

Researcher's Statement

on the fair and lawful use of documents containing personal data in the Vera and Donald Blinken Open Society Archives

I, the undersigned, understand that the principal aim of the Vera and Donald Blinken Open Society Archives at Central European University (Blinken OSA) is to make its holdings available for research. Blinken OSA, however, respects the wishes of donors as well as the international norms concerning informational rights and freedoms.

In Blinken OSA's judgement, in the case of individuals performing public functions and other public figures, personal data relating to such activities are subject to the main rule of openness. Therefore documents containing such data are freely available to researchers unless otherwise stipulated by the donor.

In Blinken OSA's judgement, restrictions on the accessibility of documents which contain personal data concerning other individuals are primarily the responsibility of the donor, and Blinken OSA presumes that the access status of the documents has been correctly indicated. Therefore Blinken OSA itself restricts the availability of documents for research only if releasing them would clearly violate an individual's rights and legal interests.

I understand that Blinken OSA is not responsible for checking the authenticity, accuracy, completeness and timeliness of data recorded in the documents in its care. I understand that the documents prove only the fact that these data were preserved by the originator, keeper or donor of the documents.

I recognize that in some cases, in spite of the safeguards outlined above, material that is publicly available in the Blinken OSA archives might contain data which, if publicized or used out of context, would infringe the rights and legal interests of the individuals concerned. I hereby declare that I accept all legal and financial responsibility arising out of, or in connection with, this possible infringement of the rights and legal interests of individuals, and that to the greatest extent permitted by law, I will indemnify and defend OSA from and against all claims, damages, judgements, fines, penalties and costs arising out of, or in connection with, this possible infringement of the rights and legal interests of individuals.

I also recognize that, according to the ethical norms of scientific research and the rules governing rights to information, accessibility does not automatically mean publicity. I am aware that my above legal and ethical responsibilities extend to my research conducted both on-site and through remote access.

I declare that I am aware of my special obligation to respect the privacy rights of individuals in any publication of biographical data from unpublished sources contained in the Radio Free Europe/Radio Liberty Archives of Blinken OSA. Ownership of and copyrights to the materials in the Radio Free Europe/Radio Liberty Archives of Blinken OSA belong to RFE/RL, Inc., 1201 Connecticut Ave., N.W., Washington, DC 20036, USA. Permission to use the materials for purposes other than research and education shall be requested from RFE/RL, zvanersm@rferl.org .