The report’s Summary

The “memory” of state institutions in the form of government records – protocols, minutes, correspondence, reports – is stored in the government archives. This information has been created, collected and held for the public’s benefit and was paid for by public funds; it should be restored to the public domain so that it may be used for research and debate; it should enrich our understanding of events and the processes that brought us to our current situation. The report reveals that the small staff assigned to archival material declassification precludes in fact any routine declassification of materials past their RAP, denying the process of handling archival user requests to consult materials in the government archives. 

The Law regulating access to archival material in government offices makes decisions that deny archive users access to files past their RAP, thereby limiting public access. The report portrays a routine of extending file classification, as well as a failure to provide no reasoning for denials of requests to consult materials that is in breach of the law. The General Security Service (GSS) and Mossad archives hold material of high importance for understanding Israeli society, as well as the history of the state and the Israeli-Palestinian conflict. Alongside a sensitive intelligence material, working in the government archives is a matter of concern, because highly valuable material that can be cleared for public consultation. After it was turned over to Mossad, this material has been classified and rendered un-accessible, making it hard to appeal them. Moreover, appeal procedures themselves are not regularized by internal procedures. The report portrays a situation in which the law, hindering review of the discretion leading to decisions denying access and making it hard to appeal them. Moreover, appeal procedures themselves are not regularized by internal procedures.

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The different barriers set for public access to archives unfold in this report, revealing an all-together different practice. The archives’ conduct is out-of-step with the change occurring in recent years in the status of the public’s right to obtain information held by government offices. The Freedom of Information Law and its regulations, while also imposing Restricted Access Periods (RAPs) on material consultation. These periods range from 10 to 20 years, according to subjects and origins. However, Restricted Access Periods are not tantamount to “prohibition of access” periods. When a person requests to consult a “restricted” material, regulations order that a request be made in the government archives. The report further shows that government archives in Israel often take actions to withhold records on state-perpetrated human rights violations in exposing their violations. This role is addressed by the final chapter of this report.

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