

Leading Experiences in Adopting Legislative Measures for the Accessibility of Digital Archives

Boubaker Fathi OBEIDI ¹

PhD Student Specialization: Archival Science

Laboratory of New Information Technologies and Their Role in National Development, Institute of Library and Information Science, University of Constantine 2 Abdelhamid Mehri. (Algeria)

boubakerfathi.obeidi@univ-constantine2.dz ¹

Kamel BATTOUCHE ²

Professor of Higher Education

Laboratory of New Information Technologies and Their Role in National Development, Institute of Library and Information Science, University of Constantine 2 Abdelhamid Mehri. (Algeria)

kamel.battouche@univ-constantine2.dz ²

Received: 01/04/2026

Accepted: 20/07/2026

Published: 09/09/2026

Abstract:

Since the beginning of the new millennium, the field of archives has undergone profound transformations driven by the information revolution, as digital technologies have become an essential component in various sectors. Archives represent one of the domains most significantly impacted by these developments. The emergence of digital archives has contributed to enhancing the preservation and organization of records, while also accelerating information access and retrieval processes with minimal time and effort.

This study examines the relationship between information accessibility and digital archives, while highlighting the importance of legislation and its role in regulating this domain. It also emphasizes the significance of drawing upon previous experiences that have established legal foundations contributing to the development of access mechanisms, while considering the specific characteristics of archival documents and the requirements related to personal data protection.

Accordingly, this study aims to highlight the most significant experiences related to digital archive accessibility, while proposing a set of recommendations that may contribute to supporting the development of Algerian legislation in this field.

Keywords: Archives, Digital technology, Digital archives, Accessibility, Legislation.

Introduction

Interest in digital archiving is no longer confined to being regarded as merely a technical advancement or a modernization of preservation methods; rather, it has become an essential requirement imposed on archival institutions in the contemporary era of information proliferation. Today, public and private institutions increasingly generate their records electronically from the outset, leading traditional paper archives to lose their position as the exclusive source of collective memory. Digital data now represents the largest component of contemporary documentary heritage.

This reality has created a new challenge requiring both legislators and archivists to develop appropriate solutions: How can digital archives be made accessible to users while ensuring compliance with privacy requirements and the protection of personal data?

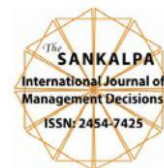
Accessibility constitutes the fundamental principle of archival work and a central dimension of its mission, as no archive, regardless of its value, can achieve its purpose if it remains confined to storage facilities and inaccessible to researchers and citizens alike. However, the digital era has radically transformed this paradigm. The issue is no longer restricted to granting access to a reading room or providing a physical copy of a document; rather, current debates focus on establishing digital systems that allow users to remotely consult archival materials, download files, and perform full-text searches in accordance with archival policies that ensure the protection of sensitive information and prevent its use for purposes beyond those legally permitted. In this context, the pressing need has emerged for new legislative frameworks that take into account the specific characteristics of digital records.

Several countries have followed this approach by seeking to develop legal and regulatory frameworks governing digital access processes. Among these countries, Canada and the United Kingdom represent two important models, despite the differences between their respective legislative approaches. The International Council on Archives has also played a significant role in bringing different perspectives closer and establishing general principles that may serve as a reference framework for national legislation. Furthermore, the International Federation of Library Associations and Institutions has contributed to shaping approaches related to digital content accessibility from another perspective, with particular attention to digital archives.

From this perspective, the idea of this article emerged with the objective of comparing these experiences and identifying lessons that may support the Algerian legislator in developing legal frameworks governing digital archives. Before addressing the central theme, it is necessary to formulate the main research problem that this article seeks to answer, which can be expressed through the following question: How have Canadian and British legislations, along with the principles issued by the International Council on Archives and the International Federation of Library Associations and Institutions, addressed the issue of digital archive accessibility, and what elements can be adopted within the Algerian context?

This main question gives rise to several sub-questions, which can be summarized as follows:

- _ What are the fundamental concepts underpinning the process of digital accessibility within the experiences examined (Canada, the United Kingdom, the International Council on Archives, and the International Federation of Library Associations and Institutions)?
- _ How have Canadian and British legislations addressed the two principles governing the balance between the right of access and the protection of privacy?
- _ To what extent can the principles issued by the International Council on Archives and the International Federation of Library Associations and Institutions be considered applicable within the Algerian national context?



