

RULE OF LAW REPORT 2025

CONTRIBUTION

BY THE SUPREME COURT OF CYPRUS

JUSTICE SYSTEM

I. Independence

- ❖ Appointment and selection of judges¹, prosecutors and court presidents (incl. judicial review)
- ❖ Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)
- ❖ Promotion of judges and prosecutors (incl. judicial review)
- ❖ Allocation of cases in courts
- ❖ Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)
- ❖ Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)
- ❖ Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

SEE our last year's 2024 Rule of Law Contribution, where the above points were thoroughly analysed.

However, additional points and further clarification on the above issues are provided below.

➤ **Appointment and selection of judges and court presidents (incl. judicial review)**

Under Art. 157 of the Constitution, the appointment, promotion, transfer, termination of appointment, dismissal and disciplinary matters of judicial officers are exclusively

¹ The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts.

within the competence of the Supreme Council of Judicature (SCJ). The SCJ consists of the Supreme Court Justices. By virtue of section 10 of the Administration of Justice Law of 1964 L.33/64, as amended, in any session that concerns the appointment or the promotion of a Judge of the Court of Appeal or First Instance Judge, the Attorney General or the Deputy Attorney General, the President of the Bar Council or the Deputy President of the Bar Council and two Lawyers of High Standing, may be present without voting rights.

Judicial appointments and promotions follow a rigorous process to maintain transparency and fairness. Vacancies are publicly announced, and candidates are evaluated based on predefined criteria.

The SCJ issued criteria and procedures to guide the selection and appointment process:

- Procedure and Criteria for the Appointment of Judges.
- Procedure and Criteria for the Promotion of Judges.
- Procedure and Criteria for the Appointment of Admiralty Judges.
- Procedure and Criteria for the Appointment of Judges of the Court of Appeal.

The SCJ evaluates candidates based on the following criteria, depending on the position:

- **Personal and Professional Attributes**

- Personality

- Ethical Standards and character

- Open-mindedness and independent thinking

- **Legal Competence**

- Depth of legal knowledge

- Jurisprudence knowledge

Analytical legal reasoning

Ability to apply legal knowledge effectively

- **Skills and Abilities**

Assimilation and analysis of information

Broadness of thinking and general knowledge

Oral and written communication skills

Work organization and cooperation skills

Technology skills

- **Performance and Experience**

Effectiveness in handling cases

Organizational skills

Efficiency and ability to work under demanding conditions

Behavior and previous experience

Additionally, where applicable, the SCJ considers opinions from other judges, the Attorney General, and the Bar Association, as specified in the relevant set of criteria.

All sets of Procedure and Criteria are publicly available at the [Supreme Court's website](#).

The Law requires for District Court Judges, Family Court Judges, Administrative Court of International Protection Judges and Rent Control Court Judges a minimum of 6 years of legal practice.

Senior District Court Judges must have at least 10 years of legal practice including service in judicial post.

Administrative Court Judges, Admiralty Court Judges and the President of the Military Court must have at least 10 years of legal practice.

Industrial Disputes Court Judges must possess at least 4 years of legal practice and the President of the Court at least 5 years.

For the appointment of President of District or Family Court, a candidate must have a minimum of 10 years of legal practice, including service in any judicial post.

For appointment to the Court of Appeal a minimum of 12 years of legal practice, including service in any judicial post, is required.

For the appointment of Supreme Court and Supreme Constitutional Court Judges, the relevant Articles of the Constitution designate the President of the Republic as the appointing authority. The President is advised by the Advisory Judicial Council, which was established under L.33/64.² For appointment to the Supreme Court a minimum of 12 years of legal practice, including service in any judicial post, is required.

The following judicial appointments were made after the previous report:

1. **District Courts:** Nine judges were appointed to the District Courts, with their appointments taking effect on **1 July 2024**.
2. **Presidents of District Courts:** Four judges were promoted to the position of President of the District Courts, with their appointments taking effect on **1 January 2024**.
3. **Industrial Disputes Court:** One judge was appointed to the Industrial Court, with his appointment taking effect on **15 November 2024**.
4. **Family Court:** Two judges were appointed in the position of President of the Family Court, one appointment taking effect on **16 December 2024** and the second to take effect on **26 March 2025**.

