

2023 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the European rule of law mechanism, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, three editions of the Rule of Law Report have been published in 2020, 2021 and 2022.

In the preparation of the first three editions of the Rule of Law Report, the Commission has relied on a diversity of relevant sources, including from Member States, country visits, and stakeholders' contributions collected through the targeted stakeholder consultation [1]. The information provided has informed the Commission's country-specific assessments in preparing the Report. Building on the positive experience from the first three editions of the Rule of Law Report, the Commission is now inviting stakeholders to provide written contributions for the preparation of the 2023 Rule of Law Report through this targeted consultation.

The contribution to be provided should include (1) information on measures taken to implement the recommendations addressed to the Member State in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2022 [2] falling under the 'type of information' outlined in the next section.

The input should be short and concise and summarise information related to one or more of the areas referred to in the template. You are invited to focus on the areas that relate to the scope of work and expertise of your organisation. Existing reports, statements, legislation or other documents may be referenced with a link (no need to provide the full text). Stakeholders are encouraged to make references to any contributions already provided in a different context or to Reports and documents already published. Contributions should focus on significant developments both as regards the legal framework and its implementation in practice.

If you wish to submit information concerning several Member States, you will have to fill-in the questionnaire separately for each Member States (due to the size of the questionnaire). There is no limit to the number of contributions submitted by a single participant. In such cases, you are not required to repeat the information in the section "about you" that is non-mandatory nor the information on horizontal developments.

Please provide your contribution by **20 January 2023**. Should you have any requests for clarifications or encounter difficulties in filling in the questionnaire, you can contact the Commission at the following email

address: rule-of-law-network@ec.europa.eu.

[1] For the consultation for the 2022 Report, see https://ec.europa.eu/info/publications/2022-rule-law-report-targeted-stakeholder-consultation_en

[2] Unless the information was already submitted in the consultation for the previous Rule of Law Reports.

Type of information

The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

Legislative developments

- Newly adopted legislation
- Legislative drafts currently discussed in Parliament
- Legislative plans envisaged by the Government

Policy developments

- Implementation of legislation
- Evaluations, impact assessment, surveys
- White papers/strategies/actions plans/consultation processes
- Follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- Important administrative measures
- Generalised practices

Developments related to the judiciary / independent authorities

- Important case law by national courts
- Important decision/opinions from independent bodies/authorities
- State of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the questionnaire[1])

Any other relevant developments

- Respondents are free to add any further information, which they deem relevant; however, this should be short and to the point.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should not be repeated.

[1] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

Oxygono

Main Areas of Work

- ☒ Justice System
- ☒ Anti-corruption
- ☐ Media Pluralism
- ☒ Other

If "Other", please specify

Participatory democracy, Parliamentary observatory

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://oxygono.org/en/>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

* Country of origin

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania

- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan
- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☒ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica

- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador
- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia
- ☐ Fiji
- ☐ Finland
- ☐ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia

- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali
- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda

- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa
- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia
- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam

- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

George

Surname

Isaia

Email Address of the organisation (this information will not be published)

[REDACTED]

* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin) will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2023 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[list of topics 2023 Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

In general, the interdependence of states and direct access to information have led to the creation of a global political accountability entity, which inevitably affects most states. In the case of Cyprus, this global political entity acts positively, since it supervises the state institutions and demonstrates errors and omissions.

As Oxygono, we participate in actions that contribute to the improvement of justice system, the fight against corruption, freedom of media and generally any action that promotes the rule of law.

Oxygono is a non-governmental non-profit organization established in 2014 and is headquartered in Cyprus, consisting of individuals from a range of backgrounds including academics, social, political, and professional sectors. It is an independent organization, which is governed by a five-member Board of Directors and its actions are determined by a ten-member Executive Committee.

It aims to improve the quality of public debate in Cyprus and consequently the achievement of reforms and modernization of our country to improve the quality of life of citizens in all aspects of public life - such as health, economy, education, justice, and foreign policy, research and entrepreneurship.

Our main projects are Cyprus Forum and Nanoplatform.

Cyprus Forum is the largest independent policy-making organisation in Cyprus, organised in collaboration with the Delphi Economic Forum in Greece.

It was founded in 2020 as an independent, ambitious, non-profit annual conference that seeks to become a driver and catalyst for change through discussions that lead to commitments, actions, and results.

