

**PROCEDURES GOVERNING THE EUROPEAN PARLIAMENT'S
ACQUISITION OF PRIVATE ARCHIVES OF MEMBERS AND FORMER
MEMBERS**

BUREAU DECISION

OF 10 MARCH 2014

THE BUREAU OF THE EUROPEAN PARLIAMENT,

- having regard to the Rules of Procedure, and in particular to Rules 23(2) and (3) thereof,
- having regard to its decision of 10 March 2014 on the processing of the papers of Members and former Members of the European Parliament,
- having regard to the Framework Partnership Agreement concluded on 17 January 2008 between the European Parliament, the European Commission and the European University Institute in Florence (hereinafter referred to as EUI) on the transfer of papers accumulated by Members of the European Parliament in the course of their term of office (hereinafter referred to as the Framework Partnership Agreement) and, in particular, Article 3 thereof,
- having regard to its decision the Secretary-General's decision of 25 October 2013 on measures to implement the rules on document management,

WHEREAS:

1. In accordance with the Bureau Decision of 4 July 2011, the European Parliament acquires Members' and former Members' personal archives in order to conserve them and, through their publication, to contribute to detailed accounts of European history;

2. the acquisition process has been regulated via a procedure involving calls for expressions of interest, which incorporates a set of criteria for document selection (the functions exercised by the Member or former Member, the thematic or historical value of the material, and political and geographical balance);

whereas, however, the principle of equal treatment requires that all Members and former Members of the European Parliament should be entitled to deposit their papers and have them conserved in Parliament's historical archives, with provision for documents of particular historical value to be processed in greater depth (i.e. numbered, described, included in a database and made available on line);

whereas the rules laid down on 4 July 2011 therefore need to be revised so as to give all Members and former Members the right to deposit in Parliament's historical archives documents produced during their terms of office, and so as to stipulate that an evaluation procedure is applied only to papers deposited for processing in greater depth; and whereas the revised rules (notably Articles 3 and 4) reflect these amendments while leaving the general regulatory framework laid down in 2011 unaltered (apart from administrative and drafting changes);

HEREBY DECIDES

Article 1
Purpose

The purpose of this Decision is to establish criteria and procedures for acquiring and processing sets of documents which Members and former Members wish to deposit with the European Parliament (or with the EUI, if so decided).

Article 2
Definitions

For the purposes of this Decision, the following definitions shall apply:

- (a) Documents/sets of documents: any paper, photograph, recording on whatever support produced or received by the Member concerned in the course of one or more terms-of-office in the European Parliament; before their deposit with the European Parliament, the sets of documents concerned do not form part of the European Parliament's historical archives but represent private archives built up during the term-in-office.
- (b) Member: a Member or former Member of the European Parliament who is applying for a transfer of his or her archives to the European Parliament or his or her legal representative or legal successor.
- (c) Depositor: the Member or former Member who is transferring his or her documents to the European Parliament or his or her legal representative or legal successor.

TITLE I
Depositing of documents with the European Parliament

Article 3
Principles and procedure for making deposits

1. Any Member may deposit with the European Parliament, at any time, the documents accumulated during his or her term of office, for the purposes of conservation.
2. The European Parliament shall select the documents which are suitable for subsequent processing following the procedure defined in Article 4, in accordance with the following criteria:
 - Functional criteria: documents from Members having held an office within the European Parliament (Members of the Bureau, Quaestors, Chairs of Political Groups, Committee Chairs and Delegation Chairs).

- Thematic criteria: documents with a thematic or historical interest, linked to the legislative procedures or key parliamentary activities, from Members having been particularly involved in such events.

3. The following documents shall not be considered for processing, unless they are essential for the structure of the dossier:

- Documents already deposited or distributed within Parliament;
- Documents already published by the Member or available through other sources;
- Documents subject to copyright of third parties.

4. To this end, the Historical Archives Unit shall provide the Member having expressed an interest with a standard form on which the Member shall indicate:

- The volume and nature of the documents.
- The period to which the documents refer (corresponding to the period of the Member's term-of-office or the period of his or her office, as referred to in Article 3(2), first indent.
- The intention either to deposit permanently with the European Parliament or to deposit temporarily with a view to processing.
- The Member's consent to the processing and publishing of the documents and any personal data contained therein, including the transmission by the European Parliament, if it so decides, of the documents to the EUI.
- *For the purposes of thematic evaluation*, the subject(s) of historical interest to which the documents relate.

5. The European Parliament shall be responsible for the physical transmission to Parliament of the documents to be deposited.

6. The documents shall be deposited, subject to the conclusion of a deposit agreement between the Depositor and the Director of the Library, in accordance with arrangements to be laid down by the Director of the Library.

