



World Press Freedom Day and your right to know

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MAY 3 each year is World Press Freedom Day, a date to celebrate the fundamental principles of press freedom and to pay tribute to journalists who have lost their lives in the line of duty.

World Press Freedom Day 2010 is also dedicated to the “right to know”: the right of all people, including journalists, to have access to information held by governments and other public bodies.

The right to know is the right to ask questions to public institutions and their obligation to reply. The right to know is essential for the media and the public to enjoy true freedom of expression, protected by Article 19 of the Universal Declaration of Human Rights since it was adopted in 1948.

This World Press Freedom Day comes at a particularly important time in the development of democracy in Cyprus: on April 12, 2010, a group of NGOs from across the island together with international organisations and experts launched the Open Cyprus Coalition, the first intercommunal initiative to promote full respect for the right of access to information.

Around the world, there are over 80 access to information laws, with 40 of them in Europe. In the EU, 23 out of 27 countries have such a law and there are regulations that give right of access to EU documents. Of the countries without laws, Malta is about to implement one, while the Spanish government is drafting a law expected to be adopted in 2010. This leaves only Cyprus and Luxembourg trailing behind.

Luxembourg is a tiny country famous for banking secrecy. And Cyprus? There is no such a law in the Republic of Cyprus and an analogous norm has been very poorly implemented in the northern part of Cyprus.

Whether or not democratic values such as fairness and equality will take root in Cyprus ultimately depends on the existence of a well-informed civil society ready to counterweight possible misuses of public power or wrong-doings committed by public officials. It is worth remembering that in a democratic system the people are sovereign, and the role of governments is to serve the needs and interests of the people. The money spent by governments is our money, paid for by our taxes, and we have a right to know what is done with it.

In 2009 the European Court of Human Rights confirmed that there is a right of access to information from public bodies. The court said that the right to information is especially protected when these bodies are the only ones who hold this information (an “information monopoly”) and when the information is needed by media or by civil society organisations who are using the information to facilitate public debate and to hold governments accountable.

This is exciting news for journalists, civil society and everyone in Cyprus as it is now clearly established that the right to freedom of expression, which includes the right to media freedom, is directly linked to the right of access to information held by public bodies.

The right to know is not only a precondition for press freedom, it also empowers citizens by arming them with information and facts. Transparent public bodies are more accountable to the public. Having information is a key to the defence of other human rights and to protecting the environment. Only with information can members of the public participate in a sustained and effective way in government decision-making.

International legal standards make clear that the right of access to information places two obligations on governments. First, there is the obligation to publish and disseminate key information about what different public bodies are doing, this being the “proactive” dimension of the Right to Know. Second, the “reactive” aspect of the right places the obligation on governments to respond to information requests from the public, either by letting the public view the original documents or by providing copies of those documents.

According to international standards, governments should respect the principle of “maximum disclosure”, which dictates that individuals are to be granted access to all information held by public bodies with very limited exceptions. For example, to release all information about an ongoing police criminal inquiry might harm the chances of the police catching a criminal suspect. In short, openness ought to be the rule and secrecy just the exception.

In Cyprus, the new civil society initiative that launched the Open Cyprus Coalition aims to promote and advance the right to know both in the northern and southern parts of Cyprus. The EU-funded project is being implemented by three organisations with a commitment to securing openness as the norm for public bodies. These are: Kibris AB Dernegi [Cyprus EU Association], a civil organisation founded in 2006 with the aim of ensuring the information flow among Turkish Cypriots and the international community; IKME [Sociopolitical Studies Institute], registered in 2002 in Cyprus as a non-governmental organisation aiming to contribute to the prevalence of freedom, democracy, socialism and European values; and Access Info Europe, a Madrid-based

international human rights organisation, which works to promote a strong and functioning right of access to information in Europe and globally.

This inter-communal initiative combines several research and advocacy activities, including an exhaustive monitoring of current institutional behaviour regarding the right to know as well as a number of round-tables with journalists and public officials.

The project's website (www.accessinfocyprus.eu) is designed to become a hub where the general public, civil society organisations and journalists seek, receive and impart information and resources on the right to know in Cyprus.

A key supporter of this initiative is the Cyprus Community Media Centre (CCMC) which supports greater access to information, transparency and freedom of press. Its activities serve to advance the goals that World Press Freedom Day celebrates, including to promote the integral relationship between freedom of expression, media freedom and the right to know.

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