The Cyprus Forum brings together local and foreign political leaders, important personalities of the public and private sector, the media, representatives from academia and civil society with the aim of initiating dialogue, exchanging ideas and finding new and creative solutions in key areas of public policy.

The digital legislative observatory Nomoplatform is a politically independent initiative that aims to increase transparency, by offering citizens the opportunity to directly and validly monitor the processes carried out within the Cypriot Parliament.

At Nomoplatform, every citizen, in addition to having access to the procedures for the submission, examination and adoption of draft laws, can receive a news update on the processes carried out within the Parliament and refer to the biographical data of each Member of Parliament.

In addition to the existing functions, the platform looks forward to the integration of added services such as statistics, quantitative data and dynamic graphs. It also seeks to include information notes on important legislation as well as opportunities to hold informational discussions, consultations and submission of recommendations.

We aspire for Nomoplatform to be a truly independent political initiative, with the aim of bringing young people, technocrats and academics closer to policy making.

Questions for contribution

The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member States in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2022 Rule of Law Report and (2) any other significant developments since January 2022^[1]. Please include a link to and reference relevant legislation/documents (in the national language and/or where available, in English) if relevant. Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[1] Unless already covered in the input for the previous Rule of Law Reports.

Member State covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States, please fill in the questionnaire separately for each Member State. There is no limit to the number of contributions submitted by a single participant.

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☒ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania

- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the justice system (if applicable)

3000 character(s) maximum

The Republic of Cyprus adopted the Administration of Justice (Miscellaneous Provisions) (Amendment) Law of 2022 (Law 145(I)/2022), which provides for the manner of appointment of the Judges of the Supreme Constitutional Court and the Judges of the Supreme Court. In particular, article 4 of the law provides that "The Advisory Judicial Council is an independent body, which (i) in proceedings for the appointment of members of the Supreme Constitutional Court or the Supreme Court shall be composed of- (aa) the President of each court as President; (bb) the other Judges of the same Court, (cc) the Advocate General of the Republic, without the right to vote;; (d) the President of the Court of Appeal of the Republic, without the right to vote (dd) the President of the Pancyprian Bar Association, without the right to vote and (e) two (2) jurists of recognised standing and of the highest professional standing qualified for appointment as members of the Supreme Constitutional Court or Supreme Court, without the right to vote, who shall be appointed on the recommendation of the Pancyprian Bar Association and subject to the approval of the Supreme Constitutional Court or Supreme Court; http://www.cylaw.org/nomoi/arith/2022_1_145.pdf.

As follows from this law, the Republic of Cyprus followed the recommendations of the Venice Commission as to the members who should constitute the Advisory Judicial Council when appointing the Judges of the Supreme Constitutional Court and the Supreme Court, respectively, in order to ensure democratic legitimacy. see. article 4(4a) http://www.cylaw.org/nomoi/arith/2022_1_145.pdf.

However, the Administration of Justice (Miscellaneous Provisions) (Amendment) Law of 2022 (Law 145(I)/2022) do not provide that the reasons for the decisions of the Advisory Judicial Council should be made available to applicants on request; or that an unsuccessful candidate should have the right to challenge the decision of the Advisory Judicial Council. However, there are some clear and transparent criteria for appointment that would be binding on the Council such as 12 years' professional experience. Also, knowledge of the relevant field of law is also taken into account for the appointment (see Article 5(5) of the Law).

Also, there is no provision, that the President would give reasons in writing when he takes any decision which does not follow the recommendation of the Advisory Judicial Council. According to the above-mentioned law, the judicial members of the Supreme Constitutional Court and Supreme Court, unlike the judges of the Court of Appeal and the Judges of first instance are selected by the President of the Republic and on the basis of seniority, instead of being elected by their peers, despite the Venice Commission recommendations (see Article 3(a)(d) of the Law).