² Details for the Composition of the Advisory Judicial Council see our previous Contribution to the Rule of law Report 2024.

Several judicial positions remain vacant, with ongoing procedures for their appointment:

- **Senior District Judges:** Seven vacancies.
- **Court of Appeal Judges:** Two vacancies.
- **Family Court Judges:** Two vacancies.
- **Irremovability of judges including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors**

Newly appointed District and Specialised Court Judges typically serve a probationary period of two (2) years. During this period, the Judge has the status of a permanent Judge. In that period, judicial independence is ensured and there is protection from unfair dismissal or arbitrary termination. After that, Judges enjoy security of tenure and remain in office until retirement, ensuring their independence and impartiality.

- **Promotions:** The SCJ decides on the promotions on the basis of the Procedure and Criteria for the Promotion of Judges.

Key Components of the Evaluation System:

Feedback from Administrative Presidents:

The SCJ considers opinions provided by the administrative presidents of each court regarding the candidates under consideration.

Performance Metrics:

The productivity of the candidates and the prompt issuance and quality of decisions are critical factors in the evaluation process.

Additional Criteria:

Factors outlined in the Procedure and Criteria mentioned above are also considered.

The Decision of the SCJ can be challenged by an application to the Secondary Council of Judicature.

- **Case Allocation:** The Administrative President of each Court drafts the work plan of each Judge or panel of Judges (Court of Appeal) which must be approved by the Supreme Court. The work plan refers to the jurisdiction of each Judge. Then the registry of each court allocates the cases according to the workplan dividing them in an even and equal manner.
- **Transfers of cases** may occur under specific circumstances. An application may be submitted to the Supreme Court for the transfer of cases, according to the Courts of Justice Law of 1960 L.14/60. The President of the Court may also decide on the transfer of cases in the event of a temporary absence or a recusal of a judge. These measures aim to uphold fairness, maintain procedural efficiency, and protect the rights of all parties involved in the judicial process.
- **Transfers of Judges** are decided by the SCJ and usually are made to address the needs of the Judicial Service. The process ensures that judicial resources are effectively allocated to maintain the efficient operation of the courts. Such transfers are primarily made for organizational reasons and to ensure the good administration of justice.

The SCJ ensures that transfers are conducted in a fair and transparent manner, prioritizing the operational needs of the judicial service while minimizing potential disruptions to the judge's personal and professional life.

The affected Judicial Officer may submit an objection against the decision of the SCJ to the Secondary Council of Judicature.

- **Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)**
- **Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)**

The Supreme Court has taken a proactive stance by issuing a Guide for Judicial Conduct.³

The independence of the judiciary is upheld through a robust disciplinary framework.

Whenever it comes to the attention of the Supreme Court, during the exercise of its jurisdiction, duties, and powers, or following a complaint, that a Judicial Officer may:

- (a) Have become incapacitated,
- (b) Have exhibited improper conduct, or
- (c) Have committed a disciplinary offense,

the Supreme Court presents the evidence or allegations in its possession to the Judicial Officer in question and requests their views. After receiving the Judicial Officer's views, or following the expiration of the set deadline in the event of refusal or failure to provide them, the Supreme Court examines whether there are grounds to justify an investigation into whether the Judicial Officer has become incapacitated, exhibited improper conduct, or committed a disciplinary offense.

If the Supreme Court deems an investigation justified, it is conducted as follows: The Supreme Court appoints an Investigating Judge, tasked with investigating the matter promptly and efficiently without undue delay.

- (a) If the Judicial Officer under investigation is a Judge of a lower court, the investigation is assigned to a Judge of the Court of Appeal. The affected Judicial

³ See our Contribution to the Rule of Law Report 2024

Officer may file an objection against the SCJ's decision with the Secondary Council of Judicature.

(b) A Supreme Court Judge is appointed as Investigating Judge only if the Judicial Officer under investigation is a Judge of the Court of Appeal. In such a case, the Investigating Judge is excluded from the composition of the SCJ.