- What are the main challenges encountered by these experiences, and how have they been addressed and overcome?

Research Methodology:

This article adopts the comparative approach, which is defined in scientific research literature as a methodology that aims to examine a specific phenomenon through its comparison across different spatial and temporal contexts, with the purpose of identifying similarities and differences, and deriving generalizations or recommendations that can be applied in other contexts.¹

Study Objectives:

This study seeks to achieve a set of objectives, which can be summarized as follows:

- Identifying the conceptual and theoretical foundations upon which the process of digital archive accessibility is established within contemporary legislations.
- Analyzing Canadian and British legislative and regulatory frameworks related to digital archive accessibility, while revealing their underlying philosophy and implementation mechanisms.
- Examining the international principles and standards issued by both the International Council on Archives and the International Federation of Library Associations and Institutions in the field of digital content accessibility.

First Axis: The Theoretical and Conceptual Framework of Digital Archive Accessibility

The theoretical and conceptual framework aims to establish a shared understanding of the fundamental meanings of accessibility and the nature of the challenges associated with digital documents, while emphasizing the role of international references that may serve as foundations for the present study.

First: The Concept of Archival Accessibility in the Digital Era

In archival science literature, accessibility has been defined as “a set of procedures aimed at making preserved records available to users, according to specific conditions that ensure the integrity of documents and compliance with applicable laws.” This definition places the user at the center of the archival process while simultaneously recognizing the existence of procedural limitations, such as those related to the protection of official records or personal data.²

The International Council on Archives, however, has adopted a broader interpretation of accessibility by considering it a fundamental human right: “Everyone has the right of access to public archives, and private archival holders should open their archives to the greatest extent possible.”³

¹ Abdel Rahman Badawi, *Scientific Research Methodologies*, Second Edition, Kuwait, Al-Matbouat Agency, 1977, p. 152.

² Richard Pearce-Moses, *A Glossary of Archival and Records Terminology*, Society of American Archivists, 2005, p. 2.

³ International Council on Archives, *Principles of Access to Archives*, 2012, Principle 1.

This formulation reflects a significant transformation in the philosophy of archival practice, as it no longer perceives archivists merely as custodians of documents who determine whether materials should be accessible or restricted according to their individual assessments. Instead, archivists are regarded as intermediaries between records creators and users, with their primary responsibility being to facilitate access rather than impose unnecessary restrictions.

However, when transitioning from traditional paper-based archives to digital archives, the concept of accessibility undergoes certain modifications. Digital accessibility is not limited to an “authorization to consult” documents; it also encompasses a “technical capability” that must be ensured. Unlike paper records, digital documents require specific media, technological devices, and software applications to enable their interpretation and use. They also require access management systems capable of determining authorized users and regulating their ability to view and utilize these records.

Therefore, digital accessibility can be considered as consisting of three main dimensions:

- _ A legal dimension (the right of access)
- _ A technical dimension (the availability of devices and software)
- _ An organizational dimension (the existence of clear legislation and policies).

Second: Specific Challenges Posed by Digital Archives

- **Privacy and Data Protection Issues:** In the digital environment, records have become highly reproducible and easily disseminated. Providing access to a digital document practically entails enabling its duplication and potential distribution.
- **The Problem of Heterogeneous Sources:** Digital archives are not homogeneous; they encompass textual documents, images, audiovisual recordings, databases, and websites. Each type requires specific preservation strategies and distinct accessibility conditions. Consequently, archival institutions are required to develop diverse access policies within the same organizational framework.
- **The Issue of Temporary Restrictions and Review Mechanisms:** In traditional paper-based archival systems, access mechanisms were primarily based on the principle of restriction, whereby documents were stored in designated repositories for a defined period according to established access timelines. However, this approach faces considerable challenges due to the fundamentally different nature of digital records. Digital documents cannot be regarded as closed and static containers; rather, they constitute dynamic and interactive entities that are often linked to databases or continuously evolving software environments.

