

The Right of Access to Information in Cyprus Open Cyprus Project

Draft Chapter V for Public Consultation Websites Monitoring Report

Consultation Opens 24 February 2011

Consultation Closes 10 June 2011

For more information, see: <http://www.accessinfocyprus.eu/>

V. Information Landscape Survey - Websites

1. The Obligation to Publish Information Proactively

The right of access to information has two dimensions: the obligation to respond to requests for information and the obligation to make information available in a proactive manner.

This proactive publication obligation is confirmed by international standards, including in the Europe region by the Council of Europe Convention on Access to Official Documents, which at Article 10 establishes:

"At its own initiative and where appropriate, a public authority shall take the necessary measures to make public official documents which it holds in the interest of promoting the transparency and efficiency of public administration and to encourage informed participation by the public in matters of general interest."

The Explanatory Report (paragraphs 71-73) encourages "national rules on proactive publication" and recommends that key classes of information are released "on a regular basis and in formats including the use of new information technologies", specifically websites.

As the Explanatory Memorandum suggests, there is a series of core classes of information that will enable the public to form an informed opinion on the activities of their governments, and this includes "information about [public bodies'] structure, staff, budget, activities, rules, policies, decisions, delegations of authority, information about the right of access and how to request official documents".

Further, the Convention suggests that any official document that is frequently requested by the general public should be added to the key classes of information for proactive publication.

The emphasis on the publication on websites is important. Internet has brought a substantial change for communications between public institutions and the public, permitting information to reach much wider audiences, both inside a particular country and globally. Internet publication is relatively cheap for public authorities and once information has been put on websites, it can be circulated easily in society.

The level of publication on the websites acts as a useful indicator of public authorities' willingness to provide information to the public in a proactive manner. Hence, for the Open Cyprus Project, the publication of information on websites was selected to test levels of proactive publication.¹

¹ Internet publication should never completely replace traditional means. Not everyone has access to the internet. According to International Telecommunications Union data from June

2. Indicators, Methodology and Scoring

The evaluation of proactive publication of information on public authority websites in Cyprus was done by assessing the websites of 10 public bodies in the northern part of Cyprus and 10 in the Republic of Cyprus. See Section 3.1 below for the full details.

The indicators used for this evaluation were the existence or not of a website, the publication of 21 classes of information and whether the website had links to other government websites. The 21 classes of information were based on international standards such as the Access Convention and on comparative studies of the proactive disclosure obligations under the laws of countries with access to information regimes.²

Researchers scored the publication of 21 classes of information according to the following scoring system:

- Class of information available on the website in detail – 2 points
- Information Partially available – 1 point
- Information Not available – 0 points

Two points were given for the existence of a website and 1 or 2 points for links to other institutions. Hence the maximum possible score for a total of 23 indicators tested across 10 public bodies is 460 points. The total scores for the bodies monitored were 166 (or 36%) in the Republic of Cyprus and 60 (13%) in the northern part of Cyprus.

2010 sourced at <http://www.internetworldstats.com/europa.htm#cy>, Cyprus has a level of Internet Penetration of 39.3% which means that a full 60% of people in Cyprus do not have regular internet access. The average for the European Union is given as 58.4 %. Public authorities should therefore communicate core information via other means such as printed bulletins, notice-boards, use of announcements in newspapers and on radio and television, and placing information in public places such as town halls and public libraries.

² For a detailed analysis of the international standards see “Proactive Transparency: The future of the right to information? A review of standards, challenges, and opportunities” by Helen Darbshire, published by the World Bank Institute, July 2010, available at: http://siteresources.worldbank.org/WBI/Resources/213798-1259011531325/6598384-1268250334206/Darbshire_Proactive_Transparency.pdf

Scores for all the monitored public bodies

Republic of Cyprus	Score	Northern part of Cyprus	Score
Ministry of Interior	22	"Ministry of Interior"	0
Ministry of Commerce, Industry and Tourism	12	"Ministry of Economy and Energy"	0
Ministry of Labour and Social Insurance	17	"Ministry of Labour and Social Security"	13
Ministry of Education and Culture	16	"Ministry of Education, Youth and Sports"	12
Ministry of Agriculture, Natural Resources and Environment	22	"Ministry of Tourism Environment and Culture"	9
Ministry of Health	17	"Ministry of Health"	9
District Authority – Nicosia	12	"District of Nicosia"	0
District Authority - Limassol	12	"District of Famagusta"	0
Municipal Authority - Nicosia	21	"Municipality Nicosia"	8
Municipal Authority - Limassol	15	"Municipality Famagusta"	9
TOTALS	166		60
	36%		13%
Available → 2 points Not Available → 0 points Partially Available → 1 point			

