Sciences; The primary coordinator of the international research project COURAGE - "Cultural Opposition – Understanding the Cultural Heritage of Dissent in the Former Socialist Countries"; The founding editor of the Hungarian Historical Review.
- Kazakhstan, Alexandra Tsay - Independent research fellow in cultural studies and an art curator based in Almaty, Kazakhstan. Is Memory Studies Specialist and has worked in the archives of Kazakhstan
- Kyrgyzstan, Nurbek Toktakunov – Human rights activist, lawyer, Director of the Partner Group Precedent. The main directions of the organization are: administrative legal proceedings, access to information, transparency of the state budget, public administration in the field of judicial system.
- Lithuania, Vytautas Staricovicius - Lecturer at Vilnius University, Department of History. He also works at the Lithuanian Museums' Centre of Information, Digitisation, and LIMIS. Vytautas Staricovicius is a historian researching the Soviet history, politics of history and memory culture in Central and Eastern Europe.
- Latvia, Edgars Engizers – Faculty member at the Baltic International Academy. He is an author of various research papers on the recent history of Baltic States.
- Moldova, Igor Casu – Historian. Director of the Center for the Study of Totalitarian Regimes. Professor of the State University of Moldova. Has years of working experience in archives.
- Poland, Małgorzata Łukianow - Assistant professor at the Institute of Philosophy and Sociology, Polish Academy of Sciences and Managing editor at "ASK: Research and Methods". She has worked on the project “Formation of social memory in post-migration communities”.
- Romania, Alexandru Murad Mironov - Faculty Member at the History Department, University of Bucharest. He is an author of a number of articles on the history of Communist Romania.
- Russian Federation, Lawyer. Has worked on related issues of freedom of information and human rights. Member of human rights organization which is advocating on access to the information from the state institutions and data protection.

- Tadjikistan, Parviz Mullojonov – Historian at Whitman College and the Former Chairman of the Board of the Tajik branch of the OSI. He has been one of the country’s active civil society activists since the middle of the 90’s. Has worked for various international agencies and organizations such as Human Rights Watch/Helsinki, UNCHR, UNDP and ADB.
- Ukraine, Anna Oliinik - Director of the Center for the Study of the Liberation Movement. Anna participated in our conference in 2018 and presented about the public initiatives and cooperation with state archives in Ukraine
- Uzbekistan, Historian - Has worked in state archives. Graduate Student at the Institute of Asian and African Studies in one of the European Universities. In its initial stage, the project - [Enhancing Openness of State Archive in Former Soviet Republics](#) covers only the Eastern Partnership (EaP) Region, Russia, and some of the Central Asian states; however, we are planning to scale the methodology up to larger regions in the future. Due to a large number of archives in some countries (e.g. Russia, with 15 state archives on the federal level) not all the archives are evaluated in the above countries. We will continue to evaluate the archives that have not been evaluated at the first stage of the project in the future.

Scoring System

Indicators included in the OSA Methodology are granted different weight and provided by index of social importance, which is measured by one of the four qualitative indicators (4, 3, 2 or 1). Such indexes will show the importance of the indicator and its influence on the openness of archives.

Each indicator can be evaluated by the interim score from 0 to 1 points, depending on the completeness of the answer, or the indicator cannot be applied to the given archive:

1. Gives a complete answer to the question - maximum 1 point.
2. Gives a high quality answer to the question - 0.75
3. Gives a medium quality answer to the question - 0.5
4. Gives a low quality answer to the question - 0.25
5. Does not answer the question – 0
6. The indicator cannot be applied to the given archive – (-)

The final score of each indicator is calculated by multiplying its interim score by its social importance index.

For instance, if the indicator’s social importance index is 4 and its interim score is 0.75 points, the final score of the indicator will be 3.

With a total of 86 indicators, openness of a state archive is rated on the scale of 0 to 252. The points will be converted to percentages for easier understanding and visualization.

At the same time, we are keeping in mind that not all the indicators can be applied to each state archive we are assessing. For example, if we are assessing archives which do not contain any fonds or

files on repressive state institutions, we will not deduct points for non-relevant indicators. In such cases, the final result and the percentage will be calculated based only on relevant indicators.

Each scoring component is evaluated separately.

This scoring system and the structure of the methodology allows us to represent the results in two ways:

1. **Results by Separate State Archives** – Each archive will be assessed with the relevant indicators. The results will be converted in percentages and the average result will be calculated.
2. **Country Overall Results and Rating** – The country overall results are represented using percentages (0-100%). Countries are then ranked by their overall results.

Visualization

Visualizing the results of the assessment is crucial to the goal of the methodology. For this purpose, the overall points received by each country shall be shown graphically using the scale of 0-100%, divided into 4 quarters of a specific color:

- Low compliance with the OSA Standards – 0% to 25% (red)
- Average compliance with the OSA Standards – 26% to 50% (orange)
- Good compliance with the OSA Standards – 51% to 75% (yellow)
- Excellent compliance with the OSA Standards – 76% to 100% (green)

Visualizations will also include spider graphs depicting the countries' results by benchmark indicators and multi-colored bar graphs for comparing the countries' results in defined categories.

Terminology

This methodology uses universally accepted archival terminology as well as a few terms of its own design, in order to make the key distinctions easier. This terminology was adopted and put online by the ICA ([see this link](#)). Because of the specifics of the post-soviet archives and in order to avoid misunderstanding in some of the terms, we made our glossary bilingual, in English and Russian.

1. **Archive(s)** – Refers to the archival institution, rather than the archival holding.
 - 1) An organization or place that collects, keeps and makes available for usage the records (archival documents). Also referred as archival repository.
 - 2) Agency or program responsible for selecting, acquiring and preserving archives, making them available, and approving destruction of other records.

Архив(ы) – Имеется в виду скорее архивное учреждение, чем массив архивных документов. 1) Архив может представлять собой организацию или место, где хранятся и доступны для пользования архивные документы. Так же называют архивохранилищем. 2) Архив может представлять собой организацию или компьютерную программу, которые обеспечивают отбор архивных документов на хранение, комплектование и

обеспечение сохранности архивного фонда, предоставление доступа к архивным документам.

2. **National Archival Fonds** – Historically developed and constantly filled up set of the archival documents which are reflecting material and spiritual life of society, having historical, scientific, social, economic, political and cultural value and is subject to continuous storage.
Национальный Архивный Фонд – Исторически сложившаяся и постоянно пополняемая совокупность архивных документов, отражающих материальную и духовную жизнь общества, имеющих историческое, научное, социальное, экономическое, политическое и культурное значение, подлежащих постоянному хранению.
3. **Archival fonds (record group)** – The entire body of records of an organization, family, or individual that have been created and accumulated as the result of an organic process reflecting the functions of the creator.