7. The agreement shall set out the requisite provisions on:

- (i) the processing, archiving and publication of the documents and of the Member's personal data (if applicable following a decision taken in accordance with Article 4);
- (ii) the assignment or licensing of intellectual property rights;
- (iii) the Member's agreement as to the possible transmission of the documents by Parliament to the EUI.

8. By depositing the documents, the Depositor authorises the European Parliament to manage and process them in accordance with archiving procedures (establishing a classification plan, sorting, describing the materials, storage, compilation of a detailed inventory, indexing and digitisation) and, as appropriate, to use them for historical purposes (publications, etc.).

9. The Depositor shall have the right to consult the documents, obtain copies free of charge, and have the originals returned after processing.

10. Access to the documents processed shall be governed by the relevant rules, in particular Regulation (EC) No 1049/2001¹ and Regulation (EEC, Euratom) No 354/83².

11. The authorising officer shall perform the duties of data protection supervisor within the meaning of Regulation (EC) No 45/2001³ and, with regard to the processing of personal data, shall apply the relevant procedures laid down in that Regulation.

Article 4

Procedure for evaluating documents for detailed processing

1. In order to determine which archives should be processed (in addition to being conserved), the Director of the Library shall appoint an Evaluation Committee ("the Committee"), made up of at least three persons representing at least two directorates-general of the European Parliament's secretariat, which shall examine all the sets of documents deposited since the date of the previous evaluation procedure.

2. For each evaluation procedure the Committee shall draft a technical report including:

- (a) a description of the documents proposed (in terms of content, quantity in linear metres, confidentiality, etc.);
- (b) a technical evaluation of the papers in conformity with the criteria laid down in Article 3, and of their relevance in the context of the period concerned, following, if necessary, an on-site visit;
- (c) the added value of the documents with regard to documents already existing in the archives;
- (d) the medium (paper, electronic, etc.);
- (f) the final list of documents meeting the criteria laid down in Articles 3 and 4;
- (g) an evaluation of the cost of digitisation, indexation, processing and transport.
- (h) a final list of the documents notselected, and the reasons for their non-seleciton.

3. The Committee shall submit its technical report to the Director of the Library and to the Vice-President responsible.

4. The Vice-President responsible, after having consulted a representative of the Former Members Association, shall:

¹ OJ L 145, 31.5.2001, p. 43.

² OJ L 43, 15.2.1983, p. 1 and subsequent revisions.

³ OJ L 8, 12.1.2001, p. 1.

- (a) establish a report with a priority list of the documents to be processed, taking into account an appropriate geographical and political balance.
- (b) either decide, on the basis of the report referred to in point (a), on the documents to be processed or, where appropriate, refer the report to the Bureau for decision.

5. The decision shall specify whether the Historical Archives Unit must directly process the documents selected or whether it must transfer them to the EUI, in accordance with the procedure laid down in Title II.

Article 5
Financial provisions

The European Parliament shall bear the costs of storage and, as applicable, of processing, indexation, digitalisation and transport as well as those of preparing an inventory of the documents deposited.

Article 6
Inventory

The European Parliament shall publish the inventory of the documents processed in accordance with Article 4, subject to rules on confidentiality and the protection of personal data.

TITLE II
Transfer of sets of documents to the EUI

Article 7
Procedure of transfer of sets of documents to the EUI

1. In accordance with the procedure laid down in this article, the European Parliament shall undertake the transfer to the EUI of selected sets of documents deposited with it by former Members (up to a maximum of five sets per year).
2. To this end, the Vice-President responsible shall establish, in the report mentioned in Article 4, the sets of documents, chosen from those submitted for permanent deposit and which are not of confidential nature, that are suitable for a transfer to the EUI. These documents (or their digitised version) shall be sent to the EUI.
3. The transfer of sets of documents to the EUI shall comply with the provisions of a Deposit contract to be concluded between the former Member, the European Parliament and the EUI.

Article 8
Financial provisions

The European Parliament shall bear the costs relating to the transfer of sets of documents to the EUI. The costs of storing, classifying and preparing an inventory of the documents transferred shall be assumed by the EUI.

TITLE III
Final provisions

Article 9

1. The present Decision cancels and replaces the Bureau Decision of 4 July 2011.
2. Upon entry into force of this Decision, negotiations shall be carried out to modify the model contract for the deposit of sets of documents with the EUI (Annex to the Framework Partnership Agreement).

Article 10
Revision

Within three years from the entry into force of this Decision, the Vice-President responsible for library services shall submit a report to the Bureau on the implementation thereof, after having consulted a representative of the Former Members Association. The Vice-President responsible may also report to the Bureau at any appropriate time, if he or she deems it necessary.

Article 11
Entry into force

This Decision shall enter into force on the day after its adoption.