

## Background

The Israeli Archives Law sets the principal: “any person may consult the archival materials deposited in the Archive.”<sup>1</sup> Nevertheless, figures presented here show how the public is denied access to the overwhelming majority of archival materials kept in the major governmental archives – the Israel State Archives (ISA)<sup>2</sup> and the IDF and Defense Establishment Archives (IDEA).<sup>3</sup>

Some of the reasons are elaborated in our report [Point of Access](#), which comprises the findings of a comprehensive research: unauthorized, unreasoned decisions to deny declassification; avoiding to open materials for consultation even after the Restricted Access Period stated by regulations has expired;<sup>4</sup> and failure on the material depositors’ part to allocate the resources necessary for their declassification. The Israel State Archives policy as of April 2016, which restricts consultation to scanned materials, placed another constraint on access to archival materials, as most of the previously-declassified materials are unavailable on the archive’s website - the virtually exclusive channel for consulting the ISA materials. All these were coupled by the Attorney General’s directive of July 2017, ordering that the ISA cease to perform declassification in cases where depositors abdicate their responsibility of declassifying for public access. The immediate result is the stalled declassification of most materials kept in the Israel State Archives.

This data sheet presents the current state of affairs as regards the scope of access to materials kept in the major governmental archives. The figures stated here are sourced from the Prime Minister Office and Ministry of Defense replies in response to questions we asked based upon Freedom of Information law, as well as from information supplied by the State Archivist. The bottom line is bleak: **roughly 99% of materials deposited in the major government archives are inaccessible for public consultation, while governmental archives offer no catalogues for 94% of materials kept in them.** Accordingly, archive users cannot tell which information can be found in the archive, and the public is denied access to the information generated, collected and kept with the public’s own funding, for the public’s benefit. It is an information that is meant to return to the public’s hands and be used for research and discussion; to enrich our knowledge of the events and processes that brought us so far, as the foundation upon which our ongoing future may be formed.

## Access to archival materials

Of the roughly **14.8 million** files kept by the Israel State Archives and the IDF & Defense Establishment Archives, no more than **191,204** are accessible for public consultation, the equivalent of

# 1.29%

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<sup>1</sup> The Archives Law 5715-1955, *Sefer Hahukim* [Book of Laws] 1454, section 10(a). The law stipulates consultation of materials in the archives may be restricted by regulations. On this subject, see Akevot, Point of Access, chapter 1.

<sup>2</sup> The designated depository of government offices and state institutions materials.

<sup>3</sup> The designated depository of materials produced by the IDF, Ministry of Defense and certain support units. This document does not include figures concerning other significant government archives, like the General Security Service archive or the Mossad (Institute for Intelligence and Special Operations) archive, which, as a general rule, allow no public consultation of the materials. On this issue, see chapter 4 in Akevot’s **Point of Access** report.

<sup>4</sup> The Access Regulations stipulate 15-70 years’ restriction periods on archival material consultation, according to the nature and origin of specific materials. Nevertheless, the restriction periods are not tantamount to absolute prohibition, as regulation 9 of the Access Regulations outlines a procedure for the restricted material declassification following a request by a member of the public. On this subject, see chapter 1 in **Point of Access**.

The **Israel State Archives** estimate the number of files kept in it as

**3,000,000 files<sup>5</sup>**

Of these, 400,000 have been cleared for consultation<sup>6</sup> - roughly 13% of all the archives' files.

Nevertheless, the scope of files accessible for public consultation proves much lower:

**144,240 files**

are accessible for public consultation,<sup>7</sup> making up for roughly

**4.8%**

of files kept by these archives.

The reason: scanned copies of most materials that were previously opened for public consultation have yet to be uploaded to the Israel State Archives website. Since April 2016 and as a rule, the archive's policy allows to consult scanned material only, via the archive's website. The slow uploading pace of materials to this website means that roughly **two thirds** (64%) of what little archival material reviewed and declassified for public consultation in the Israel State Archives are inaccessible, due to the ISA's policy of denying public consultation of the original paper copies.

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The **IDF & Defense Establishment Archives** hold

**11,838,970 files<sup>8</sup>**

of which

**46,964 files**

are accessible for public consultation, making up for

**0.4%**

of all files found in these archives.<sup>9</sup>

<sup>5</sup> Source: State Archivist's letter to the Attorney General, 13 September, 2016. Available on the Israel State Archives Website: [www.archives.gov.il/ganztoyoamash](http://www.archives.gov.il/ganztoyoamash) (retrieved 8 August, 2017).

<sup>6</sup> These comprise roughly 150,000 British Mandate files, most of which opened for consultation, roughly 170,000 files of the category referred to by the archive as "classified" (both figures sourced from the State Archivist letter to the Attorney General, 13 September, 2016 and from a presentation put on by the State Archivist at a seminar held in the ISA on 26 September, 2016), and roughly 80,000 files of the category referred to as "unclassified" (figure submitted by the State Archivist during the seminar, 26 September, 2016).

<sup>7</sup> The Prime Minister's Office reply to Akevot's Freedom of Information request, 28 February, 2017.

<sup>8</sup> Of which 4,658,989 are subject files, 1,283,385 case files (i.e., court files, military criminal investigation files etc.) and 5,896,596 personal files. Source: Ministry of Defense reply to Akevot's freedom of information request, 29 January, 2017.

<sup>9</sup> Or 0.8% of all files other than personal files Source: Ministry of Defense reply to Akevot's freedom of Information request, 29 January, 2017.

## Access to catalogues

Of all files kept at the Israel State Archives and IDF & Defense Establishment Archives, the public enjoys access to catalogue lists of a mere

# 6.2%

The catalogue is the basic searching aid of the archive: it is the full list of items found in it. A good catalogue informs consulting parties of materials found or otherwise in the archive and advises of missing materials as well as of restricted materials and the duration and cause of restriction. Catalogues that are open to the public are a necessary condition for proper access to information. In the absence of such catalogues, it is hard to estimate which parts of our history are omitted from research, while we are denied acquaintance with events, contexts and ideas. With entire archive sections left unmapped, the choices made by archive staff and other officials carry more weight as far as the history that is made accessible for users of the archives, while at the same time, the possibility of overseeing their considerations and actions becomes restricted.

### The Israel State Archives

allow access to the titles of

## 556,974

out of roughly 3 million files kept in it: about

## 18.6%

of file titles.<sup>10</sup>

### The IDF & Defense Establishment Archives

allow access to the titles of

## 361,491 files

which make up for

## 3%

of the overall file titles found in the archive, or 6% of all file titles other than personal files.<sup>11</sup>

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<sup>10</sup> Summary of figures at the Israel State Archives, [www.archives.gov.il/catalog](http://www.archives.gov.il/catalog) (retrieved 9 August, 2017).

<sup>11</sup> Ministry of Defense reply to Akevot's freedom of Information request, 29 January, 2017.