Архивный фонд – Общая совокупность архивных документов, находящихся на хранении в архиве или другом документохранилище.

4. **File** – A record or group of records related by use or topic, typically housed in a folder.
Дело – Архивный Документ или совокупность архивных документов, относящихся к одному вопросу или участку деятельности, помещенных в отдельную папку.
5. **Record** – Single document created or received by a person, family, or organization, public or private, in the conduct of their affairs that are preserved because of the enduring value contained in the information they contain or as evidence of the functions and responsibilities of their creator. In this methodology, it refers to the records that are exclusively paper-based (text on paper) and not electronic formats, photographs, motion pictures, videos, sound recordings and other that generally refers to an archival record.

Архивный документ – Единый документ, созданный или полученный лицом, семьей или организацией, публичной или частной, в ведении своих дел, которые сохраняются из-за непреходящей ценности, содержащейся в содержащейся в них информации или в качестве доказательства функций и обязанностей их создателя. В этой методологии это относится к записям, которые являются исключительно бумажными (текст на бумаге), а не электронными форматами, фотографиями, кинофильмами, видеороликами, звукозаписью и другими, что обычно относится к архивной записи.

6. **Copy** – A document that arises as a result of the reproduction of the information of the record with the change or replacement of the medium, accurately reproducing the content, all or part of the external features of the record.

Копия документа – Документ, возникший в результате воспроизведения информации архивного документа с изменением или заменой носителя, точно воспроизводящий содержание, все или часть внешних признаков архивного документа.

7. **Finding Aid** – A set of archival reference books and accounting documents (the list of the fonds, inventories, fonds reviews, catalogs, indexes, etc.) that provide a search for the information included in this fonds and accounting of its records.

Научно-справочный аппарат к архивному фонду – Совокупность архивных справочников и учетных документов (лист фонда, описи, обзоры фонда, каталоги, указатели и т.д.), обеспечивающих поиск включенной в данный фонд информации и учет входящих в него архивных документов.

8. **Guide book** – A finding aid giving a general account of all or part of the holdings of one or several archives, and/or manuscript repositories. A guide is usually arranged by fonds, record/archive group, or collection and classes or series therein.

- Путеводитель по фондам Архива** – Архивный справочник, содержащий в систематизированном порядке характеристики или краткие сведения об архивных фондах и предназначенный для ознакомления с его составом и содержанием. Справочник, содержащий общие сведения обо всех или части документов одного или нескольких архивов и/или хранилищ рукописей. Путеводитель обычно составлен в соответствии архивными фондами, архивными документами/группой документов, или коллекциями, подразделяющимися на классы или серии.
9. **Inventory** – Reference and accounting document containing a systematic list of files of the archive fonds, intended for disclosure of their content and accounting.
Опись – Справочный и учетный документ, содержащий систематизированный перечень дел архивного фонда, предназначенный для раскрытия их содержания и учета.
10. **Access to the archive**–The right, opportunity or means of finding, using or approaching documents and/or information(or a system of archives). Access may also be affected by the physical state of the materials, or the need to conserve them.
Доступ к архивным документам - Предусмотренные нормативными актами право, возможность и средства поиска, использования документов архива или/и информации (или системы архивов). На доступ может также влиять физическое состояние материалов или необходимость их сохранности.
11. **Researcher** –Any physical person, domestic or a foreign citizen, who applied for the access to the Archive’s reading room or is using the data published by the Archive online for the scientific, personal or other purpose not prohibited by law.
Исследователь –Любое физическое лицо, гражданин страны или иностранец, обратившийся за доступом в читальный зал Архива или использующий данные, опубликованные архивом онлайн в научных, личных и других, не запрещенных законом целях.
12. **Usage of archival data** – Application of information of records in cultural, scientific, political, economic targets and for ensuring legitimate rights and the interests of citizens.
Использование архивных данных - Применение информации архивных документов в культурных, научных, политических, экономических целях и для обеспечения законных прав и интересов граждан.
13. **Social and legal notices from the Archive** – Documents issued by the archive of birth, death, marriage, divorce, repression, rehabilitation, reward, professional-technical, secondary and the higher education, academic degree, registration and the cancellation of registration of a citizen to a concrete address, change of name, surname and nationality e.t.c..
Социально-правовые уведомления из архива – Документы выданные архивом о рождении, смерти, браке, разводе, репрессии, реабилитации, вознаграждении, образовании / ученой степени, регистрации / отмены регистрации гражданина по конкретному адресу, изменении имени, фамилии или гражданства и. т. д.
14. **Property notices** – Documents issued by the archive confirming the property right.
Уведомления о собственности –Документы, выданные архивом, подтверждающие право собственности.
15. **Declassify** – To make records that have been restricted for reasons of national security accessible to individuals without security clearance.
Рассекречивать – Снимать гриф секретности и связанные с ним ограничения в доступе к архивным документам.

16. **Personally identifiable information** – Information that a) can be used on its own or with other information to identify, contact, or locate a single person, or b) to identify an individual in context.
Персональные данные – Любая информация, которая а) может быть использована для идентификации того субъекта персональных данных, к которому она относится, либо б) которую возможно прямо или косвенно связать с субъектом персональных данных.
17. **Day** – In the context of this methodology a day implies a working day.
День – В контексте данной методологии, один рабочий день.
18. **Repressive state institutions** – State institutions which implemented the repressive actions.
Система репрессивных органов – Государственные учреждения которые проводили репрессивные действия.
19. **FOI** – Freedom of Information/ Свобода Информации.

Methodology Indicators

1.1 General archive legislation

#	Social Importance Index	Indicator	Final Score	Relevant Article from the Law (if applicable)
1.1.1	4	<p>Access to archival fonds (files and records) is granted equally to any researcher – both foreign and domestic citizens</p> <p>a) Yes - 1 b) The Archive has unequal conditions of access with the advantage for the domestic citizens – 0.25</p>	<p>Answer: a) Score: 4</p>	<p>Art. 28 from the Decree No. 24/2008.</p> <p>There is no mention of local or foreign nationals concerning their access as researchers in the archives managed by the National Council for the Study of the Securitate Archives.</p>
1.1.2	4	<p>Access to the reading room is:</p> <p>a) Unrestricted, any researcher can use the reading room – 1 b) The Archive limits access of researchers to the reading room based on the principle of equal treatment guaranteed by law – 0.5 c) The Archive limits access of researchers to the reading room at its discretion and provides a written substantiation of this decision – 0.25 d) The Archive limits access of researchers to the reading room at its discretion without providing</p>	<p>Answer: a) Score: 4</p>	<p>Chapter II, Art. 4 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archive.</p> <p>Actually, the access is limited by the number of places available to prior appointment.</p>

