

# Ministry defends planned freedom of information law

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CYPRUS

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CYPRUS Minister Ionas Nicolaou



By George Psyllides

Cyprus aspires to have among the best possible freedom of information (FOI) legislation in the EU, Justice Minister Ionas Nicolaou has said, and place restrictions on access to information only in cases where it was necessary.

The minister sought to put things into perspective following public criticism from organisations that the proposed law was set to become the worst in Europe without significant amendments.

Government officials feel that such criticism was premature and harsh, especially since the criticism concerned a first draft that had been publicised specifically to get feedback from stakeholders.

“We want to draft legislation that would possibly be one of the best in the EU that would allow citizen’s access,” Nicolaou told the Sunday Mail. “We are in favour of public access to information.”

Nicolaou said authorities would only place restrictions where necessary.

He described the bill as “ground-breaking” for the Cypriot state, which for years had been working in the opposite direction.

Director of the state archives, Efi Parparinou, said the law would change the entire practice of the public service.

“Until now, access was prohibited and allowed under certain circumstances. With this bill, access is allowed and prohibited under certain circumstances,” she said.

A 2011 report by Access Info and its Cypriot partners found that over 70 per cent of requests sent to public bodies in Cyprus result in administrative silence, whilst only seven per cent of answers contained the information requested.

The Soteriou family's request to find information about a long-deceased relative is a classic example of the difficulties involved.

"We needed to find out information about my late father-in-law on the exact years he was in Cyprus and when he moved to Britain. We were told we couldn't go to the state archives directly to see if there were any records, but had to go to the interior ministry and get an official there to apply on our behalf," said 53-year-old Artemis Soteriou. "This we did. A year later we are still waiting to hear. My husband's father's whereabouts in the 1950s is not a state secret. Greater access to such information is long overdue."

Public consultations over the draft legislation took 18 months and views and recommendations are now being processed by the state law office.

Authorities want to have the legislation ready by the end of the year or early next year. Full implementation, however, could take a few more years.

"We held public consultations to get views. I insisted on publishing it to stimulate interest," the minister said.

The initial draft was based on the British model, mainly because Cyprus' public administration and legal system are also based on British systems.

Nicolaou said all recommendations were collected and categorised. Some are acceptable; others would have to be discussed with the state legal service.

"The effort is to secure access to information as a human right and restrict it only in cases where necessary," he said.

Access Info Europe, a human rights organisation dedicated to promoting and protecting the right of access to information in Europe as a tool for defending civil liberties and human rights, had urged the government to greatly improve the FOI law in order to meet basic international transparency standards.

In a submission sent to Nicolaou, the pro-transparency organisation recommended significant amendments to the draft law such as recognising the fundamental nature of the right, including all public bodies in the law, reducing the number of exceptions, and removing other obstacles such as the requirement to provide ID when requesting information.

The draft contains 22 exceptions to access to information, many of which are vague and/or broad, and nine of which are absolute despite international standards requiring that all exceptions are subject to a harm test and public interest test, the organisation said.

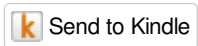
The European Federation of Journalists (EFJ) also called on the government to improve its access to information bill to meet international transparency standards.

According to the global Right to Info Rating, Cyprus' freedom of information bill is set to become one of the worst in Europe, EFJ said in a statement

The minister agreed that an effort should be made to make broad exceptions more specific but in some cases it would not be easy.

"How can you make national security more specific?" he said. "You do need some general

references but wherever it can be made more specific, certainly we will do it."



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It's not April 1st, is it?

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**Michael** · a day ago

Does this bill provide for sacking of a public "servant" who fails to timely provide the requested information? No? Then it will never work.

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**Michael** · a day ago

"How can you make national security more specific?" he said. ---- let me help you here: "national security" is the favourite excuse of tyrants.

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**Jay Bee** · a day ago

If what I heard is true, one of the main reasons that information is not freely available currently, (Soteriou case) is that the public record system/archives is in such a God-awful mess. Think Land Registry and you get the picture.....This Bill needs thoroughly re-appraising. It is full of holes and contradictions.

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**Ana** · a day ago

What happened to Patates Tikanites?

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**GSP** · a day ago

This from the same government that grills journalists over the release of information that is very important to the electorate, i.e. the MP's NPL list.

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**TB** · 2 days ago

You cannot say freedom of information then unless we think otherwise in the same sentence it is pointless.

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**Cynic** · 2 days ago

Oh no! We can't let the peasants have any information, they might realise how much we've been robbing them all these years.....

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