Proactive Publication - Indicators

INDICATOR	DESCRIPTION
1. Website	Website exists – Yes (2 points) or No (0 points)
2. Internal Regulations Info	Information about internal regulations, functions and mandates of the public body
3. Organisational structure	Information about the organisational structure of the public body
4. Contact Info	Names and contact information of those public servants responsible for each department of the public body
5. Operational Info	Periodic strategy and planned activities
6. Decisions and Policies	Main decisions and policies adopted by the public body
7. Decision-making Info	Drafts of the documents and the data being use to formulate those policies and strategies
8. Evaluations	Evaluation reports on the activities undertaken
9. Meeting Minutes	Minutes of meetings and decisions taken
10. Info on Services	Description of services offered to public
11. E-access to Services	Digital copies of forms for administrative procedures
12. Projected budget	Information about the detailed projected budget for the current year
13. Salary Info	Information about salaries & bonuses for public

	servants
14. Income and Expenditure	Actual income and expenditure, audit reports and other key financial information
15. Subsidies Info	Information about financial subsidies issued, including details of beneficiaries, amounts, and supervisory mechanisms
16. Open Meetings Info	Notices of open meetings, including date, time and venue
17. Public Participation Info	Information on public participation mechanisms (i.e. consultations) in the decision-making procedures
18. Public Procurement Info	Detailed information on public procurement processes, selection criteria, budget, and outcomes of tenders
19. Contracts Info	Copies of the contracts awarded by the public body and regular reports on their implementation
20. Registers and Databases	Information about the content, public accessibility and privacy policy of the databases managed
21. Information Held	Index or register of the main documents, or at least of the classes of information, held by the public body
22. Right to Know Info	Information about the right of access to information, including how to request information and the responsible civil servant in the public body
23. Links	Links to other governmental websites and other relevant internet resources

3. Main Findings

Public bodies in Cyprus, both in the northern part of Cyprus and in the Republic of Cyprus, fail to proactively publish key classes of information on their websites.

In the Republic of Cyprus all the public bodies monitored had websites whereas in the north 4 of the 10 public bodies did not have websites. There was also a greater volume of information on the websites in the Republic of Cyprus, although the total scores of 36% in the Republic of Cyprus and 13% in the northern part of Cyprus are both disappointing.

The maximum possible score for a single public body was 46 points. Not one of the bodies evaluated scored even half of this or 23 points. Only three public bodies came close to this score by gaining over 20 points, all were in the Republic of Cyprus: Ministry of Interior (22), Ministry of Agriculture, Natural Resources and Environment (22) and the Municipal Authority – Nicosia (21).

The research also found that the design of public authority websites was poor and that websites were difficult to navigate and had search functions that did not work properly.

Also, key information should be translated into the main languages of potential information seekers. In the context of a multi-ethnic Cyprus, best practices should made information available in Turkish, Greek and English.

A user-friendly public website permits ease of navigation, incorporates a search function and user guidance, highlights an access to information guidance and is available in several languages. Additionally, basic web navigation tools such as search functions should be checked frequently to ensure that they are working properly.

The logical structure of the websites should fit with the public's need for information so that the design of the website facilitates access to information.

As far as availability of information is concerned, all public bodies in Cyprus should make a significant effort to upload to their websites key classes of information both in a user-friendly format and in original documents for those who seek more in-depth information. All public bodies should also improve their current standards regarding accessibility, meaning the degree to which information could be found reasonably easy to access by an average internet user.

Public bodies in Cyprus should take a step back and approach the design and content of their websites from the perspective of those information seekers who are not familiar with the structure and internal functioning of each public body. There are a series of broad recommendations that are applicable to most public bodies monitored, both in the northern part of Cyprus and in the Republic of Cyprus. The proactive availability and easy accessibility to key classes of information in each specific public body, both in the northern part of Cyprus and Republic of Cyprus, are further discussed below.

3.1 Proactive publication in the Republic of Cyprus

All ten monitored public authorities had a website, although the websites of the District Authorities of Nicosia and Limassol are subsections of the website of the Ministry of Interior.