		substantiation – 0		
1.1.3	4	<p>Access to the Archive reading room procedures:</p> <ul style="list-style-type: none"> a) Domestic and foreign citizens enjoy equal rights to access the Archive reading room – 1 b) In order to access the reading room, foreign citizens have to submit certain paperwork in addition to what is demanded from domestic citizens - 0.75 c) According to the subordinate legal act, the waiting time to get access to the reading room for foreign citizens is longer, than for domestic ones - 0.5 d) The Archive provides foreign citizens with unequal conditions of access to the reading room, by the principles mentioned in both <i>b</i> and <i>c</i> points of this section - 0 	<p>Answer: a) Score: 4</p>	<p>Art. 28 from the Decree No. 24/2008.</p> <p>See above at 1.1.1.</p>
1.1.4	4	<p>Upon turning down a request to access archival fonds and finding aid:</p> <ul style="list-style-type: none"> a) The Archive provides a written substantiation – 1 b) The Archive provides only with oral substantiation - 0.25 c) The Archives does not provide any substantiation – 0 	<p>Answer: a) Score: 4</p>	<p>Art. 5 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archive.</p> <p>The refusal of access is not mentioned in the law or various legislation, but the acceptance is usually communicated by phone followed by an email containing the official letter of acceptance. The denial follows the same rules.</p>
1.1.5	3	<p>Do individuals with unserved or unacquitted conviction have access to the Archive:</p> <ul style="list-style-type: none"> a) Yes – 1 b) Only individuals with unserved or unacquitted conviction for serious crime or felony have restricted access to the Archive- 0.75 c) No - 0 	<p>Answer: a) Score: 3</p>	<p>No legislation provides grounds for such a denial of rights.</p>
1.1.6	3	Differences in terms of access depends on	Answer:	

		<p>whether the organization (e. g. university) is asking for access or an individual:</p> <p>a) No differences – 1 b) The difference in terms of access depends on whether it is a state body or an NGO – 0,5 c) Different – 0</p>	<p>a) Score: 3</p>	
1.1.7	4	<p>Access to archival fonds' records (originals or copies) only for getting insight in the reading room or website:</p> <p>a) is free of charge – 1 b) is free of charge for digital copies, but paper copies require payment – 0,5 c) is not free of charge – 0</p>	<p>Answer: a) Score: 4</p>	<p>The access is free of charge, but it takes 30 days to obtain a permit.</p>
1.1.8	4	<p>The Archive has the discretionary authority to refuse access to any file/fonds or finding aid (except for classified files or those containing legally protected personal information):</p> <p>a) The Archive grants access to any file or finding aid – 1 b) The grounds for restricting access to files or finding aid are granted to the Archive by the law – 0.75 c) The grounds for restricting access to files or finding aid are granted to the Archive by a subordinate legal act (order of the head of the archive) – 0</p>	<p>Answer: b) Score: 3</p>	<p>Chapter II from the Decree No. 24/2008.</p> <p>The Law states a difference between researchers and the individuals with personal files made by the Securitate. The scientific activity of the National Council for the Study of the Securitate Archives is only secondary.</p>
1.1.9	2	<p>The law or subordinate legal act list the restrictions to accessing the reading room or archival fonds/files and define the relevant terms (except for classified files or those containing legally protected personal information):</p> <p>a) Yes – 1 b) No – 0</p>	<p>Answer: b) Score: 0</p>	<p>Art. 24 from the Decree No. 24/2008.</p> <p>All files and record of the National Council for the Study of the Securitate Archives are public, but a large portion of the former Securitate archives is still in the possession of various intelligence services and the access to these files is not permitted.</p>
1.1.10	2	<p>The Archive allows other public institutions,</p>	<p>Answer:</p>	<p>Art. 14, 24, and 29 from the</p>

		<p>private organizations and citizens to use its files/records for exhibition or other purposes that do not endanger the physical condition of the files/records:</p> <ol style="list-style-type: none"> 1) The Archive allows other public institutions to use the originals and copies of its files/records. 2) The Archive allows other public institutions to use only copies of its files/records. 3) The Archive allows private organizations to use the originals and copies of its files/records. 4) The Archive allows private organizations to use only copies of its files/records. 5) The Archive allows natural persons to use the originals or copies of its files/records. 6) The Archive allows natural persons to use only copies of its files/records. <ol style="list-style-type: none"> a) The law or subordinate legal acts allow actions of all 6 categories – 1 b) The law or subordinate legal acts allow only actions of the categories 1 - 4 – 0.75 c) The law or subordinate legal acts only allow actions of the categories 1 - 2 – 0.5 d) The law or subordinate legal acts do not allow any of the above actions – 0 	<p>c) Score: 1</p>	<p>Decree No. 24/2008.</p> <p>Although it is not clearly stated, the National Council for the Study of the Securitate Archives is organizing many public exhibition, but only its direct supervision.</p>
1.1.11	3	<p>Responsibility for the illegal usage of the personal data lies:</p> <ol style="list-style-type: none"> a) Only upon the Researcher, who is using the personal data illegally - 1 b) The Archivist and the Researcher, who is using the personal data illegally, share the responsibility – 0.5 c) Only upon the Archivist - 0 	<p>Answer: a) Score: 3</p>	<p>Art. 39, Par. 5, and Art. 42 from the Internal Rules and Regulations of the National Council for the Study of the Securitate Archives.</p> <p>The access to the Reading Room is granted upon accepting the obligation of respecting the private life of those mentioned in the files or records.</p>
1.1.12	2	<p>Declassified fonds, files or records that have been already published (with accordance to</p>	<p>Answer: a)</p>	<p>Such situation is not mentioned in the law.</p>

		<p>the Law or subordinate legal act) may not be re-classified:</p> <p>a) No - 1 b) Yes - 0</p>	<p>Score: 2</p>	
1.1.13	4	<p>Declassified fonds, files, or records that have not been published may be re-classified:</p> <p>a) May not be reclassified – 1 b) Can be re-classified, according to the law, if it is necessary to defend the fundamental human rights, freedoms and legal interests, for violated rights rehabilitation and to avoid causing harm to the human health and security – 0,5 c) May be reclassified – 0</p>	<p>Answer: a) Score: 4</p>	<p>The same as above.</p>
1.1.14	4	<p>Formerly classified fonds, files, or records cannot be destroyed:</p> <p>a) Cannot be destroyed – 1 b) Can be destroyed – 0</p>	<p>Answer: a) Score: 4</p>	<p>There is no mention in the law.</p>
1.1.15	4	<p>Upon the termination of the statutory period, the archival fonds becomes declassified by the Archive itself, established committee or other authorized body:</p> <p>a) Right away after the termination of the statutory period - 1 b) Based on the request of a citizen or a legal entity - 0.5</p>	<p>Answer: a) Score: 4</p>	<p>As already mentioned, all files and records are already declassified, but the personal files are not available to researchers.</p>
1.1.16	4	<p>Classification of the fonds, files, or records after the termination of the statutory period:</p> <p>a) Cannot be prolonged - 1 b) Can be prolonged on the special occasions defined by law - 0.5 c) Can be prolonged according to the subordinate legal act (the order of the Director of the Archive or similar) – 0</p>	<p>Answer: a) Score: 4</p>	<p>The same as above.</p>
1.1.17	1	<p>National legislation does not recognize the concept of ‘Secret Archives’ or ‘Secret</p>	<p>Answer: a)</p>	<p>There are no legal provisions concerning secret archives</p>