During the investigation, the Investigating Judge is assisted by one or more members of the Judicial Secretariat. Before the investigation commences, all evidence in the possession of the Supreme Court, including, if available, the views of the Judicial Officer under investigation, are provided to the Investigating Judge.

After the investigation concludes, if the Investigating Judge deems that there are no grounds to refer the Judicial Officer for trial, a reasoned report is submitted to the Supreme Court. If the Investigating Judge believes that a Disciplinary Procedure or a Referral is justified, as applicable, the judge prepares the charge sheet or referral within 15 days and submits it to the Secretary of the SCJ.

The indictment outlines the charge(s) and briefly states the details constituting them, while the referral describes the incapacity and the facts substantiating it.

After the trial concludes, the SCJ decides, in the case of prosecution, whether it has been proven that the Judicial Officer under prosecution is guilty of:

- (a) Improper conduct; or
- (b) A disciplinary offense,

as applicable. In the case of a referral, the Council decides whether the referred Judicial Officer is incapacitated.

A Judicial Officer found guilty of improper conduct is dismissed as prescribed by the Constitution. A Judicial Officer deemed incapacitated resigns as prescribed by the Constitution. A Judicial Officer guilty of a disciplinary offense is subject to:

- (a) A reprimand; or
- (b) A reprimand published in the Official Gazette of the Republic.

Supreme Court's and Supreme Constitutional Court's Presidents and Judges can be dismissed by the Council according to relevant Articles of the Constitution.

The affected Judicial Officer may submit an objection against the decision of the SCJ to the Secondary Council of Judicature.

Reasons for Judicial Recusal: The Guide to Judicial Conduct mandates that judges must disqualify themselves from participating in proceedings where impartiality is compromised or where it may reasonably appear to an observer that impartiality is lacking. Such situations include, but are not limited to, cases where the judge demonstrates actual bias or prejudice towards a party, has personal knowledge of disputed evidentiary facts, previously served as a lawyer or material witness in the matter, or where the judge or their family member has an economic interest in the case's outcome. These provisions are designed to uphold judicial integrity and public confidence in the judiciary.

When a party submits a request for recusal, citing concerns about a judge's impartiality or bias, the initial decision is taken by the Judge himself or by a panel of judges, according to the circumstances.

This approach ensures that procedural efficiency is maintained while safeguarding the principle of impartiality in judicial proceedings.

Recusal requests and issues of impartiality may be challenged on an application before the Supreme Court by virtue of section 9(3)(e) of the L.33/64, above.

II Quality of justice

- ❖ Accessibility of courts (e.g. court/legal fees, legal aid, language)

- ❖ Resources of the judiciary (human/financial/material⁴)
 - Remuneration/bonuses rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year).
 - ❖ Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)
 - ❖ Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)
 - ❖ Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)
 - ❖ Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.
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- **Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)**
 - **Accessibility of courts (e.g. court/legal fees, legal aid, language)**

Refer also to our previous contribution to the 2024 Rule of Law Questionnaire, where these aspects were addressed.

Additional points and further clarification on the above issues are provided below:

The latest developments in the E-Justice and i-justice project reflect ongoing efforts to digitize judicial processes and enhance access to justice.

The contract for the development of the E-Justice information system has been terminated. As a result, a decision has been made to upgrade the existing iJustice system. The system has so far proven its reliability and user-friendliness. The competent authorities have further explored the technical capabilities of the system for a potential upgrade. Consequently, it was decided to conduct an open tender for the procurement of services to upgrade the iJustice system. At present, efforts are

⁴ Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.

underway to prepare the relevant documents, and the tender is expected to be announced in February 2025.

- **The Procedural Regulation on Electronic Justice 2024.**

The Procedural Regulation on Electronic Justice 2024 marks a transformative step in modernizing the judicial system in Cyprus. By integrating digital technologies such as electronic communication tools, the regulation enhances procedural efficiency across all judicial levels, including the Supreme Court, Court of Appeal and specialized courts. It establishes a unified framework for digitalization and accessibility, ensuring that justice is more efficient, transparent, and inclusive.

The regulation introduces electronic filing and communication systems, allowing judicial documents such as pleadings, evidence, directions, and judgments to be electronically submitted and accessed. These systems are accessible to judges, judicial officers, lawyers, and authorized individuals who adhere to security protocols.