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

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

As regards the judges of the Supreme Constitutional Court and the Supreme Court, under the Administration of Justice (Miscellaneous Provisions) (Amendment) Law of 2022 (Law 145(I)/2022), they are appointed by the President of the Republic, each Judge of the Court, who immediately before the 1 January 2023 who has been a Member of the Court ("existing judge") since that date and thereafter shall become a member of either the Supreme Constitutional Court or the Supreme Court of Justice after having chosen themselves whether to be appointed to the Supreme Court or the Supreme Constitutional Court. If for either of the two Courts the number of Judges exceeds the number of seats, the President of the Republic shall decide to which Court they shall be appointed, based on their order of seniority (Article 3e). It is understood that the President of the Republic shall appoint an existing Judge, who immediately before the 1st January 2023 held the office of President of the Court as President of the Supreme Constitutional Court or the Supreme Court, depending on the choice of the existing Judge. Provided further that, each person appointed to the Supreme Constitutional Court or the Supreme Court shall serve conditionally and on the same salary as an existing Judge.

The Advisory Judicial Council shall prepare a report on the most qualified Judges, which shall be advisory to the President (Article 4(d)(i)).

Regarding the criteria applied and the method of selection of the candidates for Judges of the Supreme Constitutional Court and the Supreme Court, see section I.

Under article 10(5) of the Law, it is established a Supreme Council of Judicature, which shall be responsible for the appointment of Judges of the Court of Appeal or of a Court of First Instance, which shall consist of the President of the Supreme Court as Chairman and the other Judges of the Supreme Court as members: provided that in the absence or temporary incapacity of the President of the Supreme Court, the senior Judge of the Supreme Court shall act as President.

(b) At a meeting of the Supreme Council of Judicature concerning a procedure for the appointment of a Judge of the Court of Appeal or of a Court of First Instance, the following may attend as observers and without the right to vote: (i) the Attorney General of the Republic; (ii) the President of the Pancyprian Bar Association; and, in the event of his absence or temporary incapacity, the Vice-President of the Cyprus Bar Association; and (iii) two (2) jurists of recognised standing and of the highest professional standing qualified for appointment as Judges of the Court, who shall be appointed on the recommendation of the Cyprus Bar Association and with the approval of the Court.

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)

For the transfers of judges and court presidents of the Supreme Constitutional Court and Supreme Court see Section A.

The Supreme Council of Judicature shall be responsible for the termination of service, dismissal and disciplinary powers over Judges of the Court of Appeal or of a Court of First Instance, which shall consist of the President of the Court as Chairman and the other Judges of the Court as members: provided that in the absence or temporary incapacity of the President of the Court, the senior Judge of the Court shall act as President (For more details see Article 10(5) of the Law 145(I)/2022).

Article 3(f) of the Administration of Justice (Miscellaneous Provisions) (Amendment) Law of 2022 (Law 145(I)/2022) provides that in the event of a vacancy or temporary incapacity or absence of the President of the

Supreme Constitutional Court or of the President of the Supreme Court, the President of the Republic shall appoint from among the members of that court, permanently or temporarily, the President of the court concerned, as the case may be. However, with regard to the Court of Appeal, the Supreme Council of Judicature may appoint another member of the Judicial Service to temporarily perform the duties and, as the case may be, exercise the powers of the President or Judge of the Court of Appeal for the period and under the conditions laid down in the instrument of appointment (see article 3A(10)).

Promotion of judges and prosecutors (incl. judicial review)

3000 character(s) maximum

Article 3 (h) of the above-mentioned law clarifies that «The President of the Supreme Constitutional Court shall have precedence over the other Judges of the Supreme Constitutional Court, and in the same way the President of the Supreme Court shall have precedence over the other Judges of the Supreme Court». Also, article 3(i) provides that “the precedence between Judges of the Supreme Constitutional Court and the precedence between Judges of the Supreme Court, as well as the precedence between Judges of both courts, depends on the precedence of seniority between them». Consequently, any promotion of judges and prosecutors depends on their seniority, i.e. their years of service.

The Supreme Council of Judicature shall be responsible for the promotion over Judges of Court of Appeal or First Instance Judges, which shall consist of the President of the Court as Chairman and the other Judges of the Court as members: provided that in the absence or temporary incapacity of the President of the Court, the senior Judge of the Court shall act as President. At a meeting of the Supreme Council of Judicature concerning a procedure for the promotion of a Judge of the Court of Appeal or of a Court of First Instance, the following may attend as observers and without the right to vote: (i) the Attorney General of the Republic; (ii) the President of the Pancyprian Bar Association; and, in the event of his absence or temporary incapacity, the Vice-President of the Cyprus Bar Association; and (iii) two (2) jurists of recognised standing and of the highest professional standing qualified for appointment as Judges of the Court, who shall be appointed on the recommendation of the Cyprus Bar Association and with the approval of the Court (Article 10(5) of the Law).