		<p>fonds', without making available for researchers information about them and the finding aid:</p> <p>a) No – 1 b) Yes – 0</p>	<p>Score: 1</p>	
1.1.18	3	<p>It is inadmissible by law to hide the existence of classified records:</p> <p>a) Yes – 1 b) The law does not contain a relevant provision – 0.75 c) Admissible, according to the level of access – 0.5 d) No – 0</p>	<p>Answer: a) Score: 3</p>	<p>Art. 31, Par. 3 from the Decree No. 24/2008.</p> <p>The Law states that other institutions with relevant archives concerning political repression are due to offer access to their files to the National Council for the Study of the Securitate Archives.</p>
1.1.19	2	<p>The Archive provides social and legal notices from the records included in the fonds of the repressive state institutions:</p> <p>a) Provides for everyone - 1 b) Provides only to the relevant individual, his / her lawful representative or a relative – 0.75 c) Provides for everyone, but using restrictions (e. g. only from the cases of those, who have been rehabilitated) – 0.5 d) Doesn't provide – 0</p>	<p>Answer: a) Score: 2</p>	<p>Art. 14 from the Decree No. 24/2008.</p> <p>The National Council for the Study of the Securitate Archives provides three different types of information: to victims or relatives of victims of political repression; to the public, concerning current political personnel, candidates, high government officials and their eventual relation with the former Securitate; historical information to researchers. The third category has no access to personal files.</p>
1.1.20	4	<p>Files and records of the repressive state institution's fonds are accessible in the reading room for any researcher:</p> <p>a) Yes – 1 b) No – 0</p>	<p>Answer: b) Score: 0</p>	<p>Personal files of ordinary people can be accessed only by the victim of the political repression or by his/her family or by anyone but only with the victim's permission.</p>
1.1.21	4	<p>The law prohibits classifying of fonds (neither full, nor partial), files, or records held by the repressive state institutions:</p> <p>a) Prohibited by law – 1 b) Prohibited by a subordinate legal act – 0.75 c) There is no information on this in the law or subordinate legal acts -</p>	<p>Answer: c) Score: 1</p>	

		0.25 d) Allowed by law or subordinate legal act – 0		
1.1.22	1	After attaching a file or record to the archive fonds, a natural or legal person is obligated to transfer this file or record to the archive or other entity authorized to store the national archive fonds: a) Is not obligated if it meets the terms of storage – 1 b) Is obligated – 0.25	-	Does not apply.
1.1.23	2	The legislation recognizes the existence of private archives and provides the protection and autonomous management of their records: a) Recognizes, but does not have control over their activity – 1 b) Recognizes, but has control over their activity – 0,5 c) No – 0	-	Does not apply.
<p>Maximum amount of points to receive in benchmark indicator group N1.1: 72 Amount of points relevant to the current archive: 69 Received points: 58 Percentage (%): 84.06%</p>				

1.2 Other legislation in the country related to the freedom of information and archives [Law on Personal Data Protection and other similar legislative acts]

#	Social Importance Index	Indicator	Final Score	Relevant Article from the Law (if applicable)
1.2.1	4	It is forbidden to classify as a state secret a file or a record that has information about the violation or restriction of human fundamental rights, freedoms and legitimate interests, or about obstruction of rehabilitation of these rights, as well as harm to human health and security: a) Yes – 1 b) No – 0	Answer: a) Score: 4	Art. 3 and 24, Par. 5 from the Law on Classified Information No. 182/2002. The Law on Classified Information prevents any restriction of civic and human rights stated in the Constitution of Romania and in the Universal Declaration of Human Rights.
1.2.2	3	Access to records containing personal data,	Answer:	The Law does not impose such

		<p>personal or/and family secrets, data about private life or containing threats to the person's security since the moment of their creation is granted after a period of:</p> <p>a) 50 years or less – 1 b) 51-74 years – 0.75 c) 75-99 years – 0.5 d) 100 years or more – 0.25</p>	<p>a) Score: 3</p>	<p>limitations, but the personal files can be accessed only by victims, their relatives or researchers with special permissions by the victims or their relatives.</p>
1.2.3	3	<p>A period of time since the individual's death, after which access to the records containing his/her personal data, including personal or/and family secret data about private life or containing threats to the person's security, is granted after:</p> <p>a) 30 years or less - 1 b) 31-50 years - 0.5 c) 50 more than 50 years - 0</p>	<p>Answer: a) Score: 3</p>	<p>The Law does not impose such limitations, but the personal files can be accessed only by victims, their relatives or researchers with special permissions by the victims or their relatives.</p>
1.2.4	3	<p>Information containing personal data, including personal or/and family secret, will be made publicly available before the legally defined period in case of death of this person, if this information is going to be used for historical, statistical, or other scientific research purposes:</p> <p>a) The information is declassified and made available – 1 b) The information is declassified and made available only upon approval of a legal heir – 0.5 c) The information remains classified until the expiration of the legal period – 0</p>	<p>Answer: b) Score: 1.5</p>	<p>Art. 1, Par. 7 and 8 from the Decree No. 24/2008.</p>
1.2.5	2	<p>Usage of records containing personal data, including personal or/and family secret that is subject to wide public interest is allowed for historical, statistical, or scientific purposes if the person cannot be identified:</p> <p>a) Yes – 1 b) No – 0</p>	<p>Answer: b) Score: 0</p>	<p>The personal files of victims of political repressions cannot be accessed by others than the victim's family.</p>
1.2.6	2	<p>Files containing personal data, including personal or/and family secret, of an</p>	<p>Answer: c)</p>	<p>Art. 1, Par. 7 and 8 from the Decree No. 24/2008.</p>

