

Blinken OSA Archivum | Access Policy

Blinken OSA Archivum's holdings are open to everyone, regardless of nationality and citizenship on the basis of open access, however, access to certain documents and collections may be subject to restrictions. Blinken OSA Archivum's access policy aims to ensure the researcher's need for access, while respecting the information rights of individuals and the legitimate interests of organizations contained in the materials. Access to archival holdings concerning the recent past will be restricted in the following instances, outlined below.

General restrictions on access apply to more than one group of documents, and are applicable to particular kinds of data or designated classes of documents which may be found across a number of collections. **Specific restrictions** are specified by the donor and apply to a specific collection or one part thereof. Information about specific restrictions will always be found in the catalog or description of the collection, depending on what proportion of the documents is covered by the restriction.

The following is a list of the general restrictions that are applied to Blinken OSA's collections.

General Restriction 1: Documents containing personal data within the meaning of the relevant European Union law and the laws of Hungary.

1.1 *Definition.* Personal data means any information relating to an identified or identifiable natural person (data subject). An identifiable natural person is one who can be identified, directly or indirectly by reference to a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning the health or the sexual life or the sexual orientation of an individual (sensitive data) deserve special protection.

1.2 *Restrictions.* Documents that fall under this restriction may be disclosed only:

- i. to permanent employees of the Blinken OSA Archivum only in the performance of their archival and professional work,
- ii. to the data subject or his/her authorized representative,
- iii. to the Donor of the materials or to the Donor's Designee, pursuant to the provisions of the Donor's deed of gift or deposit agreement,
- iv. if the documents have already been lawfully published,
- v. if the information subject to restriction in the copy of the document has been irretrievably deleted.

General Restriction 2: Documents containing confidential business and financial data.

2.1 *Definition.* Documents which contain financial or business secrets that were obtained with an expressed or implied understanding of confidentiality

2.2 *Restrictions.* Such information may be disclosed only:

- i. if the data consists of statistical totals or summaries and does not disclose the source of the details or identify the supplier of the data, or
- ii. if the party with whom the confidential relationship has been established agrees to its release, or

- iii. to those officers and employees of the office of origin or its successor in function or its representative who have a need for the record in their performance of their official duties, or
- iv. to the Donor of the documents or to the Donor's Designee, pursuant to the provisions of the Donor's deed of gift or deposit agreement, or
- v. if, in the judgment of the Blinken OSA Archivum, the passage of time is such that the release of the information would not result in substantial competitive or other harm to the party identified in the documents,
- vi. if the documents have already been lawfully published,
- vii. if the information subject to restriction in the copy of the document has been irretrievably deleted.

General Restriction 3: Documents containing confidential employment or personnel information.

3.1 Definition. Materials containing information on appointment, employment, performance evaluation, disciplinary action, and similar personnel matters.

3.2 Restrictions. Such information may be disclosed only:

- i. if the information is a summary statement of service, or
- ii. if the information does not identify particular individuals, or
- iii. if the individual or his legal representative agrees to its release, or
- iv. if the individual is deceased or the passage of time is such that the individual may be presumed to be deceased, or
- v. to those officers and employees of the office of origin or its successor in function or its representative who have a need for the record in their performance of their official duties, or
- vi. to the Donor of the documents or to the Donor's Designee, pursuant to the provisions of the Donor's deed of gift or deposit agreement,
- vii. if the information subject to restriction in the copy of the document has been irretrievably deleted.

General Restriction 4: Documents relating to investigations.

4.1 Definition. Data related to or gathered during an investigation of an individual or organization.

4.2 Restrictions. Such data may be disclosed only:

- i. if the release of the information does not interfere with ongoing litigation or similar proceedings, and
- ii. if confidential sources and information are not published, and
- iii. if confidential investigative techniques are not described, and
- iv. if the release of the information would not endanger the safety personnel, including law enforcement personnel, or
- v. to those officers and employees of the office of origin or its successor in function who have a need for the record in their performance of their official duties, or
- vi. to the Donor of the documents or to the Donor's Designee, pursuant to the provisions of the Donor's deed of gift or deposit agreement, or
- vii. if the information subject to restriction in the copy of the document has been irretrievably deleted, or
- viii. the passage of time is such that:
 - 1. the safety of persons is not endangered, and

2. the public interest in disclosure outweighs the continued need for confidentiality.

General Restriction 5: Documents restricted by court order.

5.1 *Definition.* Those materials containing information, the access to which is restricted by current order of a court with jurisdiction over the governing body of the Central European University.

5.2 *Restrictions.* Such information may be disclosed only:

- i. in accordance with the provisions of the court order, or when it is vacated.