The specific web addresses are:

- **Ministry of Interior:** www.moi.gov.cy
- **Ministry of Commerce, Industry and Tourism:** www.mcit.gov.cy
- **Ministry of Labour and Social Insurance:** www.mlsi.gov.cy
- **Ministry of Education and Culture:** www.moec.gov.cy
- **Ministry of Agriculture, Natural Resources and Environment:** www.moa.gov.cy
- **Ministry of Health:** www.moh.gov.cy
- **Nicosia District Authority:** http://www.moi.gov.cy/moi/da/dadmin.nsf/dmlindex_gr/dmlindex_gr?OpenDocument (note: all district authorities are featured in a subpage of Ministry of Interior)
- **Limassol District Authority:** http://www.moi.gov.cy/moi/da/dadmin.nsf/dmlindex_gr/dmlindex_gr?OpenDocument (note: all district authorities are featured in a subpage of Ministry of Interior)
- **Nicosia Municipality:** www.nicosia.org.cy
- **Limassol Municipality:** www.limassolmunicipal.com.cy

Public Bodies: Republic of Cyprus										
INDICATORS	Interior	Commerce, Industry and Tourism	Labour and Social Insurance	Education and Culture	Agriculture, Natural Resources and Environment	Health	District Nicosia	District Limassol	Municipal Nicosia	Municipal Limassol
Website	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Internal Regulations	partial	partial	partial	partial	partial	partial	partial	partial	partial	partial
Organisation Structure	available	none	available	partial	available	available	available	available	partial	partial
Contact Info	partial	partial	partial	partial	partial	available	available	available	partial	partial
Operational Info	partial	none	partial	partial	partial	none	none	none	partial	available
Decisions & Policies	none	none	none	none	none	none	none	none	none	none
Decision-making info	partial	none	none	none	partial	none	none	none	partial	none
Evaluations	none	none	partial	none	none	none	none	none	none	none
Meeting Minutes	none	none	none	none	none	none	none	none	none	none
Info on Services	available	available	available	available	available	available	none	none	available	available
E-Access to Services	available	available	available	available	available	available	available	available	available	none
Projected budget	none	none	none	none	none	none	none	none	none	available
Salary Info	none	none	none	none	none	none	none	none	none	none
Income and Expenditure	partial	none	none	none	partial	none	none	none	partial	none
Subsidies Information	none	none	none	none	none	none	none	none	none	none
Open Meetings Information	partial	none	none	available	partial	none	none	none	none	none
Public participation	partial	none	none	none	partial	none	none	none	available	none
Public Procurement	partial	none	partial	none	partial	partial	partial	partial	available	none
Contracts Info	none	none	none	none	none	none	none	none	none	none
Registers and databases	partial	none	none	none	partial	none	none	none	none	none
Information on Info Held	partial	none	none	none	partial	partial	none	none	none	none
Right to Know Information	none	none	none	none	none	none	none	none	partial	none
Links	available	available	available	available	available	available	none	none	available	available

Some information is not available on any of the websites of the public authorities evaluated:

- Main decisions and policies adopted;
- Minutes of meetings;

- Information about the salaries and bonuses of public servants;
- Detailed information about financial subsidies issued, including details of beneficiaries, amounts, and supervisory mechanisms, and external audit reports;
- Copies of the contracts awarded and regular reports on their implementation;

Some information was not available with only a few exceptions of partial information:

- Information about the right of access to information by citizens, including how to request information and the contact information for the responsible civil servant (the one exception was partial information on the websites of Nicosia municipality).
- Evaluation reports on the activities undertaken by the selected public body (the one exception was partial information in the Water Development Department "Τμήμα Αναπτύξεως Υδάτων" of the Ministry of Agriculture, Natural Resources and Environment)
- Although three bodies (Ministry of Interior, Ministry of Agriculture, and the Ministry of Health) had some partial information about what was to be found on their websites, none contained an index or register of the main documents, nor a comprehensive listing of the types of information held.

The absence of **financial information** was particularly noticeable. Although budget information is available elsewhere, data on current budgets was not widely present on the surveyed websites. No websites contained information about financial subsidies issued nor about supervision of such subsidies, and there was a complete absence of information about any external audit reports.

Similarly there was an absence of online information about **public procurement** budget and about specific procurement processes, selection criteria, and the outcomes of tender applications. The partial information that was available did not amount to transparency of the procurement process. The exception here was the website of the Nicosia municipality.

There was also a dearth of information about **public participation**, with only three bodies having partial information on open meetings or other participatory mechanisms such as consultations. The general picture was that participation in decision-making is not encouraged.