		<p>individual applying for an elective office (in the representative institutions) or has been appointed on a political or state-political position does not constitute information with limited access, with the exception of certain information that is defined otherwise by law:</p> <p>a) Such information does not constitute information with limited access – 1</p> <p>b) Such information does not constitute information with limited access, but only upon consent of the individual – 0.5</p> <p>c) Such information constitutes information with limited access or relevant law does not foresee this principle – 0.25</p>	<p>Score: 0.5</p>	
1.2.7	3	<p>The Archive is obligated to provide a written reasoning and legal substantiation for its decision to refuse to provide a record, including personal or/and family secret, containing personal data:</p> <p>a) Is obligated – 1</p> <p>b) Can provide an oral explanation – 0.25</p> <p>c) Is not obligated – 0</p>	<p>Answer: b) Score: 0.75</p>	
1.2.8	4	<p>The Law on Personal Data Protection does not apply to the archives or fonds of repressive state institutions:</p> <p>a) Does not apply – 1</p> <p>b) The law does not contain a relevant provision – 0.25</p> <p>c) Applies – 0</p>	<p>Answer: b) Score: 1</p>	<p>Art. 8, Par. 4 from the Law on Personal Data Protection No. 363/2018.</p> <p>The Law does not mention specifically "repressive state institutions", but states that all legal provisions concerning personal data protection apply to archives and historical research.</p>
<p>Maximum amount of points to receive in benchmark indicator group N1.2: 24</p> <p>Amount of points relevant to the current archive: 24</p> <p>Received points: 13.75</p> <p>Percentage (%): 57.29%</p>				

1.3 Archive services

#	Social	Indicator	Final	Relevant Article from the Law (if applicable)
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	Importance Index		Score	
1.3.1	3	<p>The following is defined by the law or subordinate legal acts:</p> <ol style="list-style-type: none"> 1) Types of service provided by the Archive 2) Fees assigned to the archival services and their standard timeframes; 3) Fees set for archival services provided in accelerated timeframes; 4) Rules for paying the above fees; 5) Terms for paying the above fees. <ol style="list-style-type: none"> a) Law or subordinate legal acts include all 5 categories – 1 b) Law or subordinate legal acts include only categories 3-4 – 0.75 c) Law or subordinate legal acts include only categories 1-2 – 0.5 d) Law or subordinate legal acts do not include any of the above – 0 	<p>Answer: c) Score: 1.5</p>	<p>Art. 16 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archive and Art. 1, 28, and 29 from the Decree No. 24/2008.</p>
1.3.2	3	<p>The main services provided by the Archive are:</p> <ol style="list-style-type: none"> 1) Collection of files under a specific thematic query. 2) Answering non-standard thematic queries on specific facts, events or records. 3) Preparation and delivery of social-legal notices. 4) Providing services to the researchers in the reading room. 5) Temporary storage of files belonging to organizations / institutions. 	<p>Answer: c) Score: 1.5</p>	<p>Art. 5 from the Internal Rules and Regulations of the National Council for the Study of the Securitate Archives.</p>

		<p>6) Arranging finding aids for the records belonging to organizations / institutions.</p> <p>7) Restoration of files/records.</p> <p>a) The Archive provides all 7 and other types of services – 1</p> <p>b) The Archive provides 5-6 of the above service types – 0.75</p> <p>c) The Archive provides 3-4 of the above service types – 0.5</p> <p>d) The Archive provides 1-2 of the above service types – 0.25</p> <p>e) The Archive does not provide any of the above services – 0</p>		
1.3.3	2	<p>The standard time for issuing notices is:</p> <p>a) 3-5 working days – 1</p> <p>b) 6-10 working days – 0.5</p> <p>c) 11 or more working days – 0.25</p>	<p>Answer: c) Score: 0.5</p>	Art. 22 from the Internal Rules and Regulations of the National Council for the Study of the Securitate Archives.
1.3.4	2	<p>The cost of preparing and providing social-legal notices (apart from property notices) ordered by citizens (in a standard time limit) is:</p> <p>a) 0%-0.49% of the average wage¹ in the country – 1</p> <p>b) 0.5% - 1.49% – 0.75</p> <p>c) 1.5% and more – 0.25</p>	<p>Answer: a) Score: 2</p>	<p>Art. 16 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archive.</p> <p>The tax consists only in 0.20 lei/page.</p>
1.3.5	2	<p>The cost of preparing and delivering property notices ordered by citizens (in a standard time limit) is:</p>	<p>Answer: a) Score: 2</p>	Art. 16 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archives.

¹ See official data from last year from the statistics buereau in the country or this [website](#).

		<ul style="list-style-type: none"> a) 0%-1.99% of the average wage in the country – 1 b) 2%-4.99% – 0.75 c) 5% and more – 0.25 		There is no other tax than the amount paid on photocopies.
1.3.6	3	<p>Discounts defined by the law or subordinate legal acts on the provision of social-legal notices apply to:</p> <ul style="list-style-type: none"> 1) Persons with disabilities 2) War veterans and persons with equal status; 3) Internally displaced persons / refugees; 4) Socially vulnerable; 5) Rehabilitated victims of repressions 6) University students; 7) Pensioners. <ul style="list-style-type: none"> a) Discounts apply to all 7 groups – 1 b) Discounts apply to only 4-6 groups – 0.75 c) Discounts apply to only 2-3 groups – 0.5 d) Discounts apply to only 1 group – 0.25 e) The Archive does not offer any discounts – 0 	<p>Answer: e) Score: 0</p>	
1.3.7	3	<p>Discounts defined by the law or subordinate legal act on the provision of social-legal notices apply equally to the domestic and foreign citizens:</p> <ul style="list-style-type: none"> a) Discounts apply equally – 1 b) Discounts apply to only those foreign citizens who have a status of a student or a person with disabilities – 0.75 c) Discounts apply to only those foreign citizens with temporary 	<p>Answer: d) Score: 0</p>	

		residence or work permits – 0.5 d) Discounts do not apply to foreign citizens – 0		
1.3.8	3	The prices of the archival services (both notices and the ones of the reading room) are equal for the domestic and foreign citizens: a) Yes – 1 b) The prices are higher for the foreign citizens – 0	Answer: a) Score: 3	
Maximum amount of points to receive in benchmark indicator group N1.3: 21 Amount of points relevant to the current archive: 21 Received points: 10.5 Percentage (%): 50.00%				

2. Website

#	Social Importance Index	Indicator	Final Score	Link (if applicable)
2.1	3	The Archive has a multilingual website: a) The Archive has a website in the official state language as well as in English or Russian – 1 b) The Archive website is available only in the official state language – 0.25 c) The Archive does not have a website – 0	Answer: b) Score: 0.75	-
2.2	3	The Archive website contains archive related legislation: a) In the official state language and in English of Russian – 1 b) Only in the official state language – 0.75 c) The Archive website does not contain archive related legislation – 0	Answer: b) Score: 2.25	http://www.cnsas.ro/cadrul_legal.html
2.3	3	The Archive website explains the types of services it offers (or it is possible to find answers in the FAQ section of the website):	Answer: b) Score: 2.25	http://www.cnsas.ro/acces_dosar.html ; http://www.cnsas.ro/formulare.html

