Information Landscape Indicators Survey

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Proactive Access to Information Actions by Governmental Websites in the Republic of Cyprus

Preamble

This report is prepared as a result of a survey on governmental websites of the Republic of Cyprus, within the framework of "The Right of Access to Information in Cyprus" project (www.accessinfocyprus.eu), funded with support from the European Commission.

This report is prepared by IKME (Idryma Koinonikopolitikon Meleton - Ίδρυμα Κοινονικοπολιτικών Μελετών - Sociopolitical Studies Institute - www.ikme.eu) with the support, guidance and consultation of other partners in this project - Faika Deniz Pasha of KAB (Kıbrıs AB Derneği - Cyprus EU Association - www.cypruseu.org), Hellen Darbishire, David Pardo Gutiérrez of Access Info Europe (www.access-info.org).

The aim of this report is to outline the main key points derived from the survey, regarding the proactive publication of public information on the governmental websites. The effect, or the absence of such proactive measures constitute an important indicator for whether the government and its policies implement Freedom of Information (FOI) laws and related legislation regarding the Right of Access to Information. In extent, this also contributes to the indication of the levels of transparency, the effective participation of citizens in the decision making processes and therefore effecting the levels of trust of the citizens towards the public institutions.

In the case of Cyprus, although the encouraging progress noticed in the last years - as a result of the country's accession to the European Union - the survey indicates there is still much work needed to be done in order for Cyprus to reach international standards regarding the effective implementation of the Right of Access to Information held by public authorities and as well as full implementation of a Right of Access to Information law (which is one of the long-term goals of this project).

The Survey

During March of 2010, a survey was conducted in order to measure and evaluate the level of proactive availability of information on the websites of certain ministries and other governmental institutions of the Republic of Cyprus.

Furthermore, the survey aimed to measure how "contact friendly" were those websites, meaning investigating how much information was available regarding the means of communication the public could use to contact those institutions. For instance: email addresses, web forms, fax numbers, postal addresses and so on.

The institutions we investigated were these: *Ministry of Interior, Ministry of Commerce, Industry and Tourism, Ministry of Labour and Social Insurance, Ministry of Education and Culture, Ministry of Agriculture, Natural Resources and Environment, Ministry of Health, District Authority – Nicosia, District Authority - Limassol, Municipal Authority - Nicosia, Municipal Authority - Limassol.*

The questions we investigated were whether the following information was available on the websites of the above-mentioned institutions: *Is there a specific website for the selected public body? Email provided? Webform? Postal Address? Phone number? Fax number? Information about internal regulations, functions and mandates of the selected public body. Information about the organizational structure of the selected public body. The names and contact information of those public servants responsible for each department of the selected public body. The periodical (annual, bi-annual, etc.) strategy and planned activities of the selected public body. The drafts of the documents and the data being use to formulate those strategies in the selected public body. There are evaluation reports on the activities undertaken by the selected public body. Minutes of meetings and decisions taken. Description of those services offered to citizens by the selected public body.The main policies adopted by the public body. There are digital copies of forms for administrative procedures of the selected public body.There are information about the detailed projected budget for the current year. There is specific information about the salaries and bonuses of public servants of the selected public body. There are external audit reports of the specific public body.There is detailed information about financial subsidies issued, including details of beneficiaries, amounts, and supervisory mechanisms.*

Furthermore, the answers to those questions were classified as "available", or "not available", or "partial", depending on the availability of the information.

I was responsible to review those questions for the institutions of the Republic of Cyprus, whereas a Turkish Cypriot colleague was responsible to do the corresponding research regarding the institutions that operate in the northern part of the island. Albeit the non-recognised international status of the self-proclaimed "Turkish Republic of Northern Cyprus" ("TRNC"), the underlying idea of the project is that the Right of Access to Information is a basic, universal human right; therefore meaning that this right should be granted to all persons

independently of the location they live and the administration they live under.