Key features include:

1. **Electronic Filing:** Judicial documents can be filed electronically, and submissions are considered timely if completed within prescribed deadlines.
2. **Digital Tools for Case Management:** Courts may manage cases digitally, including issuing instructions and communicating judgments electronically.
3. **Authentication:** Electronic submissions are authenticated through system markers, with submitters retaining original documents for verification purposes.
4. **Procedural Transparency:** All submissions are logged, providing traceability and accountability. Confidential documents require special authorization for access.

The digital systems are available 24/7, facilitating remote access and reducing delays and logistical burdens associated with physical document submissions. Filing fees are calculated and paid electronically, enhancing procedural compliance and efficiency. In exceptional cases, where the electronic filing system is temporarily unavailable or

inoperative due to technical issues, hybrid filing methods (including physical submissions) are permitted during a phased transition to full electronic processes.

The Regulation significantly enhances **court accessibility** by removing barriers associated with physical presence. Users can engage with the system remotely, making legal processes more inclusive.

However, accessibility challenges remain, including:

Legal Fees and Compliance: Filing fees are processed electronically, with non-compliance potentially leading to rejected submissions.

Legal Aid: Efforts are ongoing to ensure legal aid systems align with the new electronic framework, providing support to economically disadvantaged individuals.

Addressing also challenges such as digital literacy, system reliability, and cybersecurity will be essential for its full and effective implementation.

- **Procedural Regulation on Electronic Justice (Electronic communication)**

The Regulation, modernizes judicial processes in Cyprus. Its purpose is to establish a robust framework for incorporating electronic communication tools into judicial proceedings, thereby enhancing efficiency, accessibility, and transparency while upholding procedural integrity.

Key Provisions:

1. **Scope and Applicability:** The regulation applies to all judicial proceedings, including the Supreme Court, first-instance courts, and specialized courts. It introduces digital tools for submitting requests, managing cases, and communicating judicial instructions.
2. **Electronic Case Management:** Cases can proceed without the physical presence of parties if deemed appropriate by the court and with the consent of all parties. Representation may be personal or through an attorney, with consent provided as required.
3. **Submission of Requests:** Requests may be submitted via email or through a

designated electronic justice platform. Deadlines for submission are set at least two working days before the hearing date. Submissions must include the sender's full name, the represented party, a contact phone number, and detailed information on any interim applications, such as dates and purposes.

4. **Judicial Communication:** The court can issue directions or communicate decisions electronically if email addresses are registered with the court's registry. Recipients are required to confirm receipt of these communications.
5. **Procedural Safeguards:** All communications must ensure simultaneous notification to all parties. Requests that are non-compliant with procedural rules, such as missing required information or lacking responses from other parties, will not be considered. The court retains discretion in managing non-compliant communications.
6. **Obligations to Appear in Court:** Parties must appear in court if directed by the court, if an electronic request receives no response, or if instructions are not posted electronically.
7. **Documentation and Continuity:** All communications must refer to previous exchanges for transparency and continuity. Responses to electronic communications should address all issues raised in prior correspondence.

Analysis of specific sections of the Regulation

1. **Submission of Requests (Section 2):** This provision emphasizes deadlines and transparency, ensuring that requests are well-documented and accessible to all parties. Including detailed Information about interim applications which promotes procedural clarity.
2. **Non-Compliance (Section 4):** The regulation's provision allowing the dismissal of non-compliant requests highlights the importance of adherence to procedural rules, serving as a safeguard against inefficiency and delays.
3. **Obligations to Appear (Section 7):** This section balances the flexibility of electronic communication with the need for procedural integrity by retaining the traditional obligation to appear in court when necessary.

Key Benefits

Efficiency: Streamlines case management processes and reduces administrative delays.

Accessibility: Facilitates participation for remote users, particularly beneficial during emergencies such as the COVID-19 pandemic.

Transparency: Ensures clear documentation and traceability throughout judicial proceedings.

Challenges:

- **Digital Literacy:** Parties unfamiliar with electronic systems may face difficulties.
- **Cybersecurity Risks:** Protecting sensitive legal data is critical.
- **Compliance:** Strict adherence to procedural rules may result in valid submissions being disregarded due to minor errors.