		<p>a) Information about services of the Archive is available in the official state language and in English or Russian – 1</p> <p>b) Information about services of the Archive is available only in the official state language – 0.75</p> <p>c) The Archive website does not provide such information – 0</p>		The web site contains only partial information.
2.4	3	<p>The Archive website provides information about the access procedure for the researchers, working hours and working rules:</p> <p>a) In the official state language and in English or Russian – 1</p> <p>b) Only in the state language – 0.75</p> <p>c) The Archive website does not provide such information – 0</p>	<p>Answer:</p> <p>b)</p> <p>Score:</p> <p>2.25</p>	<p>http://www.cnsas.ro/cercetatori.html</p> <p>Only partial information. The working hours are mentioned in Chapter II, Art. 1 of the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archive.</p>
2.5	2	<p>The Archive website contains a list of archival fonds (or a guide book) with the following key information:</p> <ol style="list-style-type: none"> 1. The name of the fonds; 2. Chronological span of the fonds; 3. Amount of information stored in the fonds (the number of records/ files or metric measure); 4. Language(s) of the information stored in the fonds; 5. Location of fonds; 6. Description of the archival groups, which the archival fonds are divided into: a detailed description of the thematic or structural groups into which the archival fonds is organized; 7. Status: classified/declassified. <p>a) All 7 categories of information are present – 1</p> <p>b) Between 4 and 6 of the required categories of information are present – 0.75</p> <p>c) Only 2 or 3 of the required categories of information are present – 0.5</p> <p>d) Only 1 required category of information is present – 0.25</p> <p>e) There is no list of the archival fonds - 0</p>	<p>Answer:</p> <p>b)</p> <p>Score:</p> <p>1.5</p>	<p>http://www.cnsas.ro/documente/arhiva/Inventar%20F.D.%20Bucuresti.pdf</p> <p>Only partial information is available.</p>

2.6	3	<p>The Archive website provides the possibility to request and receive the documents of the finding aid online:</p> <p>a) The Finding aid documents are proactively available on the Archive website – 1</p> <p>b) It is possible to make a request for the finding aid documents and receive them online – 0.75</p> <p>c) The Archive website does not have an online request option – 0</p>	<p>Answer: a) Score: 3</p>	<p>http://www.cnsas.ro/documente/arhiva/Inventar%20F.D.%20Bucuresti.pdf</p>
2.7	3	<p>The Archive website contains copies of inventories of archive fonds:</p> <p>a) 76-100% of fonds – 1</p> <p>b) 51-75% of fonds – 0.75</p> <p>c) 26-50% of fonds – 0.5</p> <p>d) 1-25% of fonds – 0.25</p> <p>e) Inventories of fonds are not available – 0</p>	<p>Answer: a) Score: 3</p>	<p>http://www.cnsas.ro/index.html</p> <p>Section "Arhiva C.N.S.A.S."</p>
2.8	3	<p>The Archive website provides the ability to request and receive official legal documents (archive notices) online using the system of electronic document turnover in accordance with the legal norms and fees:</p> <p>a) It is possible to request as well as receive these documents – 1</p> <p>b) It is possible to either request or receive these documents – 0.75</p> <p>c) The Archive website does not provide this ability – 0</p>	<p>Answer: c) Score: 0</p>	-
2.9	3	<p>The Archive website provides the ability to request and receive scanned records online according to the legal norms and fees:</p> <p>a) It is possible – 1</p> <p>b) It is not possible – 0</p>	<p>Answer: b) Score: 0</p>	<p>Art. 25 and 39 from the Internal Rules and Regulations of the National Council for the Study of the Securitate Archives state that only paper or digital copies are allowed.</p>
2.10	3	<p>The Archive is obliged by the law or the subordinate legal act to publish periodically the results of its ongoing work (reports) and other public information:</p>	<p>Answer: b) Score: 2.25</p>	<p>http://www.cnsas.ro/rapoarte.html</p>

		<ul style="list-style-type: none"> a) Once every 6 months (apart from annual reports) – 1 b) Annually – 0.75 c) Once in a period of more than 1 year – 0.5 d) The Archive does not publish such information – 0 		
2.11	3	<p>The Archive is obligated by the law or the subordinate legal act to publish the following information on its website:</p> <ul style="list-style-type: none"> 1) A description of the structure and functions of the Archive. 2) Annual reports. 3) Information about the head of the Archive and other responsible persons. 4) Information about the person (persons) responsible for ensuring access to the public information and their contact information. 5) Information about the personnel of the Archive – list of employees and identities of the vacancy competitions winners. <ul style="list-style-type: none"> a) All 5 (or more) categories of information are available – 1 b) Only 3-4 categories of information are available – 0.75 c) Only 1-2 categories of information are available – 0.25 d) None of the above information is available – 0 	<p>Answer: b) Score: 2.25</p>	There is no list of employees.
2.12	3	<p>The Archive is obligated by the law or the subordinate legal act to publish the following public information on its website:</p> <ul style="list-style-type: none"> 1) Forms and samples of administrative complaints. 2) Information on the rules of appeal. 3) Information on the annual budget of the Archive. 4) Information about the income received by the Archive through its archival services. 5) Information about public procurement. 6) Information about the Archive assets, including the transfer and use of property. 	<p>Answer: c) Score: 0.75</p>	<p>http://www.cnsas.ro/achizitii.html</p>

		<ul style="list-style-type: none"> a) All 6 (or more) categories of information are available – 1 b) Only categories 1 through 3 are available – 0.5 c) Only categories 1 through 2 are available – 0.25 d) None of the above information is available – 0 		
<p>Maximum amount of points to receive in benchmark indicator group N2: 35 Amount of points relevant to the current archive: 35 Received points: 20.25 Percentage (%): 57.86%</p>				

3. Reading room

#	Social Importance Index	Indicator	Final Score	Relevant Article from the Law or Link (if applicable)
3.1	2	<p>In order to get access to the archive, the researchers need to provide only their ID card and filled out application or recommendation letter:</p> <ul style="list-style-type: none"> a) It is prohibited to demand any other documents from researchers to grant them access to the reading room – 1 b) The Archive requests additional documents from researchers to grant them access to the reading room – 0 	<p>Answer: b) Score: 0</p>	<p>http://www.cnsas.ro/cercetatori.html#2</p> <p>The National Council for the Study of the Securitate Archive request also copies of the educational degrees, a letter of intentions and for the students a letter of recommendation from their academic supervisor.</p>
3.2	4	<p>Individuals can get remote access to the archive via e-mail (or special form on website):</p> <ul style="list-style-type: none"> a) Yes – 1 b) No – 0 	<p>Answer: b) Score: 0</p>	
3.3	2	<p>Foreign citizens are granted access to the Archive by the Archive on its own and not by another institution (e. g., the Ministry of Foreign Affairs):</p> <ul style="list-style-type: none"> a) Are granted by the archive – 1 b) Are granted by another institution – 0.25 c) Foreign citizens do not have access to the Archive - 0 	<p>Answer: a) Score: 2</p>	