General Picture

Concerning the survey for the Republic of Cyprus, my initial idea was optimistic: I was confident about the web presence of the governmental institutions and felt that they would be rather informed and informative to the public. Indeed the last decade special attention was given by the government of Cyprus in order to insure that all public institutions would have a web presence and that all websites should meet modern standards of design, compatibility and functionality. Indeed, all the institutions surveyed do have a website. The district administrations also have a website, but they are under the Ministry of Interior's website.

Furthermore, during the last years more attention is given for steps towards electronic governance; some websites still being at the initial steps of providing forms as downloadable pdf's to the public (note: all websites surveyed provided digital copies of forms to the public), whereas other websites have more complete systems that enable the citizen to access databases and perform queries and transactions with the government institutions from the comfort of their houses.

However, the above-mentioned optimistic image soon changed when I found out that albeit the shiny surface, the websites were not meeting (or, were far by meeting) the standards I was supposed to investigate: Information was missing, parts were not up to date, content was broken or not functioning and so on. Going beyond this survey, on the "monitoring" survey that was conducted within the framework of the project, it ascertained that certain methods of communication proposed by those websites appeared to be either erroneous, or non-functioning; e.g.: even if someone sends a request via a webform, it is not guaranteed that it will reach somebody responsible to attend to the request, nor whether that inbox is still active and not throttled.

As some of the surveyed government websites hold large amount of content that is broken-down into many sections and sub-sections, further comments were added on some of the proposed questions of the survey. For instance, if on a ministry's website all the "digital copies of forms for administrative procedures of the selected public body" were available for one department, this does not mean that the same applies for another department on the same ministry.

Communication

Most websites do provide at lease one email address for communication, but many do not provide webform as a medium of communication. This means, that a citizen without an email account (or that wants to keep anonymity) cannot contact those institutions via the internet .

The postal address, telephone and fax numbers of the institutions are mostly available on the websites as it is still the preferred method of official communication between the citizens and

the public institutions. This indicates a mentality that "traditional" means of communication (like post and fax) are preferred over the "modern" ones (like email); again, this is a matter of policy implementation. The exception were the websites of the district authorities, where the postal addresses were not available.

Finally, in all surveyed websites there are links to other governmental websites and other relevant Internet resources (apart from the District Administrations' websites, that they are a subset of the Ministry of Interior's website). This indirectly assists to the communication process, as the links may help the website visitors to locate other governmental departments/institutions that can be more relevant to communicate with regarding a specific request.

The "Unheard of" Missing Parts

These are parts which according on my judgement -as a Cypriot citizen living in Cyprus for all my life- very few people would expect to be publicized, for instance, (q. 13) "...information about the salaries and bonuses of public servants of the selected public body", or "...detailed information about financial subsidies issued, including details of beneficiaries, amounts, and supervisory mechanisms", or "external audit reports of the specific public body".

Although information about the "external audit reports" is not expected to be present on government websites (simply because few people would expect the government institutions to hire external auditors to criticize them!), the information about the "salaries and bonuses" and "financial subsidies" are pieces of information that common sense would consider as "logical to exist, someplace and be available, somehow".

Nevertheless, the fact that those two pieces of information is nowhere to be found on the surveyed governmental websites, is simply a reflection of the general mentality of "I shouldn't bother demanding having this information", or, "this information is none of your business". In short: this indicates low levels of citizens' awareness that they are entitled to access that public information; thus, the citizens do not demand; thus, the administration does not proactively publicise that information on the websites.

Special Information (?)

Regarding the question "...information about the detailed projected budget for the current year", this information, although highly publicised and available on other means, was not as widely present on the surveyed websites. The budget approval proceedings in the Parliament are transparent, so the lack of online availability of this information on each public institution's website is an omission.

Regarding the question: "...detailed information on public procurement processes, selection criteria, the budget, and the outcomes on tender applications for a specific public body".

