

# Enhancing Government Accountability and Transparency for Current and Future Generations: Challenges of the Japanese Government

Takeo Katoh

President of the National Archives of Japan

## 1. Introduction

The National Archives of Japan (hereafter NAJ) was established in 1971. At NAJ we have about 1.33 million volumes of records, an equivalent of about 58 linear kilometers. Among them, some 850 thousand volumes of official documents, notably, helped determine the trajectory Japan would follow as it modernized. Such documents include constitutions, laws, and treaties dating from the latter half of the 19th century and there are many items even from present times. The remaining 480 thousand archival records are comprised of classical books and documents collected and possessed by the Edo Shogunate. The oldest such document was created in the 10th century. Incidentally, also operating within NAJ, we have the Japan Center for Asian Historical Records (JACAR). JACAR's mission is to digitize historical documents which show relations between Japan and Asian neighboring states. We aim to make such documents widely available, both internationally and domestically. The digitized documents released online in our database trace from 1868 to 1945: the early Meiji era until the end of World War II.

While NAJ is, in some ways, a Japanese mine of knowledge that preserves key records for reflecting on the present and future of Japan, we cannot consider its system sufficient. There are fewer than 50 full-time staff members, while the total number of staff, including part-timers, is around 150 individuals. NAJ was established in 1971, which is relatively late compared to most of your national archives. Possible reasons for the delay in Japanese records management include that many official documents were lost due to disasters, air raids, document incineration, and other factors by the end of the World War II. The State's records management system was interrupted by the War; and, making matters more difficult, there was little interest in official documents among Japanese citizens — thus efforts towards archival science were slow. Moreover, Japan lacked any document management act stipulating the basic rules for preparing, managing, preserving and using official documents. Document management in ministries and agencies remained underdeveloped and staff awareness was low. There were seemingly endless examples of improper management such as required documents not being prepared as expected, and important documents arbitrarily being destroyed or lost. So, in other words, the transfer of historical documents to NAJ did not go particularly smoothly.

To break the deadlock, public records management legislation was developed based on the belief that it is fundamental for democracy to lay down proper records management rules and to make records open to the public. On July 1, 2009, the Public Records and Archives Management Act (PRAMA) (Act No. 66 of July 1, 2009) was proclaimed and then enforced from April 2011.

Article 1, which gives the purpose of the Act, runs as follows: *The purpose of this Act is to strive for the proper management of administrative documents and appropriate preservation, use, etc. of historical public records and archives, by (snip) taking into consideration the fact that public records and archives as records of historical facts and various activities of the State and Incorporated Administrative Agencies, etc. should be available for independent use by sovereign citizens as an intellectual resource to be shared by people in*

*supporting the basis of sound democracy, (snip) thereby enabling the administration to be properly and efficiently managed, and also ensuring the accountability of State and Incorporated Administrative Agencies, etc. to citizens, both now and in future, for their various activities. Accountability to the citizens of present and future generations is thus stipulated as a purpose of public records and archives management.*

## 2. Responsibility of administrative organs stipulated in PRAMA

Specific policies for the administrative documents management before the establishment of PRAMA were provided in the Order for Enforcement of the Act on Access to Information Held by Administrative Organs, which was established in 1999, (Act No. 42 of May 14th, 1999, hereafter referred to as Administrative Organs Information Disclosure Act) and the guidelines for the administrative document management policy (agreed to at the communication meeting for ministries and agencies on February 25th, 2000, hereafter referred to as Guidelines). Administrative organs were required by law to prepare document files on which requests for information disclosure are made and record them on the Administrative Document File Management Register. When the Administrative Organs Information Disclosure Act was enforced in April 2001, this Register was presented to the public, online, in the form of an administrative portal named e-Gov. With this, information such as title, office of origin, retention period, preservation location of Administrative Document Files were prepared, managed, and preserved by administrative organs that made them open to the public. Such changes allowed anyone to locate key pieces of information on documents, which went a long way to ensure government accountability and transparency.

According to the Cabinet Office, around 14.67 million Administrative Document Files were possessed by ministries and agencies as of March 2012. Among them, about 2.16 million had been newly prepared within a year between April 2011 and March 2012. Paper media comprised 95.6% of the total, electronic media 4.2%, and other media, including film and video tapes, 0.2%. At this time, the vast majority are paper media.

PRAMA reaffirms ideas stipulated in the Guidelines of the Information Disclosure Act such as the preparation of the Administrative Document File Management Register, document preparation, a retention period and the expiration date of the retention period. The basics of public records management were stipulated as legal provisions.

Article 4 of PRAMA defines that “[an employee of an Administrative Organ shall] prepare documents (snip) to enable a decision-making process, including the background in said Administrative Organ and performance of affairs and business of said Administrative Organ to be traced or verified reasonably (snip).” In addition, the Japanese version of the records schedule system was introduced, allowing administrative organs to decide early whether to transfer or destroy documents after their retention period ends (Paragraph 5, Article 5). It also stipulates that the head of an Administrative Organ must, when intending to dispose of an expired Administrative Document File or other item, consult with the Prime Minister in advance and obtain consent (Paragraph 2, Article 8).

The Guidelines for the Management of Administrative Documents (decision of the Prime Minister) were issued on April 1st, 2011. They included examples of the Rules for the Management of Administrative Documents, which administrative organs must develop their own. As for document

management, administrative organs must appoint a general document manager such as the Deputy Vice-Minister.

### 3. The Role of NAJ

PRAMA also gives NAJ a new role. Before its enactment, the National Archives Act stipulated NAJ's service, limiting the scope to non-current official documents which were deemed important as historical materials. PRAMA enhanced this scope. Whether a document is current or non-current, we can give professional and technical advice concerning its preservation and use. Following its full enforcement in April 2011, we offer professional and technical advice for requests from the Cabinet Office on development of the so-called records schedule which sets out disposition of administrative documents upon expiration of their retention period, and whether destruction is suitable or not.