Third: Key International References

Several fundamental instruments constitute essential references and supporting frameworks in the field of digital archive accessibility, including:

1. **Article 19 of the Universal Declaration of Human Rights**, which states that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through



any media and regardless of frontiers.”⁴ This article represents a fundamental reference for advocates of broad accessibility, as it supports users’ right to consult public records and obtain information.

2. **The Universal Declaration on Archives**, issued by UNESCO in 2011, which emphasizes that “Archives record the course of human activities and preserve collective memory, and they must be accessible to all on the basis of equality.”⁵ Although this declaration does not impose legally binding obligations on states, it reflects a broad international consensus regarding the fundamental values and principles governing archival practice.
3. **The Principles of Access to Archives**, issued by the International Council on Archives in 2012. These principles should be understood as an attempt to translate general declarations into practical procedural guidelines, rather than leaving them as merely theoretical or abstract principles.

Second Axis: The Canadian Experience – Legislating Access and Accessibility

Canada represents an advanced model in the field of archival legislation, not only due to the modernity of its legal frameworks but also because of its ability to establish a balanced relationship between the principle of users’ right of access and the necessity of protecting privacy.

First: The Canadian Legislative Framework

The institution responsible for archives in Canada is **Library and Archives Canada**, established under legislation enacted in 2004. Through this institutional merger, the Canadian legislator sought to establish a unified entity integrating the National Archives and the National Library, based on the premise that maintaining a separation between them was no longer appropriate in the digital era. This integration also reflects the underlying principle that records, whether books, manuscripts, or administrative documents, require consistent approaches in terms of preservation and accessibility.

The main legislative texts governing accessibility according to the Canadian legislator include:

The Access to Information Act, first enacted in 1982, represents a significant milestone in the relationship between public institutions and users. It transformed access to information into a legal right by granting individuals the ability to request information and challenge decisions in cases of refusal.

Section “4”⁶ of this Act stipulates that: “Canadian citizens or permanent residents have the right to access any record under the control of a government institution, subject to certain exceptions.” The expression “any record” indicates that the legislation does not differentiate between paper-based and digital documents; rather, it applies to all materials that may be considered a “record,” regardless of their format or medium. Accordingly, digital archives theoretically fall within the scope of the same legal provisions.

⁴ Universal Declaration of Human Rights, Article 19.

⁵ Universal Declaration on Archives, UNESCO, 2011.

⁶ Canada, *Access to Information Act* (R.S.C., 1985, c. A-1), s. 4(1).

The Privacy Act, also enacted in 1982, represents the complementary dimension of the accessibility framework. While the Access to Information Act facilitates consultation and disclosure, the Privacy Act establishes restrictions on certain forms of access in order to ensure the protection of personal data. Section 19 of the Access to Information Act provides that: “The head of a government institution shall refuse to disclose any record containing personal information unless it falls within specific exceptions provided under the Privacy Act.”⁷ This legislative duality, based on the coexistence of two complementary laws—one dedicated to accessibility and the other to protection—reflects a comprehensive approach to information governance. The Canadian legislator has incorporated both instruments within an integrated legislative framework.

The Library and Archives of Canada Act, enacted in 2004, constitutes the legislative framework defining the institution’s responsibilities and general policies. Among its objectives is “to serve as the continuing memory of the Government of Canada and its institutions.”⁸ This legal designation carries a significant implication: the institution is not merely responsible for safeguarding records; rather, it represents the “memory” itself. Consequently, its mission extends beyond the preservation of documents and the implementation of various technical archival procedures to include ensuring their accessibility to users.

Second: Digital Accessibility Mechanisms in Practice

Canada has established several implementation mechanisms to support the legislative framework governing digital accessibility. Among the most significant of these mechanisms are:

§ Electronic Access to Information Request System, a digital platform that enables researchers to submit requests for obtaining digital records, track the progress of their applications, and directly download documents approved for disclosure through the website.⁹ This system reflects a significant shift in the philosophy of accessibility, as users have become able to request specific records directly.

Regarding government archives in their broader sense (i.e., the entirety of records generated by governmental institutions), Canada has adopted a “gradual transfer” policy, whereby records are transferred after a defined period of time (usually 25 years), accompanied by recommendations regarding their accessibility status.