Although procurement information, criteria etc do get publicized on the official gazette in high detail (since all the stakeholders monitor tightly the process and will not hesitate to take the government to the court of law if they suspect they were mistreated in the selection process), the websites are not as equally informed. Is the absence of widely accessible online information regarding the procurement process a "policy" to exclude "unnecessary and curious" eyeballs? This is an interesting question, since the whole procurement process is rather sensitive - and it only takes corruption in one small part of the whole process in order to be tampered with. Further to that, these is no information about "...copies of the contracts awarded and regular reports on their implementation" - so this adds to the "unnecessary eyeballs" suggestion.

Also, information informing about (and encouraging) public participation was little/partially available, i.e.: little about "...public notices of open meetings, including date, time and venue for these)" and even less on "...information on public participation mechanisms (i.e. consultations) in the decision-making procedures of the specific public body).

No Information about Information

As expected -and as a consequence of the above-mentioned delinquencies- the surveyed websites do not publicize information about the Right of Access to the information and about the held information itself, i.e.: no "...information about the content, public accessibility, privacy policy of the databases managed by the specific public body", nor "...an index or register of the main documents, or at least of the types of information, held by the specific public body", neither "...information about the right of access to information by citizens, including how to request information and the responsible civil servant in the specific public body".

Language Issues

As a comment outside of the immediate scope of this survey, it is noticed that much less / very little information is available in Turkish on the surveyed websites - if any. Turkish is the other official language of the Republic of Cyprus alongside the Greek language. Under legislation, all public information should also be available in Turkish, but in practice this is not happening regarding the websites, most of them having very little (if at all) content in Turkish when comparing with Greek.

Regarding English, although not an official language, there is a fair (comparing to Greek) amount of content available in English - definitely more than what is available in Turkish. This is because there are many foreigners living / working / studying in Cyprus that do not speak Greek - since Cyprus is an "English language-friendly" country, therefore a foreigner can survive in everyday living by using just English.

The consequence of the above language issues, is that e.g. although in the Greek language version of a website a webform is provided, this does not mean a webform will be available in the Turkish, or English (if any) version of a website. Same applies regarding the availability of all

information surveyed.

An obvious recommendation would be, that if the official state of the Republic of Cyprus claims that is a state that approaches equally all its citizens (being Greek Cypriot, or Turkish Cypriot, or other), then it should include all the information in the websites in both official languages. Otherwise, with the current situation, the government cannot convince that it's treating all citizens equally if the official language of a big proportion of the population is absent from the official websites. This inhibits the participation of Turkish Cypriots to the state affairs of the Republic of Cyprus, hence it loses trust and support from those citizens.

A final note on the language issue: the "Law of Necessity" (present as a consequence of the division of the island in the last decades) is often referred at when it comes to difficulties of availability of public documents and services in the Turkish language; e.g.: having all public information available in Turkish, or providing simultaneous translation to the Courts of Law. As I am not a legal professional, I cannot express an opinion regarding the extent this "law of necessity" should be applied and in which areas. I think it is a matter of policy making to define where the line is drawn for the "law of necessity" regarding issues of participation to public affairs - including the Right of Access to Information.

Conclusion and Recommendations

The conclusion of the survey indicates that the websites need further improvement and enrichment; need to construct completely new sections to hold the required information; need to be updated more often and on time (e.g.: some websites upload information a year after); need to give more complete information to the citizens regarding procedures in order to avoid time consuming phone calls and personal visits to the institutions to get that information (note: although some governmental websites were remarkably helpful).

In my personal opinion, I would recommend that each ministry and governmental institution should look globally into the matter of proactive availability of information. They should even assign civil servants (i.e. as "Information Officers"), specialised into consulting the ministries regarding elevating their websites up to the modern standards of Access to Information and European treaties the Republic of Cyprus has signed. Construction and Implementation of policies regarding the administration and availability of information on the websites is important and essential.

On the other hand, an obvious argument would suggest that in order to make all this information publicly available online, it would consume a serious amount of resources - huge in relation to Cyprus' small size. But one needs to see the bigger picture and its important benefits: the policymakers should realise that online public availability of all this information should constitute an integral part of the whole public participation process, as a long-term goal of improvement of state affairs, trust-building and the integration of the society in a healthy citizen/government relationship of active and constructive cooperation.

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