Establishment of record schedules and consultation to obtain consent for destruction from the Prime Minister were based on the Administrative Document File Management Register. NAJ checks lists submitted from administrative organs to the Cabinet Office. Administrative organs set up disposition of each file shown in the Register, whether for destruction or transfer, once a retention period expires. Given this enormous workload, both administrative organs, which issue authorities, and NAJ, which checks the list, are subject to considerable burdens. In 2012, NAJ checked record schedules of about 1.8 million files and about 1.97 million administrative document batches recommended for destruction.

The Act reaffirms the responsibilities of NAJ vis-à-vis transferred documents. As a rule, NAJ must permanently preserve possessed documents (Paragraph 1, Article 15). In addition, the Act specifies the access to records possessed by NAJ as the public's right (Paragraph 1, Article 16). It is now the public's right to request the use of the official documents possessed by NAJ. Consequently, it became clear that NAJ is obliged to meet such requests and plays an important role in achieving accountability for activities performed by the government to date. The Act stipulates that generally, the public is allowed to use materials held by NAJ. It also asserts that when NAJ limits the usage of such information, passage of time must be considered. The article encourages a newly, more active disclosure of NAJ holdings. This imposes a workload on NAJ in the field of access review, for which we have established a new office.

The Act imposes an obligation on NAJ to use its best efforts and actively endeavor to promote the public use of its holdings through exhibitions, digital archives, and other means (Article 23).

### 4. The Integrated Document Management System

The development and introduction of the document management system common to ministries and agencies as well as the establishment of PRAMA significantly impacts administrative organ document management. The Ministry of Internal Affairs and Communications develops, operates, and manages the "integrated document management system available for the whole government" (hereafter referred to as Integrated Document Management System). This system was developed to optimize a series of operations for comprehensive government preservation and management as well as for disclosure and provision of administrative materials including electronic, official documents. The system had been introduced to all ministries and agencies by March 2012, except for the National Police Agency. The Integrated Document Management System was designed to set and check records

schedules as well as implement the document management procedure based on PRAMA. After observing the system in operation, we found problems with government employees not being fully conversant with its operation methods: clearly there was room for improvement. The Japanese government can manage documents through a single, unified system and I am convinced that improvements will be crucial in helping the Integrated Document Management System run more efficiently.

As for electronic official documents, NAJ has established the system of accepting, preserving, and utilizing them. The system launched in April 2011. As I said earlier, even today, many new, digital documents that were produced on cutting edge technologies are still preserved in Japan on paper. The number of electronic files of official documents transferred in 2012 was only 2,565 from six administrative organs. However, the number will not decline in future, but steadily increase. The foreign national archives are making great efforts. We will learn from them to build a better system with which to preserve and use electronic documents.

## 5. Disclosure through the Digital Archives

Finally, I would like to discuss the disclosure of documents transferred to NAJ through its digital archives. NAJ started to operate the National Archives of Japan Digital Archive in 2005 to allow historical public records and archives to be widely used online. The Digital Archive allows users to search the catalog information and view digitized images of a portion of the NAJ records. As of August 2013, we provide catalog information of about 1.33 million files and of about 14 million frames of digitized images from about 110 thousand volumes. While the description catalog based on fonds is advanced in Europe, it is not popular in Japan. Instead, we initially prepare an item-level catalog, establish a hierarchy, and apply comments by the fond unit, which can be considered a micro-to-macro approach. NAJ prepares catalogs by checking lists of transferred files prepared by transfer origin agencies against actual records. For certain documents meanwhile, a document-level catalog is prepared and users can find documents using keywords or layered searches. The digitization rate remains low, around 10% of the whole holdings, and one of our future challenges is to see this rate soar.

In addition, as I mentioned earlier on, we have established a unique digital archive department known as Japan Center for Asian Historical Records, abbreviated as JACAR. JACAR works with three agencies, namely, NAJ, the Diplomatic Archives of the Ministry of Foreign Affairs, and the National Institute for Defense Studies, which have historical documents concerning relations between modern Japan and its Asian neighbors. Their catalog information and image data is being made available for free on the Internet through JACAR. As of August 2013, around 1.81 million documents are already disclosed along with 26.48 million images. The archive also has a useful dictionary function that allows cross-searches and keyword searches among different agencies with original documents. We strive to deepen cooperative relations with Asian neighbors while developing new, shared activities of importance.

## 6. Conclusion

The enactment of PRAMA established basic rules for preparing, managing, preserving, and using official documents of Japan. Yet only two years have elapsed since the law was implemented in April

2011, so record management remains in its early stages. NAJ plans to further examine problems in enforcing the Act and use this information effectively. A large-scale review will take place in 2016, which will mark five years after the Act was put in place.

To ensure accountability, both present and future, public officers must understand the intentions of the Act and execute provisions accordingly. There are around 640 thousand such officers in Japan. Thus our first challenge is to devise a system and enforce training to ensure consultation can be efficiently and effectively done while setting a record schedule and obtaining the Prime Minister's consent in cases of document destruction.

Our second challenge involves striving to enrich the digital archives. We continue presenting transferred official documents, including electronic official documents, to the public within one year of their transfer. There is a need to release more digitized images and construct a system that facilitates easy document searches. It is crucial to enrich the digital archives to allow the intellectual property of citizens held by NAJ to be used anytime, anywhere, and by anyone so as to increase accountability for actions by the state both present and future. I think further promoting digitization is one of the highest priority issues for NAJ.

While meeting these challenges in cooperation with the central government, NAJ aims to be an essential, indispensable agency for both the state and citizens.

Thank you for your kind attention.