➔ Legal Aid Legislation and Amendments

- **The Legal Aid (Amendment) Law of 2024 (Law No. 128(I)/2024):** This law amends the Legal Aid Laws of 2002 to 2019 and expands the scope of legal aid to include victims of gender-based and domestic violence.

Key Amendments:

Introduces free legal aid for victims of gender-based violence or domestic violence, covering legal proceedings related to compensation, restraining orders, custody, child support, and the exclusive use of a shared home.

Requires victims to provide certification from the police, welfare services, or NGOs confirming their status. Legal aid is granted in severe cases or when justice requires it.

Allows the use of existing socioeconomic reports from primary procedures in secondary appeals if no changes in financial circumstances have occurred.

Updates include an expanded lawyer registry and stricter certification criteria.

➔ **The Legal Aid (Amendment No. 2) Law of 2024 (Law No. 170(I)/2024):** This law introduces further amendments to the Legal Aid Laws, focusing on resolving procedural and administrative issues.

Key Amendments:

- **Exclusions for Late Appeals:** Articles 6B and 6Γ are amended to exclude untimely appeals to the Administrative Court under Article 146 of the Constitution.
- **Simplified Procedures:** Waives the requirement for socioeconomic reports for applicants receiving guaranteed minimum income.
- **Lawyer Selection / Registry Expansion:** The amendment provides a structured approach to creating, managing, and maintaining the registry of lawyers offering legal aid services. The Cyprus Bar Association compiles and publishes the registry, which is accessible on the official websites of the Ministry of Justice, the Supreme Court, and the Cyprus Bar Association. The registry is categorized into various sections corresponding to different types of legal aid, and lawyers may register for specific districts and areas of expertise. Registration requires a formal request to the Cyprus Bar Association, with updates communicated to the Chief Registrar of the Supreme Court. Lawyers can be removed upon request or deregistration from the official Cyprus Bar Association Registry. This framework ensures transparency and efficiency in the provision of legal aid and prevents repeated selection of the same lawyers from the registry.
- **Sanctions for Misconduct:** Introduces stricter penalties for lawyers violating payment rules for legal aid services, including fines and imprisonment.
- Enhances transparency and equity in the legal aid system through structured lawyer allocations and tightened eligibility criteria.

- **Language Accessibility:** While electronic tools improve participation, further measures may be required to address language barriers for non-native speakers engaging with the courts.
- **Security and Data Protection**

The Supreme Court collaborates with state agencies to enforce cybersecurity measures, ensuring confidentiality and security of data stored within the system. User access is tightly controlled, and all activities are logged to maintain transparency and safeguard against unauthorized use.

- **Resources of the judiciary (Human/financial/material⁵). Remuneration /bonuses/ Rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year),**

[No developments since our previous Contribution of 2024]

- **Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)**

[No developments have occurred since our previous 2024 Contribution.]
For the issues mentioned above, please refer to our 2024 Rule of Law Contribution.]

- **Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.**

⁵ Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.

The above issues were analyzed in detail in the 2024 Rule of Law Contribution.

- **Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)**

The Cyprus Judicial Training School, established by Law 101(I)/2020, is the body responsible for initial and continuous training. Training programs for judges, court staff, clerks and trainees are fundamental to maintaining a high-quality Judicial System.

Refer to our previous contribution to the 2024 Rule of Law Questionnaire for further details.

- **Other institutional issues related to checks and balances/The process for preparing and enacting laws**

☒ No developments

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.

Regime for constitutional review of laws

☒ No developments

- **Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).**
- **Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)**

(See our previous contribution to the Rule of Law Questionnaire 2024.)

Questions for input on the single market dimension of the Rule of Law Report

Pillar I:

Quality of justice

- **Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases.**

After an amendment of L.14/60 certain cases involving credit facilities, mortgages and related matters are assigned to particular judges.

The introduction of the **Commercial Court** under Law 69(I)/2022 marked a pivotal reform, designed to streamline the resolution of complex commercial disputes exceeding €2 million.