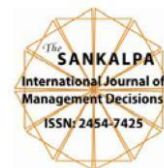
Third: Lessons Learned from the Canadian Experience

- The Canadian experience is founded on an integrated legal framework rather than relying on a single legislative instrument.
- Archival legislation alone remains insufficient without complementary legal provisions regulating accessibility and privacy protection.
- The relationship between accessibility and privacy is based on an integrated and balanced approach.

⁷ Government of Canada, *Access to Information Act Extension Order, No. 1*, section 2.

⁸ Canada, *Library and Archives of Canada Act* (S.C. 2004, c. 11).

⁹ Government of Canada, Library and Archives Canada, *Completed Access to Information Requests Database*.



- The establishment of an independent review and appeal mechanism represents an essential requirement for ensuring effective access.
- The Canadian Information Commissioner provides an example of such an independent oversight mechanism.
- Legislation must remain flexible and adaptable, subject to continuous development and review rather than being considered static and permanent.
- Digital archives represent a significant transformation within the Canadian archival experience.
- The issue of financial resources and investment in technological infrastructure remains a major challenge.
- Legislative progress does not necessarily guarantee a similar level of advancement in practical implementation.¹⁰

Third Axis: The British Experience – From Inherited Access Rights to the Freedom of Information Act

The British experience represents an evolutionary model whose origins extend back several centuries. The right of access to government records did not emerge in Britain solely with the enactment of the Freedom of Information Act; rather, it developed progressively through various historical stages, beginning with the **Bill of Rights of 1689**. This historical accumulation has provided the British experience with a distinctive foundation for promoting information accessibility.

First: Historical and Legislative Foundations

The understanding of the British Freedom of Information Act 2000 can be traced back to the Bill of Rights 1689, which stated that “the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament.”¹¹ Although this provision did not directly address archives, it established a fundamental principle: the activities of public institutions should be characterized by transparency and openness, and citizens have the right to understand the functioning of these institutions.

Freedom of Information Act 2000 (FOIA 2000): Section 1 states that “Any person making a request for information to a public authority is entitled to be informed by the public authority whether it holds information of the description specified in the request, and if that is the case, to have that information communicated to them.”¹² Accordingly, the right of access is legally guaranteed to users.

Data Protection Act 2018: This Act represents the British adaptation of the European General Data Protection Regulation (GDPR). In practice, the coexistence of two legislative frameworks—

¹⁰ The Conversation Canada (2021), *For the Record: Digitizing Archives Can Increase Access to Information but Compromise Privacy*. Adapted.

¹¹ UK Parliament, *Bill of Rights 1689* (c. 2), Article 9.

¹² UK Government, *Freedom of Information Act 2000* (c. 36), s. 1(1).

freedom of information and data protection—creates a complementary system that regulates the conditions governing accessibility.

The British legislator addressed this issue by establishing that personal information may only be disclosed when such disclosure does not result in harm to the individual concerned.¹³

Second: The National Archives Institution and Oversight Mechanisms

The implementation of these laws is undertaken by The National Archives, which is not merely a repository for records, but also the authority responsible for establishing records management standards across public institutions, ensuring the availability of historical records, and overseeing the accessibility process.¹⁴

Among the most significant mechanisms developed by The National Archives is the “Re-closure Policy”, which represents a legally significant approach. The general principle is that once a record has been preserved within The National Archives, it is considered open and accessible to users unless legal exceptions provide grounds for restricting access.

According to Section 2 of the Public Records Act 1958, “The Keeper of Public Records shall do all such things as he may consider necessary or desirable for the preservation of public records and for the convenience of those who use or may wish to use them¹⁵.” This provision has served as the legal foundation enabling the archival authority to reassess and reprocess such records.

Decisions related to these matters are subject to review by the Information Commissioner’s Office (ICO), an independent authority empowered to require archives to reopen records when it determines that imposed restrictions are unjustified.¹⁶

Third: Practical Challenges Facing the British Experience

- The difficulties resulting from the simultaneous application of the Freedom of Information Act and data protection legislation.
- The tendency of certain institutions to adopt an extensive interpretation of privacy-related exemptions.
- The increasing operational costs associated with ensuring digital accessibility in the context of limited financial resources.
- The influence of resource limitations on preservation priorities, which may result in the marginalization of certain historical records.
- The fundamental distinction between traditional archives and digital archives in terms of accessibility and ease of use.