3.4	4	<p>Waiting time after requesting access as a researcher in the Archive is:</p> <p>a) Archive provides access in short order, the same day, after the confirmation of authenticity of the submitted documents – 1</p> <p>b) 1-2 working days – 0.75</p> <p>c) 3-5 working days – 0.5</p> <p>d) more than 5 working days – 0.25</p>	<p>Answer: d) Score: 1</p>	<p>Art. 39, Par. 4 from the Internal Rules and Regulations of the National Council for the Study of the Securitate Archives.</p> <p>The legal time frame is 30 days, but the access is usually granted sooner.</p>
3.5	3	<p>The number of weekly working hours of the Archive reading room is:</p> <p>a) more than 40 hours – 1</p> <p>b) 31-40 hours – 0.75</p> <p>c) 21-30 hours – 0.5</p> <p>d) 20 hours or less – 0.25</p>	<p>Answer: b) Score: 2.25</p>	<p>Chapter II, Art. 1 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archives.</p>
3.6	3	<p>The number of days per year when the reading rooms are closed (excluding weekends and public holidays):</p> <p>a) 0-12 working days – 1</p> <p>b) 13-31 working days – 0.75</p> <p>c) more than 31 working days – 0.5</p>	<p>Answer: a) Score: 3</p>	-
3.7	4	<p>The Archive grants fully adapted environment for disabled people to work in the reading room:</p> <p>a) Yes – 1</p> <p>b) The Archive is partly adapted – 0,5</p> <p>c) No – 0</p>	<p>Answer: b) Score: 2</p>	
3.8	3	<p>Rules of conduct for the researchers are available in the reading rooms in printed or electronic format:</p> <p>a) Available – 1</p> <p>b) Unavailable – 0</p>	<p>Answer: a) Score: 3</p>	
3.9	3	<p>In the reading room, the researchers sign a statement that they have read and agreed to follow the rules of conduct, ethics norms and archive legislation:</p> <p>a) The Archive provides the researchers with the relevant documentation to be</p>	<p>Answer: a) Score: 3</p>	<p>http://www.cnsas.ro/documente/tipuri%20de%20cereri/Cerere%20de%20acreditare.pdf</p>

		<p>read and signed – 1</p> <p>b) The reading room does not practice this procedure – 0</p>		
3.10	3	<p>Contact information (phone number, e-mail) of the Archive regulatory body or the individual in charge is available in the reading room for submitting complaints:</p> <p>a) Available – 1</p> <p>b) Unavailable – 0</p>	<p>Answer:</p> <p>b)</p> <p>Score: 0</p>	
3.11	4	<p>Access to finding aid documents in the reading room is available:</p> <p>a) In short order if the online version exists, or in a reasonable time for a document (in a paper-based form) to be provided in the readers room – 1</p> <p>b) The following day – 0.5</p> <p>c) More than one day later – 0.25</p>	<p>Answer:</p> <p>a)</p> <p>Score: 4</p>	
3.12	4	<p>Finding aid documents are available in an electronic searchable format in the reading room:</p> <p>a) 76-100% of finding aid documents are in electronic searchable format – 1</p> <p>b) 51-75% of finding aid documents are in electronic searchable format – 0.75</p> <p>c) 26-50% of finding aid documents are in electronic searchable format – 0.5</p> <p>d) Finding aid documents are available in electronic but scanned and unsearchable format – 0.25</p> <p>e) Finding aid documents are not available in electronic format – 0</p>	<p>Answer:</p> <p>b)</p> <p>Score: 3</p>	<p>http://www.cnsas.ro/</p> <p>See the "Arhiva C.N.S.A.S." section.</p>
3.13	1	<p>The archivists share draft inventories of fonds with the researchers if the final versions are lacking (if this does not damage these documents):</p> <p>a) Yes – 1</p> <p>b) No – 0</p>	<p>Answer:</p> <p>b)</p> <p>Score: 0</p>	
3.14	4	<p>The researchers can access the database of the scanned records in the reading room:</p>	<p>Answer:</p> <p>c)</p> <p>Score: 2</p>	

		<ul style="list-style-type: none"> a) All records that have already been scanned are available for every researcher – 1 b) After filling out a request form for a specific record, the archive processes the request and makes the record available for this specific researcher the same day – 0.75 c) After filling out a request form for a specific record, the archive processes the request and makes the record available for this specific researcher the following day – 0.5 d) There is no possibility to receive scanned records in the reading room – 0 		
3.15	4	<p>The Archive allows the uploading of already scanned records from the Archive server to an electronic data holder:</p> <ul style="list-style-type: none"> a) Yes, it is free of charge, the researcher pays only for the service (e. g. a CD) - 1 b) Available for a lower price than scanning - 0.5 c) Available for the price of scanning – 0.25 d) It is not possible - 0 	<p>Answer: c) Score: 1</p>	
3.16	3	<p>Waiting time after a researcher orders a record:</p> <ul style="list-style-type: none"> a) 0-24 hours – 1 b) 1-2 working days – 0.75 c) 3-4 working days – 0.5 d) more than 5 working days – 0.25 	<p>Answer: d) Score: 0.75</p>	<p>Art. 39, Par. 4 from the Internal Rules and Regulations of the National Council for the Study of the Securitate Archives.</p>
3.17	3	<p>Number of records a researcher can order simultaneously:</p> <ul style="list-style-type: none"> a) more than 20 files – 1 b) 11-20 files – 0.75 c) 6-10 files – 0.5 d) 1-5 files – 0.25 	<p>Answer: b) Score: 2.25</p>	<p>Art. 9 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archives.</p>
3.18	3	<p>A researcher can make a onetime bulk order – a request of more files than is permitted, if they are contained in one collection or box:</p> <ul style="list-style-type: none"> a) This option is available – 1 	<p>Answer: b) Score: 0</p>	

		b) This option is unavailable – 0		
3.19	3	A researcher can submit online requests for the files that can be picked up in the reading room after a pre-determined period: a) This option is available – 1 b) This option is unavailable – 0	Answer: b) Score: 0	
3.20	2	The cost of copying² one page of a record (in a standard time limit) is: a) 0%-0.09% of the average wage in the country – 1 b) 0.1% - 0.19% – 0.75 c) 0.2% and more – 0.25	Answer: a) Score: 2	Art. 16 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archives.
3.21	2	The cost of copying³ one photo (in a standard time limit) is: a) 0%-0.49% of the average wage in the country – 1 b) 0.5%-1.49% – 0.75 c) 1.5% and more – 0.25	Answer: a) Score: 2	Art. 16 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archives.
3.22	3	Discounts defined by the law or the subordinate legal act on the paid archival services in the reading room apply to: 1) Persons with disabilities; 2) War veterans and persons with similar status; 3) Rehabilitated victims of repressions; 4) Internally displaced individuals / refugees; 5) Socially vulnerable persons; 6) School students; 7) University students; 8) Pensioners; 9) Persons with academic degrees. a) Discounts apply to all 9 groups – 1 b) Discounts apply only to 6-8 groups – 0.75 c) Discounts apply only to 4-5 groups – 0.5 d) Discounts apply only to 1-3 groups –	Answer: e) Score: 0	

²If the prices of the copies of the documents of different periods of time differ significantly, the appraiser should take the average value.