E-government policies: It was positive that most of the surveyed websites contained information about services and how to access these. It was also positive that for almost all the surveyed websites there are links to other governmental websites and other relevant internet resources. The one exception here is the District Administrations' websites which are a subset of the Ministry of Interior's website. These links indirectly assist the communication process, as they may help the website visitors to locate other governmental departments/institutions that can be more relevant to communicate with regarding a specific request.

At the same time, however, **numerous problems** with the websites undermined these positive findings:

- In general, the websites do not meet the standards for proactive publication of information: information is missing, parts of the websites are not up to date, and links are broken or not functioning;
- Most websites provide at least one email address for communication, but many do not provide webform as a medium of communication. This means, that a citizen without an e-mail account (or who wants to submit a comment anonymously) cannot contact those institutions via the internet;
- The postal address, telephone and fax numbers of the institutions are mostly available on the websites indicating that that is still the preferred method of official communication between the public and the institutions. This indicates a mentality that "traditional" means of communication (like post and fax) are preferred over the "modern" ones (like e-mail). The exception was the websites of the district authorities, where the postal addresses were not available.
- Certain methods of communication proposed by those websites appeared to be either erroneous, or non-functioning. This inevitably leads to doubts in the mind of the potential user of whether the inbox is still active, or whether a request sent via a webform will reach a responsible official who will attend to it;

Another finding, although not formally monitored in this survey, is that significantly less information is available in Turkish on the surveyed websites, if any. Given that Turkish is the other official language of the Republic of Cyprus alongside the Greek language, this is a finding of concern for ensuring the possibility that all people on the island can access information. Although by law all public information should also be available in Turkish, in practice this is not the case regarding the websites. By contrast, there was a significant amount of information available in English (not an official language).

Conclusions - Republic of Cyprus

From the results it can be concluded that there is no effective policy in place in the Republic of Cyprus to ensure that the public is informed by means of the websites.

Although some information was available, the lack of uniformity across the classes of information assessed seems to confirm the absence of such a policy and rather an ad hoc approach depending on who is running the website of the particular public body.

The Republic of Cyprus is failing to reach international access to information standards when it comes to the websites of the public institutions. The government needs to adopt a concrete government policy that will promote transparency and proactive publication.

3.2 Proactive publication in the northern part of Cyprus

Four out the ten public bodies monitored in northern part of Cyprus did not have a specific website as of September 2010. These are: “**Ministry of Interior**”, “**Ministry of Economy**”, “**District Authority of Nicosia**”, and “**District Authority of Famagusta**”.

The public bodies that had a specific institutional website were:

- “**Ministry of Labour And Social Security**” at www.csqb.eu
- “**Ministry of Education, Youth and Sport**” at www.mebnet.net
- “**Tourism Environment and Culture**” at www.turizmcevrekultur.org
- “**Ministry of Health**” at www.saglikbakanligi.com
- “**Nicosia Municipality**” at www.lefkosaturkbelendiyesi.org
- “**Famagusta Municipality**” at www.magusa.org

PUBLIC BODIES / NORTHERN PART OF CYPRUS										
INDICATOR	Interior	Economy and Energy	Labour and Social Security	Education, Youth and Sports	Tourism Environment and Culture	Health	District Nicosia	District Famagusta	Municipality Nicosia	Municipality Famagusta
Website	NO	NO	YES	YES	YES	YES	NO	NO	YES	YES
Internal Regulations	n/a	n/a	partial	partial	none	none	n/a	n/a	none	none
Organisational Structure	n/a	n/a	available	available	none	available	n/a	n/a	available	partial
Contact Info	n/a	n/a	available	available	none	partial	n/a	n/a	none	partial
Operational Info	n/a	n/a	none	none	none	none	n/a	n/a	partial	partial
Decisions and Policies	n/a	n/a	none	none	none	none	n/a	n/a	none	partial
Decision-making info	n/a	n/a	none	none	none	none	n/a	n/a	none	none
Evaluations	n/a	n/a	none	none	none	none	n/a	n/a	partial	none
Meeting Minutes	n/a	n/a	none	none	none	available	n/a	n/a	none	partial
Info on Services	n/a	n/a	available	available	available	none	n/a	n/a	none	partial
E-Access to Services	n/a	n/a	none	none	partial	partial	n/a	n/a	partial	none
Projected budget	n/a	n/a	none	none	none	none	n/a	n/a	none	none
Salary Info	n/a	n/a	none	none	none	none	n/a	n/a	none	none
Income and Expenditure	n/a	n/a	none	none	none	none	n/a	n/a	none	none