¹³ UK Government, *Data Protection Act 2018* (c. 12).

¹⁴ UK Government, *Public Records Act 1958* (c. 51), s. 2(4).

¹⁵ UK Government, *Public Records Act 1958* (c. 51), s. 2(4).

¹⁶ Information Commissioner’s Office (UK), *Freedom of Information Act 2000*, Section 50.

Fourth Axis: The International Council on Archives – Harmonizing Accessibility Principles

The experience of the International Council on Archives (ICA), which aims to harmonize archival practices and promote awareness of accessibility issues, has contributed to the development of a set of principles that provide a foundation for national legislation.

First: Background of the Issuance of the Principles

The International Council on Archives held its General Assembly in 2012 and adopted the document “**Principles of Access to Archives**” as a response to the digital information revolution, which has significantly expanded the accessibility and availability of archival materials for consultation.¹⁷

Second: The Main Principles of the International Council on Archives

Principle One (Right of Access): Everyone has the right of access to the archives of public bodies. Private archival holders should also open their archives to the greatest extent possible.¹⁸

This principle recognizes users’ right to consult the archives of public institutions, while also encouraging private archival holders to facilitate access to their collections whenever possible.¹⁹

Principle Four (Determining the Duration of Restrictions): Restriction periods should be clearly defined and subject to periodic review, including amendments to legislation related to privacy protection.

This principle is particularly significant in relation to digital archives, as it emphasizes the necessity of ensuring accessibility while establishing mechanisms for reassessing access restrictions.

Principle Seven (Right of Appeal): Any person who has submitted a request for access to archives has the right to appeal if their request is denied, and appeal procedures should not impose excessive financial or administrative burdens.²⁰

This principle guarantees users the right to challenge denied access requests, including through legal mechanisms, when institutions refuse to provide access.

Principle Nine (Role of the Archivist): Archivists should have access to closed archives in order to perform preservation and technical processing tasks, while respecting professional confidentiality obligations.²¹

This principle recognizes archivists’ need for access to restricted records while requiring adherence to the ethical standards governing the archival profession.

Third: Lessons Learned from the International Council on Archives

- These principles represent a significant development in global archival thinking, as they constitute the first international document combining the legal and technical dimensions within a coherent and integrated framework.

¹⁷ International Council on Archives, *Principles of Access to Archives*, adopted by the AGM on August 24, 2012.

¹⁸ International Council on Archives, *Principles of Access to Archives*, 2012, Principle 1.

¹⁹ International Council on Archives, *Principles of Access to Archives*, 2012, Principle 4.

²⁰ International Council on Archives, *Principles of Access to Archives*, 2012, Principle 7.

²¹ International Council on Archives, *Principles of Access to Archives*, 2012, Principle 9.



- The involvement of archivists and specialists from different countries has provided these principles with practical relevance and ethical legitimacy.

Fifth Axis: The International Federation of Library Associations and Institutions (IFLA) and Digital Archive Accessibility

International attention to the issue of digital archive accessibility has not been limited to the International Council on Archives alone. The International Federation of Library Associations and Institutions has also played a significant role in this field. While the International Council on Archives has primarily focused on archival dimensions (including document preservation, records accessibility, and the determination of restriction periods), the International Federation of Library Associations and Institutions has placed greater emphasis on legislative issues related to copyright and licensing, which may constitute limitations to accessing digital materials preserved within archival institutions. This difference in perspective highlights the complementary nature of their contributions toward achieving comprehensive digital archive accessibility.

The objective of the International Federation of Library Associations and Institutions' treaty proposal on copyright for libraries and archives is to establish international standards that enable archival institutions to continue fulfilling their missions in the digital era.²²

The Main Elements of Digital Archives in This Project:

- **The Right to Use Orphan Works:** The project grants archival institutions the right to reproduce orphan works and make them accessible to users.
- **The Right of Access to Withdrawn Works:** Archival institutions are authorized to reproduce and provide access to works that have been withdrawn from public availability for preservation or research purposes.
- **Technological Protection Measures:** The project calls upon states to ensure that archival institutions are permitted to circumvent technological protection measures when required for legitimate preservation and accessibility purposes.
- **Contracts and Exceptions:** The project establishes that any contractual provision preventing the application of exceptions and limitations provided by law shall be considered invalid. This provision prevents publishers from using licensing agreements as instruments to restrict access to digital archives.