³If prices of the copies made from negatives and positives differ, the appraiser should take the average value.

		0.25 e) The Archive does not offer any discounts – 0		
3.23	3	Discounts defined by the law or the subordinate legal act on the paid archival services in the reading room apply equally to domestic and foreign citizens: a) Discounts apply equally – 1 b) Discounts apply to only those foreign citizens, who have a status of a student, academic degree or a person with disabilities – 0.75 c) Discounts apply to only those foreign citizens, who have a temporary residence or work permit – 0.5 d) Discounts do not apply to foreign citizens – 0	Answer: d) Score: 0	There are no discounts.
3.24	2	Researchers can use stationary computers in the Archive reading room: a) Yes – 1 b) No – 0	Answer: a) Score: 2	The computers can be used only for visualising doigital records or files.
3.25	2	Researchers are allowed to use their own electronic devices for processing and storing information (computers, tablets, flash drives, external hard drives) in the Archive reading room: a) Yes – 1 b) No – 0	Answer: a) Score: 2	Art. 19 from the Regulations of Study of the Documents from the archives of the National Council for the Study of the Securitate Archives. The web camera must be turn off permanently.
3.26	1	The Archive reading room has internet access: a) Yes – 1 b) No – 0	Answer: b) Score: 0	
3.27	2	If the Archive has a microfilm collection a microfilm reader is available for use in the reading room: a) The Archive offers a microfilm reader – 1 b) The Archive has a microfilm collection, but does not offer a microfilm reader – 0	Answer: a) Score: 2	

3.28	2	<p>Working conditions with the microfilms at the reading room:</p> <p>1) The Archive offers the possibility to save the microfilm files in PDF format for free; 2) The Archive allows to take pictures from the microfilm files (screen); 3) The Archive allows to print the microfilm files for a fee;</p> <p>a) The Archive offers all 3 services – 1 b) The Archive offers 1 or 2 services (where service N1 is necessarily included) – 0.75 c) The Archive offers both services N2 and N3 – 0.5 d) The Archive offers only 1 service N2 or service N3 – 0.25 e) The Archive does not offer any of the mentioned services – 0</p>	<p>Answer: e) Score: 0</p>	
3.29	4	<p>Photographing of records in the Archive reading room is allowed using the researcher's own copying devices (photo camera, cell phone, portable scanner):</p> <p>a) Allowed and free of charge – 1 b) Allowed but not free of charge – 0.25 c) Photographing of records using the researcher's own devices is prohibited – 0</p>	<p>Answer: c) Score: 0</p>	
3.30	2	<p>After the copies of records are ordered a researcher has to wait for:</p> <p>a) 0-24 hours – 1 b) 1-2 working days – 0.75 c) 3-4 working days – 0.5 d) 5 working days or more – 0.25</p>	<p>Answer: d) Score: 0.5</p>	<p>Art. 39, Par. 6 from the Internal Rules and Regulations of the National Council for the Study of the Securitate Archives.</p>
3.31	2	<p>Number of record copies a researcher can order simultaneously:</p> <p>a) Unlimited (within reasonable limits) – 1 b) 51-100 scanned pages – 0.75 c) 21-50 scanned pages – 0.5 d) 1-20 scanned pages – 0.25</p>	<p>Answer: a) Score: 2</p>	

3.32	4	<p>In case the archive refuses a researcher access to the damaged record or file:</p> <p>a) The Archive offers the researcher a scanned copy of the record or file – 1</p> <p>b) The Archive places the record or file in the list of ‘records to be restored’ and informs the researcher about the date of restoration – 0.75</p> <p>c) The Archive does not provide information about the condition of the record or the file and restoration date – 0</p>	<p>Answer: c) Score: 0</p>	
3.33	4	<p>The Archive has a list of damaged records or files that cannot be provided and the researchers are informed about it beforehand:</p> <p>a) The Archive has such a list and provides it to the researchers – 1</p> <p>b) The Archive has such a list but does not provide it to the researchers – 0.5</p> <p>c) The Archive does not have such a list – 0</p>	<p>Answer: c) Score: 0</p>	
3.34	4	<p>The period of time defined by the subordinate legal act for the restoration of the damaged records or files is:</p> <p>a) 1 year or less - 1</p> <p>b) more than 1 year - 0.5</p> <p>c) Is not defined - 0</p>	<p>Answer: c) Score: 0</p>	
3.35	1	<p>Individuals that are unable to visit the archive personally can hire a proxy researcher:</p> <p>a) The Archive has its own proxy researchers or can provide contacts of private proxy researchers – 1</p> <p>b) The Archive does not provide such a service – 0</p>	<p>Answer: b) Score: 0</p>	
<p>Maximum amount of points to receive in benchmark indicator group N3: 100 Amount of points relevant to the current archive: 100 Received points: 41,75 Percentage (%): 41.75%</p>				

Maximum points to receive in all benchmark indicator groups:	252
Maximum amount of points relevant to the current archive:	249

Overall received points:	144.25
Percentage of overall openness:	57.93%

Evaluator's Commentary:

Evaluator's Commentary: Established in 2000, the National Council for the Study of the Securitate Archives is mainly an investigation agency of the former Communist secret police files. Its main task is to provide the political arena with information about the candidates, high ranking officials etc. The National Council for the Study of the Securitate Archives also allows victims of political repression during Communism or their relatives to access their personal file in order to find the perpetrators of those abusive policies. Scientific research, although clearly stated by the law, comes as an extra. The new institution transferred some of the secret archives of the former political police, including the historical part of it – the files taken by the Securitate from the former Siguranta – much of it having no relation with the Communist regime, but instead being now accessible with same restrictions as the political one.

The decision-making process is highly politicized – the governing college is appointed exclusively on political grounds by parliamentary parties – and despite the fact that many of the members are academics, no friendly attitude toward researchers can be traced. Its structure divide researchers in two different categories: “internal” researchers – employees of the National Council for the Study of the Securitate Archives – and “external” ones – ordinary researchers from outside. A general secretive attitude and the bureaucratic access make this archive a non-friendly place for academic research.

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