Allocation of cases in courts

3000 character(s) maximum

No change has been identified regarding district courts.

With regard to the Court of Appeal, the Supreme Court and the Supreme Constitutional Court, the law provides for a new allocation of cases in each court from 1 January 2023. However, this date has been postponed to 1 July 2023 due to understaffing problems in the new Courts. Specifically:

(a) civil appeals which were pending before the previous Court before the date to be published in the Official Gazette of the Republic of Cyprus will be heard by that Court or, from 1 January 2023, by the Supreme Court provided that- (i) they were filed in the Court before 31 December 2017; (ii) judgments in those cases were reserved, on the date to be published

(b) criminal appeals pending before the previous Court before the date to be published will be heard by that Court or, from 1 January 2023, by the Supreme Court, provided that judgments in those cases were reserved on that date: Provided that cases remaining to be heard in the Court of Justice or, as the case may be, in the Supreme Court shall be heard by the same composition of Judges before whom they were commenced and in the case where the composition concerned includes a Judge of the Supreme Constitutional Court, unless a Judge of that composition is required to be replaced by reason of a vacancy.

(c) appeals against decisions of the administrative court which were pending before the previous court before the date to be published will be heard by that court or, from 1 July 2023, by the Supreme Constitutional Court provided that- (i) they were filed in the Court before 31 December 2018; (ii) judgments in those cases were reserved on the said date.

All other appeals which do not fall within the above categories, and which were pending before the previous Court on the date to be published, will be heard by the newly created Court of Appeal.

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)

3000 character(s) maximum

According to the article 3A(b), the Judicial Advisory Council is an independent body, which has the following powers:

(a) acts in an advisory capacity to the President of the Republic, in proceedings for the appointment of Judges of the Supreme Constitutional Court or the Supreme Court, as to the suitability of the candidates for appointment as lawyers and Judges

(b) in a procedure for the appointment of members of the Supreme Constitutional Court or the Supreme Court, has the composition described in the section I, in order to ensure its impartiality and independence.

(c) In the absence or temporary incapacity of the President of each court, the most senior member of the same court shall act as President of the Advisory Judicial Council.

(d) The Advisory Judicial Council may adopt regulations concerning its operation.

Furthermore, under article 10(5) of the Law, it is established a Supreme Council of Judicature, which (a) shall be responsible for the appointment, promotion, transfer, termination of service, dismissal and disciplinary powers over Judge of the Court of Appeal or of a Court of First Instance, which shall consist of the President of the Supreme Court as Chairman and the other Judges of the Supreme Court as members: provided that in the absence or temporary incapacity of the President of the Supreme Court, the senior Judge of the Supreme Court shall act as President.

(b) At a meeting of the Supreme Council of Judicature concerning a procedure for the appointment, promotion or transfer of a Judge of the Court of Appeal or of a Court of First Instance, the following may attend as observers and without the right to vote: (i) the Attorney General of the Republic; (ii) the President of the Pancyprian Bar Association; and, in the event of his absence or temporary incapacity, the Vice-President of the Cyprus Bar Association; and (iii) two (2) jurists of recognised standing and of the highest professional standing qualified for appointment as Judges of the Court, who shall be appointed on the recommendation of the Cyprus Bar Association and with the approval of the Court. It is understood that, in the event that the sitting concerns a transfer or the exercise of disciplinary powers against a Judge of the Court of Appeal or a court of first instance, the Attorney General of the Republic, the President of the Pancyprian Bar Association and the legal practitioners appointed in accordance with the above shall not be present.

(c) on objection by any person affected, the decision of the Supreme Council of Judicature shall be subject

to review by the Supreme Constitutional Court, which shall in such case act as a court of appeal, exercising review of the decisions of the Supreme Council of Judicature: Provided that, until the date of the judgment of the Supreme Constitutional Court, the judgment of the Supreme Judicial Council shall be suspended.

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)

3000 character(s) maximum

No change has been identified.

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

3000 character(s) maximum

Generally, no change or any significant and targeted increase in remuneration/bonuses/rewards over the past year has been identified, nor on transparency in the system or access to information.