Second: The Joint Preservation Instrument:

A cooperation treaty between the International Federation of Library Associations and Institutions (IFLA), the International Council on Archives (ICA), and the International Council of Museums

²² IFLA, *Treaty Proposal on Copyright Limitations and Exceptions for Libraries and Archives*, submitted to WIPO, SCCR/24/8, 2012–2013. “Copyright-protected works for which permission from the copyright holder cannot be obtained for use because the owner is either unknown or cannot be located despite a diligent search.”

(ICOM) aims to develop a “**Tool for Preserving Cultural Heritage for Libraries, Archives and Museums.**”²³

Articles Addressing Digital Archive Accessibility:

- **Article 1 (Preservation of Cultural Heritage):** States are required to establish an exception or limitation allowing archival institutions to create copies of works permanently held in their collections for preservation purposes.²⁴
- **Article 2 (Access to Preserved Works):** Archival institutions are permitted to provide copies of preserved works to individuals for research or scholarly purposes, as well as facilitate access to works that are no longer commercially available.²⁵
- **Article 3 (Cross-Border Activities):** When a copy is created under a preservation exception in one country, that copy may be made available in another country.²⁶
- **Article 4 (General Provisions):** This article establishes that any contractual provision contradicting the recognized exceptions shall be considered unenforceable.²⁷

The Experience of the International Federation of Library Associations and Institutions Regarding Digital Archives:

- It focuses on **legislative aspects related to copyright and licensing agreements** that may restrict digital archive accessibility.
- It provides legislative provisions and model legal frameworks that can be adopted by states.
- It encourages cooperation with the International Council on Archives and the International Council of Museums, thereby strengthening the possibility of adopting unified principles for the preservation and accessibility of digital archives.
- Its principles represent an important professional reference in the field of facilitating access to digital materials preserved within archival institutions.

Sixth Axis: Comparative Analysis and Lessons Learned for Algerian Legislation

After presenting these experiences and analyzing their legislative and practical dimensions, this study identifies the similarities and differences among these models and derives a set of practical lessons that may support the Algerian legislator in developing legal frameworks regulating digital archives. It also compares the different models while considering national specificities, with the objective of providing a comprehensive understanding of the mechanisms adopted by each experience:

- **Canada provides a “balanced model”:** separate legislation regulating accessibility and privacy, a unified archival institution, and an appeal mechanism through the Information

²³ IFLA, ICA, ICOM, EIFL, *Preservation+: A Tool for Preserving Cultural Heritage for Libraries, Archives and Museums*, January 2020.

²⁴ IFLA, ICA, ICOM, EIFL, *Preservation+: An Instrument on Preservation of Cultural Heritage for Libraries, Archives and Museums*, January 2020, Article 1.

²⁵ IFLA, ICA, ICOM, EIFL, *Preservation*, Article 2.

²⁶ IFLA, ICA, ICOM, EIFL, *Preservation*, Article 3.

²⁷ IFLA, ICA, ICOM, EIFL, *Preservation*, Article 4.



Commissioner. Its main strength lies in the integration and complementarity of legal provisions, whereas its primary limitation concerns the restricted practical implementation of digital archives.

- **The United Kingdom provides an “ambitious model”:** the principle that “any person” has the right of access, a centralized system supervised by The National Archives, and an independent oversight authority. Its strength lies in its strong political commitment to transparency, while its limitation relates to procedural complexity and high operational costs.
- **The International Council on Archives provides a “reference model”:** general non-binding principles reflecting international professional consensus. Its strength lies in providing ethical guidance and professional frameworks for practitioners in the field, while its limitation is the absence of binding enforcement mechanisms.
- **The International Federation of Library Associations and Institutions provides a “complementary model”:** legislative provisions and model frameworks addressing copyright and licensing issues. Its strength lies in offering practical legal solutions, whereas its limitation is that these instruments remain non-binding and lack effective monitoring mechanisms.