Legislative Framework The establishment and operation of the Commercial Court is governed by:

- **Courts of Justice Law (Law 14/60):** Provides the foundation for the jurisdiction and authority of courts in Cyprus.
- **Civil Procedure Law (Cap. 6):** Governs procedural aspects, including the handling of evidence and witness examination.
- **Law on the Establishment and Operation of the Commercial Court and the Admiralty Court (Law 69(I)/2022):** This specific legislation outlines the establishment, jurisdiction, and procedural rules of the Commercial Court, including monetary thresholds and the use of English in proceedings.

Purpose and Jurisdiction of the Commercial Court: The Commercial Court will be established to manage specialized commercial disputes more effectively.

Monetary and Geographical Jurisdiction The court will handle cases with a minimum value of €2 million. If a dispute regarding the monetary threshold arises, the court may transfer cases below this value to the District Court. Geographically, the Commercial Court has jurisdiction if the cause of action arises in Cyprus, the defendant resides or operates there, or the parties agree to the Court's jurisdiction.

Judges and Structure: The court will be staffed by five judges who will have the same status as the Presidents of District Courts.

Procedural Rules and Language Options: The procedural framework is governed by the Courts of Justice Law and the Civil Procedure Law. Notably, the court may allow the use of the English language for proceedings, ensuring accessibility for international litigants.

Key Benefits

- **Efficiency:** Faster resolution of high-value disputes.
- **Specialization:** Judges with expertise in complex commercial cases.
- **International Accessibility:** Use of English for hearings and judgments.

The establishment of the Commercial Court in Cyprus aims to meet the increasing demand for specialized and efficient dispute resolution in commercial cases. Although capacity and appellate challenges remain, the court's specialized focus and procedural innovations, including the use of the English language, are expected to improve the efficiency of Cyprus's legal framework and bolster its position as a preferred business hub.

Currently, no appointments have been made to the Commercial Court.

➤ **Alternative dispute resolution mechanisms / mediation**

Mediation and other alternative dispute resolution (ADR) mechanisms in Cyprus have seen significant development, with legislative reforms aimed at reducing judicial backlogs and promoting cost-effective dispute resolution methods. Historically underutilized, these mechanisms are becoming increasingly important in the Cypriot legal framework.

Legal Framework for Mediation: The primary legislative instruments governing mediation in Cyprus include:

Certain Aspects of Mediation in Civil Disputes Law of 2012 (L.159(I)/2012): This law transposed Directive 2008/52/EC, introducing non-compulsory facilitative mediation. It allows parties to choose a mediator, determine procedural aspects, and enforce the compromise agreement through court approval.

- **Civil Procedure Rules (2023):** These rules emphasize case management efficiency and promote ADR mechanisms, including mediation under Part 35 Settlement Offers and Sections 45.63-45.68.
- **Alternative Dispute Resolution for Consumer Disputes Law of 2017 (L.85(I)/2017):** This law aligned with Directive 2013/11/EU, focusing on

consumer-related disputes, though challenges remain due to limited coverage and non-compulsory participation.

➔ **Recent Reforms and Amendments:** The Council of Ministers recently approved a bill mandating initial mediation for civil disputes up to €10,000. Key elements of the reform include:

- **Mandatory Mediation Requirement:** Parties must attempt mediation before initiating court proceedings.
- **Objective:** Reduce court caseloads and associated legal costs.
- **Support:** The Cyprus Bar Association has endorsed the reform, emphasizing the efficiency of justice through ADR.

Benefits of Mandatory Mediation

- **Cost and Time Efficiency:** Lower legal expenses and faster resolution of cases.
- **Relationship Preservation:** Promotes collaborative dispute resolution.

Challenges and Risks.

- **Public Awareness Campaigns:** Promote the benefits of mediation through targeted educational initiatives.
- **Judicial Training Expansion:** Strengthen judicial capacity through expanded ADR training.
- **Ongoing Evaluation:** Regular assessment of mediation effectiveness and public feedback.

➤ **E-justice/i-justice project: latest state of play.**

See our comments on Digitalisation above.

Supreme Court of Cyprus, 28/1/2024

File: RoL2025 /SC/M.M.Kyriacou/ NPapanicolaou