Article 3A(9) provides that the salary of the President and other Judges of the Court of Appeal shall be fixed at an annual fixed basic salary of one hundred and eleven thousand and four hundred and fifty euros (€111,450): it is understood that to the basic salary shall be added the general salary increases applicable to civil servants, as well as the applicable salary increment.

Independence/autonomy of the prosecution service

3000 character(s) maximum

No change has been identified. It is noted that the adoption of the draft legislation concerning the budgetary independence of the Law Office, has not yet been completed.

Independence of the Bar (chamber/association of lawyers) and of lawyers

3000 character(s) maximum

No change has been identified.

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

3000 character(s) maximum

No change has been identified.

It is noted that regarding the public's opinion on the independence of the justice system in Cyprus, see the survey conducted by Zenox in December 2022, in the framework of the Annual Symposium of the Procedural Law Unit, organised by the University of Nicosia.

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

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

3000 character(s) maximum

No change has been identified.

Resources of the judiciary (human/financial/material)

(Material resources refer e.g. to court buildings and other facilities)

3000 character(s) maximum

The reform of the administration of justice and the establishment of the Court of Appeal, the Supreme Court and the Supreme Constitutional Court was to come into force on 1/1/23, but could not be implemented due to understaffing of the judges and was thus extended until 1 July 2023. The President of the Supreme Court in public statements said that there are poor working conditions, referring to poor infrastructure of registry offices. He also referred to outdated structures and buildings and lack of computerization system.

Training of justice professionals (including judges, prosecutors, lawyers, court staff)

3000 character(s) maximum

No change has been identified regarding the judges, lawyers and court staff. Regarding the training of prosecutors, in 2022 the Legal Service Academy was established as a separate branch of the Legal Service. The Academy, which is an evolution of the Learning Cores created in 2020, aims to develop and promote basic training programmes for newly appointed officials of the Legal Service, lifelong training of public officials, in matters within the competence of the Legal Service.

Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)

3000 character(s) maximum

No change has been identified.

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

3000 character(s) maximum

No use of assessment tools and standards has been identified.

Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases

3000 character(s) maximum

No change has been identified.

The Court which is competent to try cases of fraud and corruption is the criminal court and there is no specialised court or division within the criminal court. It is noted that in March 2022, the Law on the Establishment and Operation of the Independent Anti-Corruption Authority of 2022 (Law 19(I)/2022) was adopted http://www.cylaw.org/nomoi/arith/2022_1_019.pdf.

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Length of proceedings

3000 character(s) maximum

As has been noted in previous Rule of Law Reports, the Cypriot justice system suffers from delays in the adjudication of cases. Some steps have been taken to this end with both the reform of the Civil Procedure Rules, which will come into force from September 2023 and the Procedural Rules 4152/2022 “Adjudication of backlogged cases (special) procedural rules 2022”, which were adopted by the Supreme Court on 25 November 2022 https://www.cyprusbarassociation.org/files/backlog_25.pdf. The Regulations were amended on 23 December 2022, following opposition from lawyers [http://www.supremecourt.gov.cy/judicial/sc.nsf/All/6612801413CEFB04C22589210024A439/\\$file/4153%2023%2012%202022%20PARARTIMA%2020%20MEROS%20I%20%CE%B4%CE%B7%CE%BC%CE%BF%CF%83%CE%AF%CE%B5%CF%85%CF%83%CE%B7.pdf](http://www.supremecourt.gov.cy/judicial/sc.nsf/All/6612801413CEFB04C22589210024A439/$file/4153%2023%2012%202022%20PARARTIMA%2020%20MEROS%20I%20%CE%B4%CE%B7%CE%BC%CE%BF%CF%83%CE%AF%CE%B5%CF%85%CF%83%CE%B7.pdf).

So far no change has been identified regarding the length of proceedings.

Other - please specify

3000 character(s) maximum

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II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission’s attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the anti-corruption framework (if applicable)

3000 character(s) maximum

In 2022 Cyprus enacted the law on the protection of whistleblowers and the law on the transparency of lobbying. The institutional framework was also advanced with the establishment by law of a National Anti-Corruption Authority.

However, the legislation regulating lobbying that should have been fully implemented on 01/01/2023 remains inapplicable due to the non-submission of the relevant regulations of the legislation such as registration in the register of lobbyists, registration of meetings, printed or electronic reporting to the competent authority,

etc.