Lessons Learned for Algerian Legislation

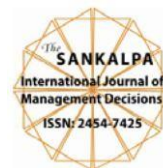
When transferring these experiences to the Algerian context, the following points can be identified:

- The necessity of establishing a clear legal framework, whereby legislation should precisely define the concept and scope of digital archives.
- Ensuring the legal recognition and evidentiary value of digital documents.
- Taking into account data protection requirements.
- Harmonizing technical standards.
- Ensuring the continuity and sustainability of access to information.
- Continuously updating legislative provisions.

Conclusion

Based on the issues examined above, it can be concluded that digital archive accessibility requires multiple legislative approaches that cannot be confined to a single model. Some experiences have focused on establishing comprehensive legal systems capable of balancing the right of access with privacy protection, while others have prioritized strengthening the principle of transparency and considering access as a general rule rather than an exception.

Similarly, international reference frameworks have focused on providing ethical guidelines and legislative models, allowing states to adapt them according to their specific national contexts. However, it is evident that most of these experiences converge on a fundamental principle: legislative provisions alone remain insufficient unless they are supported by genuine political commitment, adequate financial resources, and independent oversight mechanisms capable of ensuring their effective implementation in practice. In this regard, the following recommendations can be proposed:



- _ Enacting a unified law on digital archives that provides clear definitions of digital records and establishes procedures for their preservation, management, circulation, and disposal.
- _ Granting full legal recognition to electronic documents through the adoption of electronic signatures, electronic certification, and digital seals as official means of evidence.
- _ Establishing a specialized unified authority responsible for digital archive accessibility, with the mandate to supervise the implementation of technical and legal standards.
- _ Developing unified technical standards to ensure interoperability among digital systems used by administrative bodies and archival institutions.
- _ Developing long-term digital preservation strategies to prevent data loss resulting from software obsolescence and technological failures.
- _ Gradually digitizing paper-based archives.
- _ Developing and strengthening human capacities.
- _ Regularly revising legislation to ensure its compatibility with ongoing technological developments.
- _ Promoting international cooperation.
- _ Allocating adequate financial resources to support digital transformation.
- _ Developing a national guide for digital records management.

References

First: Arabic References

1. Universal Declaration of Human Rights, Article 19.
2. Universal Declaration on Archives, UNESCO, 2011.
3. International Council on Archives, *Principles of Access to Archives*, 2012.
4. Abdel Rahman Badawi, *Scientific Research Methodologies*, Second Edition, Kuwait, Al-Matbouat Agency, 1977, p. 152.

Second: Foreign References

A. Legislation and Laws

1. Canada, *Access to Information Act* (R.S.C., 1985, c. A-1), s. 4(1).
2. Canada, *Library and Archives of Canada Act* (S.C. 2004, c. 11).
3. Government of Canada, *Access to Information Act Extension Order, No. 1*, section 2.
4. UK Government, *Freedom of Information Act 2000* (c. 36), s. 1(1).
5. UK Government, *Data Protection Act 2018* (c. 12).
6. UK Government, *Public Records Act 1958* (c. 51), s. 2(4).
7. UK Parliament, *Bill of Rights 1689* (c. 2), Article 9.

B. International Organizations

1. International Council on Archives, *Principles of Access to Archives*, adopted by the AGM on August 24, 2012.
2. IFLA, *Treaty Proposal on Copyright Limitations and Exceptions for Libraries and Archives*, submitted to WIPO, SCCR/24/8, 2012–2013.



3. IFLA, ICA, ICOM, EIFL, *Preservation+: A Tool for Preserving Cultural Heritage for Libraries, Archives and Museums*, January 2020.

C. National Institutions

1. Government of Canada, Library and Archives Canada, *Completed Access to Information Requests Database*.
2. Information Commissioner's Office (UK), *Freedom of Information Act 2000*, Section 50.

D. Specialized Studies and References

1. Pearce-Moses, Richard, *A Glossary of Archival and Records Terminology*, Chicago, Society of American Archivists, 2005, p. 2.
2. The Conversation Canada (2021), *For the Record: Digitizing Archives Can Increase Access to Information but Compromise Privacy*.