

Access Info Europe

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Mr Ionas Nicolaou, Minister for Justice and Public Order
Ministry of Justice and Public Order
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Nicosia, Cyprus

Also sent via email: registry@mjpo.gov.cy

28 March 2017

Dear Mr Ionas Nicolaou, Minister for Justice and Public Order,

I am writing to you on behalf of Access Info Europe and the 30 undersigned civil society organisations to raise concerns about the exceptions contained in Cyprus' draft access to information law, currently being debated in the Legal Committee of the Cypriot Parliament.

Specifically, we wish to draw your attention to the unacceptable inclusion of five absolute exceptions¹ [1] as well as the failure to establish that information may only be refused if its disclosure would or would be likely to harm a protected interest, unless there is an overriding public interest in access.

Both absolute exceptions and exceptions without harm and public interest tests are violations of international and European standards on the right of access to information. This is a matter of particular concern given that Cyprus is one of the last countries in Europe without an access to information law.

Access Info Europe, and the 30 undersigned organisations call upon you to amend the draft text so that it is in line with these standards.

The European standard to which Cyprus must adhere is clear: Article 3(2) of the Council of Europe Convention on Access to Official Documents specifically states,

*Access to information contained in an official document
may be refused if its disclosure would or would be likely to
harm any of the interests mentioned in paragraph 1,
unless there is an overriding public interest in disclosure.*

¹ As specified in Article 19(1) - access through other methods, information related to or provided by security forces, court records, parliamentary information, information provided on the condition of confidentiality and secrecy.

Article 3(1) of the Convention is also clear that any exception be limited insofar as it be necessary in a democratic society and be proportionate.

We are at your disposal to discuss these international standards, and in the meantime we reiterate our call on the Cypriot government to ensure that the exceptions in the future access to information law meet international and European standards.

Yours sincerely,



Helen Darbishire

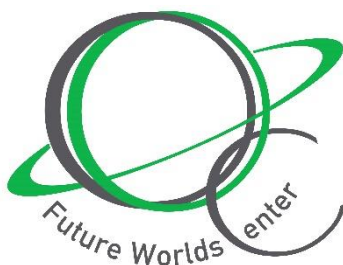
Signatory organisations:



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Campaign for Freedom of Information

