
Italian Research Team Report

Prepared by Maria Guerico, Italian Research Team

This report analyzes the main findings of the InterPARES Project as expressed and summarized in the "Strategy Task Force Report" and their impact within the Italian juridical system and the archival national tradition. Specific attention will be dedicated to the principles, criteria, and standards identified as relevant in the course of the InterPARES Project.

- address records specifically rather than digital objects generally; that is, it should address documents made or received and set aside in the course of practical activity.

This is a principle already established and in place within the Italian juridical system. New legislation (decree of president of the republic 445/2001) has approved a general definition of *record* and *electronic record* whose basic concepts are consistent with the research findings. With reference to this aspect, the main issue should concern the effort to create a sufficient degree of awareness within the public administrations regarding the specific requirements connected to the electronic records identification and to management for their long-term preservation.

- focus on authentic electronic records.

Many aspects of the criteria described in the report should require further detailed analysis both in relation to the national archival tradition and juridical system and the ways to implement them in the electronic record-keeping system.

A basic tool for guaranteeing a correct and adequate implementation of the principles and the criteria here expressed (baseline and benchmark requirements) already exists in the Italian jurisdiction in the form of a manual of procedures where each creator should define and describe the elements and activities necessary for the maintenance of the electronic records' authenticity.

- recognize and provide for the fact that authenticity is most at risk when records are transmitted across space (i.e., when sent between persons, systems, or applications) or time (i.e., either when they are stored offline, or when the hardware or software used to process, communicate, or maintain them is upgraded or replaced).

The transmission across space is seen as a risk in the new Italian and European legislation, while transmission across time is not seen as a problem. Detailed and complex rules for authenticating electronic records to be transmitted are in place (rules on electronic and digital signature). A very low level of awareness exists with reference to the transmission across time. With this respect the Italian legislation is too generic.

- recognize that preservation of authentic electronic records is a continuous process that begins with the process of records creation and whose purpose is to transmit authentic records across time and space.

In the Italian context this principle is clearly established at the level of the archival tradition and it has been renewed in the recent archival theory developments and also confirmed in the new legislation on electronic records keeping in the public sector (dpr 445/2000): standard and rules for the electronic record-keeping system have been approved with reference to the registry system and digital classification. Best practices are already in place and presented on the Web by the authority for information technology in the public administration (<<http://www.aipa.it>>) and by the Scuola superiore della pubblica amministrazione (<<http://www.sspa.it>>).

- be based on the concept of trust in records keeping and record preservation and specifically on the concepts of a trusted record-keeping system and the role of the preserver as a trusted custodian.

This is a new concept in the Italian tradition, specifically with reference to the necessity for the preserver to maintain the possibilities for verifying the authenticity of the records transferred and preserved, and to offer future users the conditions and the tools for doing this verification.

- be predicated on the understanding that it is not possible to preserve an electronic record as a stored physical object: it is only possible to preserve the ability to reproduce the record.

- recognize that the physical and intellectual components of an electronic record do not necessarily coincide and that the concept of digital component is distinct from the concept of element of documentary form.

The principles and the criteria present here are crucial within any tradition and any juridical system. Some of these criteria have been already accepted by the rules for the reproduction of paper records in digital form and for guaranteeing the migration process of the digital records (deliberazione Aipa 24/1998), but the concrete procedure established by the legislator is very complex and for the moment not efficient and not easily implemented.

- specify the requirements a copy of a record should satisfy to be considered equivalent to an original.

In the Italian legislation this principle is already established through the rules and the procedures for the authentication process: each records migration requires an authentication process, which has different levels of complexity. The officer entrusted with such a responsibility can be appointed from within its staff by a public administration, while in the private sector a notary is for the moment the only officer entrusted. In the course of the revision of the legislation related to the electronic records authentication, simpler and less expensive mechanisms will be provided, even if the risk is to create new concepts not consistent with the whole juridical tradition: for instance, the ambiguity of the concept of original—if not clearly identified—risks creating serious difficulties for the preservation of the integrity and authenticity of the records.

- integrate records appraisal in the continuous process of preservation.

For the moment appraisal is not conceptualized enough in the Italian tradition. Also the training process needs to be further detailed and specified. It is correct to focus on the change of timing in the appraisal function, which in the digital environment has to start at the very beginning.

- explicitly state that the entire process of preservation must be thoroughly documented as a primary means for protecting and assessing authenticity over the long term.

This concept, new in the national archival tradition, is very complex to implement because implementation would require lots of collaboration with creators plus attention to practice from the archivists who at the moment are not properly documented and trained. What should be explicitly present in the legislation, even if the general principles already exist in the dpr 445/2000, is the obligation for the public administrations to control the quality, the arrangement, and the descriptive tools of the current records before their transfer to the semi-current or historical repositories.

- explicitly recognize that the traditional principle that all records relied upon in the usual and ordinary course of business can be presumed to be authentic needs to be supplemented in the case of electronic records by evidence that the records have not been inappropriately altered.

The principle that records relied upon in the usual course of business can be presumed authentic is not active in the Italian juridical system. Many tools (classification and registration, control on the records/files flows, etc.) are required also in the paper world to guarantee authenticity. Of course all these tools are required to be further refined in the digital environment.

- recognize that the preserver is concerned with both the assessment and the maintenance of the authenticity of electronic records. The assessment of the authenticity of electronic records takes place before records are transferred to the custody of the preserver as part of the process of appraisal, while the maintenance of the authenticity of copies of electronic records takes place once they have been transferred to the preserver's custody as part of the process of long-term preservation.

This principle is really new and constitutes a big change for Italian national archives and for any national archival programs. See previous comments.

- draw a clear distinction between the preservation of the authenticity of records and the authentication of a record.

With reference to this principle there is big confusion in the Italian legislation, which dedicates detailed rules with reference to the authentication process (electronic, digital signature), but not a word with reference to the authenticity problems. Only the archival community is aware of the difference and the complexity related to the authenticity, while officers (also in the public sector) and IT people do not seem to care about the complexity and the difficulty of this issue.