

## The "dark side" of standardization and legislation on electronic records

Written by

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Despite my commitment and my deep conviction of the benefits of standardization and the need to legislate on recordkeeping in the **electronic environment** in order to establish the rules, I have recently had some experiences that made me recognize some negative aspects of how standards and legislation are been developed and implementing in some cases.

As a "fan" of the saga of "Star Wars" I found a good simile named them as the "**dark side**", that devil part of The Force, the energy required to run the universe. Here are my thoughts:

- When standards and / or legislation established procedures or instruments dev



eloped for paper environment, without sufficient flexibility to be adapted to changing times, the results is **more cost and delay** in the transition to digital. I see some signs of this in the authorization procedures for access to records in public archives in Spain in

[Real Decreto 1708/2011](#)

, de 18 de noviembre, por el que se establece el Sistema Español de Archivos y se regula el Sistema de Archivos de la Administración General del Estado y de sus Organismos Públicos y su régimen de acceso, or in the format for the retention Schedules (

[Tablas de Retención Documental](#))

from the Archivo General de la Nación of Colombia, mandatory for colombian public administration, to cite just two examples I have studied recently.

- The digital world is constantly evolving and technology is opening new horizons for us, at the same time pose new problems and solutions. Standards and legislation have a much slower "tempo" for developing and publishing. Trying to standardize or legislate specific aspects with the vision of today's technology can be **absurdly converted in a stopping** for the future. I think this may be the case with some of the functional requirements of software like

**DoD50.15**

or

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### MoReq,

as well as specific aspects that appear in the Spanish legislation as the electronic index of electronic case files (

[Ley 11/2007](#)

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The recognizing of these potential negative aspects **can help** both those who work in the drafting of standards and legislation, and those who try to apply them to their daily work.

For the first, it can help in the drafting of standards and legislation as **flexible frameworks** than can be implemented in various scenarios, especially if they pretend to be useful over time. In this sense, I think the procedure for adoption of ISO standards, based on the achievement of consensus among various countries, backgrounds and cultures get pretty good results.

For the second to understand that the **media cannot be converted in the end**. Our objective with the implementation of a program, plan or model of electronic records is not just to compliance with standards or legislation, but the effectiveness, efficiency, the achievement of organization objectives, and stakeholder's expectations.