Subsidies Information	n/a	n/a	none	none	none	none	n/a	n/a	none	none
Open Meetings Information	n/a	n/a	none	none	none	none	n/a	n/a	none	none
Public participation	n/a	n/a	none	none	none	none	n/a	n/a	none	none
Public Procurement	n/a	n/a	none	none	none	none	n/a	n/a	partial	none
Contracts Info	n/a	n/a	none	none	none	none	n/a	n/a	none	none
Registers and databases	n/a	n/a	partial	none	partial	none	n/a	n/a	none	none
Information on Info Held	n/a	n/a	partial	none	partial	none	n/a	n/a	none	partial
Right to Know Information	n/a	n/a	none	partial	none	none	n/a	n/a	none	none
Links	n/a	n/a	available	available	available	partial	n/a	n/a	none	partial

It is important to note that, as shown in the chart above, many classes of key information are not available in any of the websites of the public authorities monitored in the northern part of Cyprus. Specifically:

- Decision-Making Information;
- Projected Budget;
- Salary Information;
- Income and Expenditure Information;
- Contract Information
- Subsidies Information;
- Open Meetings Information;
- Public Participation Information.

As regards to other classes of core information, there is no consistency in the information displayed at public bodies' websites. Information is scarce in general and seems to be published unsystematically.

From the results of the monitoring of public bodies' websites in the northern part of Cyprus, it can be concluded that there is not a governmental policy line advancing transparency measures and thus promoting the right of access to official documents. Some examples suffice to illustrate the point:

- The "Ministry of Labour and Social Security" and the "Ministry of Education, Youth and Sports" include information about the functions and mandates of their ministries in their websites while lack information on internal regulations. The other three public bodies with a website do not include any of these two classes of information;
- Out of ten public bodies, the main decision and policies adopted are only available in the websites of three: "Ministry of Labour and Social Security";

the “Ministry of Education, Youth and Sports”; and the “Ministry of Tourism, Environment and Culture”;

- The public policy strategies and planned activities are only partially available in the website of the two municipalities monitored. Apart from this, none of the other public bodies’ website displays this class of information;
- Detailed information on public procurement processes, selection criteria, the budget, and the outcomes on tender applications is only available in the website of the “Municipality of Nicosia”, albeit partially.
- The website of “Ministry of Education, Youth and Sports” is the only one displaying information about the right of access to information by citizens, including how to request information. Nevertheless, the contact information of the information officer of such Ministry is not provided;
- Partial access to digital copies of forms for administrative procedures is only granted in three websites: “Ministry of Health”; “Ministry of Tourism, Environment and Culture”; and “Nicosia Municipal Authority”.

A further observation is that the information proactively published is not up to date. In addition, it was found that very little information was available in other languages.

Conclusions - Northern part of Cyprus

The administration in the northern part of Cyprus is failing to meet international access to information standards on proactive publication when it comes to the websites of the public institutions.

The lack of consistency between the existence of and, where they exist, the content on the websites, shows that there is no concrete government policy on the issue.

4. Recommendations on Proactive Publication

As a result of the findings of the Information Landscape Survey, the authorities across Cyprus should take the following steps:

1. Adopt a central policy on proactive publication of information on websites of the public bodies which is in line with international standards, including the Council of Europe Convention on Access to Official Documents.
2. This policy should define a detailed list of the classes of information to be published proactively and a timeframe for progressively achieving publication of these classes of information. The policy should also establish the frequency with which information should be updated;
3. The future access to information law in the Republic of Cyprus should include a chapter on proactive publication of information;

4. The existing rules on access to information in the northern part of Cyprus should be amended to include detailed proactive publication obligations;
5. Public bodies that do not currently have a website should establish one immediately;
6. Public bodies should assign at least an officer to be responsible of the development and update of the websites.
7. Public bodies should take immediate steps to ensure that key classes of information are available in their websites. One guide as to what information is to be published should be the frequency of requests for information by the public;
8. It is recommended that that design and layout of public bodies' websites is improved so as to ease navigation and facilitate accessibility;
9. Systems should be set in place to ensure, wherever possible, automatic publication of the non-exempted information, which will help ensure that information is up to date.
10. It is recommended that public bodies publish information in the three main languages used on the island (Greek, Turkish, and English).