



Report of the State Comptroller of Israel | May 2024

The Prime Minister's Office

**State Archives –
Preservation of
Archival Material of
the State Commission
of Inquiry into the
Disappearance of
Children of Yemeni
Immigrants**



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Background

The Archives Law, 1955 (the Archives Law), and the regulations promulgated thereunder establish the legal, professional, and administrative framework for handling archival material of government ministries, local authorities, and state institutions. The State Archives – the State Archives of the State of Israel – operates as a unit in the Prime Minister's Office, and among other things, it preserves materials of historical, national and social importance that deserve to be preserved permanently.

In 1995, the government appointed a state commission of inquiry headed by Supreme Court Justice Yehuda Cohen regarding the disappearance of children from among Yemeni immigrants in 1948–1954. In 1999, during the Commission's work, Supreme Court Justice Yaakov Kedmi was appointed to head it (the Cohen-Kedmi Commission). In 2001, the Commission submitted the report. According to the report, given claims that have arisen about the disappearance of babies, the Commission was expected to determine the extent of the disappearance, the reasons for its occurrence, and the ones bearing responsibility for its occurrence. In November 2016, the government decided to allow the publication of the materials of the Cohen-Kedmi Commission.



Key Figures

22

years after the loss of a computer deposited by the Cohen-Kedmi Commission in the State Archives, there is concern that the Commission's documents and data that were stored on it were lost with it

138

archive files that were lent to the Archive's employees who no longer work there were not returned

Audit Actions



In January 2023, the "Echai Forum for the Families of the Kidnapped Children of Yemen, the East, and the Balkans" ("Echai Forum") requested the State Comptroller's Office to investigate the disappearance of archival material of the Cohen-Kedmi Commission deposited in the State Archives. According to the request, in 2020, the forum asked the State Archives to receive, among other things, the Commission's computer that was deposited in the State Archives with the material stored on it. However, the State Archives replied, "The computer was not located." The State Comptroller's Office investigated the matter. The investigation was conducted at the State Archives.

Key Findings







Loss of the Cohen-Kedmi Commission Computer and its Contents – the Cohen-Kedmi Commission deposited in the State Archives, a computer containing the Commission's electronic records which was lost in the archive. For unclear reasons, the State Archives did not save the contents of the computer after it was deposited there. As a result, 22 years after the computer was deposited in the archive, there is concern that the Commission's documents and data stored on the computer were lost with it and will not be released to the public, as required by the government's resolution from November 2016.





The Procedure for Depositing a Computer – according to State Archives documents, in January 2022, close to 20 years after the Cohen-Kedmi Commission deposited the computer in the archive, a procedure dealing with the receipt of digital material deposited in the State Archives came into effect, stipulating, among other things, that the material

would undergo a backup procedure, to preserve it. However, the procedure does not address the depositing of the computer itself in the State Archives or its scrapping methods.

-  **Storing of Audio-Visual Material in the Archive** – the State Comptroller representatives toured the State Archives building. They found the Cohen-Kedmi Commission's audio-visual archival material in an open container on a table in the corridor, not in an archiving facility, as required by the State Archives procedures.
-  **The Borrowing of the Computer** – after the Cohen-Kedmi Commission's computer was deposited in the State Archives, it was lent to one of the State Archives employees without details being completed on the form, such as the date of the borrowing, allowing the tracing of the computer, and it was never returned. It was also raised that the State Archives employees did not notice that the computer had disappeared until receiving a request from "Echai Forum" to review it. When the request was received, the State Archives replied that it could not locate the computer.
-  **Borrowing of Archive Files** – 138 archive files lent to the State Archives employees who no longer work there were not returned.
-  **Rules for the Return of Borrowed Archival Material** – in an e-mail sent by the State Archivist to the State Archives employees in September 2022, an interim summary regarding the lending of materials to the State Archives employees was included, stating that the lending duration of the files to the State Archives employees would be limited to one month. As of July 2023, following the interim summary distributed by the State Archivist in September 2022 to employees, the State Archives did not regulate lending archival material to State Archives employees, ensuring that materials are appropriately returned. For example, the State Archives did not install a computerized alert regarding material not returned by the time set.

Key Recommendations

-  It is recommended that the State Archives update its procedures and regulate the entire procedure of borrowing and returning archival material, including updating the borrowing and returning in its computerized system.
-  The State Archives should locate all archival material deposited in it, borrowed, and returned to the State Archives facilities. It must regulate the deposition of a computer in the State Archives and the preservation of its contents. It must also ensure that all the archival material deposited in the State Archives, including audio-visual material, will be well preserved in the State Archives facilities. It is further recommended that the State Archives computerize the records of borrowing archival material.



The Archival Material of the Cohen-Kedmi Commission Found in an Open Container



Photographed by the audit team on June 22, 2023.



Summary

The State Archives should locate all the archival material deposited in the State Archives and loaned, return it to the State Archives facilities, and ensure that the material will be well preserved in them. Furthermore, the State Archives must regulate borrowing and returning archival material and depositing computers and comply with them. It is further recommended that the State Archives draw lessons from the loss of the Cohen-Kedmi Commission computer, act accordingly, and rectify all the deficiencies noted in this report.

