



REPUBLIC OF CYPRUS

**MINISTRY OF JUSTICE AND PUBLIC ORDER**

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25<sup>th</sup> April 2017

Ms Helen Darbshire  
Executive Director  
Access Info Europe  
Calle Cava de San Miguel 8, 4c  
28005 Madrid  
Spain

Dear Ms Darbshire,

**Cyprus Access to Information Law**

I refer to your letter to the Minister of Justice and Public Order dated 28.3.2017, regarding the above subject and I would like to inform you that although the Cyprus Access to Information draft Law contains five absolute exemptions, their absolute effect ceases after the lapse of 20 years, following article 3(3) of the Council of Europe Convention on Access to Official Documents. The absolute exemptions were deemed necessary for the nature of the information they protect according to international and European standards (article 3(1) of the above Convention).

2. Furthermore, the Cyprus Access to Information Law contains both the harm and public interest tests. The public interest test is provided in article 19(4)(b) whereas the harm test is provided in the exemptions with the phrase "θα παραβλάψει ή δυνατό να παραβλάψει" ("would, or would be likely to prejudice") or other phrases connoting similar meaning, taking into account article 3(2) of the above Convention.

3. I would like to take this opportunity to mention that the Council of Europe Convention on Access to Official Documents has never been entered into force, 8 years after its opening for signature in 2009, as only 14 countries have signed the said Convention whereas only 9 countries have ratified it. Nonetheless, the Ministry of Justice and Public Order has taken the said Convention into account during the preparation of its national legislation.

Yours sincerely,

(Andreas Mylonas)  
Permanent Secretary