

SESSION 3 : CIVIL STATUS CONFRONTED WITH MODERN TECHNOLOGY

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I am happy to welcome you this morning, as president of this round-table discussion on a thoroughly interesting topic, which is civil status confronted with modern technologies. I hope that the participants who were already here yesterday had an excellent evening in our beautiful city of Strasbourg, and for those who arrived this morning, I hope you had a pleasant journey. As the weather forecast is sunny for this weekend, if you are able to stay on Sunday, you will have the opportunity to enjoy the pleasures of this city. And, without further ado, I propose that we begin this promising morning session.

‘Civil status confronted with modern technologies’ – this is, in a sense, a contradictory combination of words, as the notion of civil status leads us to the past, or at least back to our roots, whereas new technologies project us, by contrast, into the future. How do we combine modernity and tradition?

Traditionally, civil-status registers, where births, marriages and deaths are recorded, are large paper registers, which were even, originally, handwritten. This is what civil status evokes for us, traditionally-speaking.

As for new technologies - which, in fact, are no longer all that new, let us rather speak of information and communication technologies – these have today opened up many new possibilities. They enable us, for instance, to photograph records and to transfer them to microfilm. You may already know that Mormons have used this technique for a long time, and that many genealogists, or people taking an interest in their family history, can make use of the Mormon Church’s services. This is already a slightly older technique, but new technologies also allow computerization – in bad French we also say to ‘scannerise’ – of paper registers, and storage of their pages within a computer’s memory, after indexing them, which is one of the big advantages of this technology, as it allows you to find records more easily. These are also photos of existing documents, but instead of being on plastic films, they are contained within the computer’s memory.

New technologies also enable us, thanks to text processing, to streamline civil registrars’ work, as we now have record templates at our disposal, which we need only to complete before printing them out. They are printed out only once they have been proofread and are clearly perfect, as there is no room for errors or defects on a civil-status record, which is also, I believe, one of its main characteristics. Document-editing software has revolutionised the work of registrars. Nevertheless, at this stage, the record remains a record, that is to say a paper document, which may be printed, sent, archived, and duplicated, this technique making it easier to process without calling into question its basic purpose.

If we now look into the question of the dematerialisation of civil-status records, this is a new step, as the record no longer materially exists: it is no longer possible to pick it up and touch it; it is possible to find it and read it only if one has a computer at one’s disposal. In this case, we are entering a new field and a different dimension, as this is a purely electronic record, stored on a disc or a memory card. So it becomes necessary to wonder about the risk of no longer having adequate technology to read or print this type of record. Music-lovers will be aware that it is virtually impossible, today, to

procure the record players or cassette players that would allow us to listen to our old vinyl records or mini-tapes. This example shows that the question of recording formats and supports is completely crucial.

But new technologies also offer other possibilities, such as uploading documents to a network, and the creation of centralised records which can be consulted and modified at a distance. We will see that, for instance, in Scotland, as Mr Macniven will tell us, there is a centralised filing system, as there is also in other countries. This system can be very efficient against fraud, but can become dangerous for individual liberty if anyone is tempted to unify all records and correlate files. You are no doubt aware of the importance of this topic.

To this effect, in France, we have a guardian, which is the *Commission Nationale de l'informatique et des libertés (CNIL)*. Each time a public administration or a private company attempts to correlate more than two files, they will need to make a declaration to the CNIL if they wish to not only correlate, but also use, these files, they will need previous authorisation from the CNIL, a simple declaration no longer being sufficient in this case.

Some people are even wondering whether it would not be useful to introduce a biometric element, that is to say, fingerprinting or iris scanning, for instance, as part of this dematerialised civil-status process, in addition to such data as surname, forename, date and place of birth and parentage. Such a unified system could be very interesting for historians and genealogists, as well as posing a security risk for individuals.

When a personal file is created, there will necessarily be a great temptation to increase the amount of information contained in this record. Furthermore, I am not sure that new technologies, or simply technologies, have really revealed all of their effects. I think there is much progress still to be made, and that we have not yet seen the full potential of these technologies. It may be that future developments will be even more important than those we have seen since the 1980s. Of course, it is probably still science fiction nowadays, but nothing prevents us from imagining that one day, a person's civil status, and far more information still, could be contained in a microchip located under that person's skin. This makes us laugh now. But anything is possible. One thing is certain, in any case, and that is that computers are a part of our lives, and will remain a part of the administration of civil status, and that civil registrars will have to develop, as well as legal and administrative competencies, a range of skills related to new technologies.

In the end, will new technologies remove the need for paper records altogether, or will they only duplicate these records? Will the adoption of new supports and the move towards dematerialisation of records be the death knell of paper records? In my opinion, this is the fundamental question, and when leaping into a void, Ladies and Gentlemen, it is important to be attached to a cord.

This is what I wanted to tell you by way of introduction. I will now introduce you to this morning's speakers.

The first speaker is Mr Bürge. He is a lawyer and computer expert, combining two job descriptions that it is quite rare to find combined. In his quality of lawyer and computer expert, he has contributed to the implementation of the Swiss Infostar system, to which he will introduce us.

We will then hear from Mr Macniven, who is the Registrar General for Scotland, which means that he is the head of all civil registrars in Scotland and that he supervises that country's entire civil status records. He will demonstrate that, even though Scotland is, as he says, on the periphery of Europe, it is also at the heart of new technologies.

After that, we will hear Mrs Banat-Berger, who works for the Archives of France, which is under the jurisdiction of the Ministry of Culture. She will cover the topics of conservation, dematerialisation, and also document-certification.

After this, we will take a short break, after which we will hear several practitioners. Mrs Anefeld, who is the civil registrar of the city of Kaiserslautern, will represent German practice. Mrs Adriaenssens, director of the Population Department in Liège, will give us the Belgian point of view. Finally, to conclude this round table discussion, we will hear from Mr Becker, who is the head of civil status in Luxembourg City. Thus, we will have heard the testimony of colleagues from all three of these European cities.

Ladies and Gentlemen, thank you for your presence. I will now hand over to Mr Bürge.