Also, regarding the National Anti-Corruption Authority, while the relevant regulations were voted by the Plenary Session of the Parliament on 02/12/2022 (<https://www.nomoplatform.cy/bills/oi-peri-tis-systasis-kai-leitoyrgias-tis-anexartitis-archis-kata-tis-diafthoras-kanonismoi-toy-2022/>), however, the Authority has not begun to investigate any case due to lack of experts, infrastructure, know-how, etc.

Finally, the legislative provision of Article 10 of the legislation establishes the Authority as non-independent because: "The Authority, in the event that a criminal investigation has been initiated, either by the Police or by a criminal investigating judge, for an act of corruption falling within the scope of its competences, after being informed by the Attorney General of the Republic, does not initiate and/or terminate any parallel action initiated" (http://www.cylaw.org/nomoi/enop/non-ind/2022_1_19/full.html).

The legislation on asset disclosure for elected officials remains pending before the Parliament.

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

3000 character(s) maximum

No change has been identified.

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

3000 character(s) maximum

No change has been identified.

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

3000 character(s) maximum

No change has been identified.

B. Prevention

Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training). Please provide figures on their application

3000 character(s) maximum

No change has been identified.

General transparency of public decision-making, including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing

3000 character(s) maximum

The legislation regulating lobbying that should have been fully implemented on 01/01/2033 remains inapplicable due to the non-submission of the relevant regulations of the legislation such as registration in the register of lobbyists, registration of meetings, printed or electronic reporting to the competent authority, etc.

Also, regarding the National Anti-Corruption Authority, while the relevant regulations were voted by the Plenary Session of the Parliament on 02/12/2022 (<https://www.nomoplatform.cy/bills/oi-peri-tis-systasis-kai-leitoyrgias-tis-anexartitis-archis-kata-tis-diafthoras-kanonismoi-toy-2022/>), however, the Authority has not begun to investigate any case due to lack of experts, infrastructure, know-how, etc.

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The legislation on asset disclosure for elected officials remains pending before the Parliament.

Rules and measures to prevent conflict of interests in the public sector. Please specify the scope of their application (e.g. categories of officials concerned)

3000 character(s) maximum

No change has been identified.

Measures in place to ensure whistleblower protection and encourage reporting of corruption.

3000 character(s) maximum

No change has been identified.

List the sectors with high-risks of corruption in your Member State and list the relevant measures taken /envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. public procurement, healthcare, citizen investor schemes, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

3000 character(s) maximum

No change has been identified.

Any other relevant measures to prevent corruption in public and private sector

3000 character(s) maximum

No change has been identified.

C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

3000 character(s) maximum

No change has been identified.

Data on investigation and application of sanctions for corruption offences, including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds

(Please include, if available the number of (data since 2019): indictments; first instance convictions; first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year)

3000 character(s) maximum

No change has been identified.

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

3000 character(s) maximum

No change has been identified.

Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

3000 character(s) maximum

No change has been identified.

Other - please specify

3000 character(s) maximum

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III. Media Freedom and Pluralism

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding media freedom and pluralism (if applicable)

3000 character(s) maximum

Freedom of expression and the right of access to information find legal and formal protection in the Constitution. Secondary legislation expressly ensures protection of journalistic sources, fosters media pluralism in the radio and television sectors and establishes the framework and conditions for public access to information.

However, media in Cyprus remain dependent on private interests, most of which are also linked to political

interests. The media also face serious funding problems.

According to a report in the newspaper Phileleftheros "Due to the change in the way citizens are informed and the presence of social media, where much of the advertising is channeled, a total of 648 employees from the information sectors were left without work in the period 2017-2021, while there were several redundancies in 2022" (https://www.philenews.com/oikonomia/kypros/article/1630899/14-chil-pleonasmoi-se-5-chronia-stoicheia-ana-klado?fbclid=IwAR1PrvNNnTZZwF_ZHshUFnX8Ssb95YBJyQcgM7XQJ61YCgX3XGXRdBL-VI8).

Moreover, the media remain indirectly dependent on the government since they receive various state funding such as the following (included in the state budget of 2022).

CHAPTER 0321 – STATE SECRETARY FOR RESEARCH, INNOVATION AND DIGITAL POLICY 83
EXPENDITURE GROUP 04200 – GRANTS Expenditure subgroup 04260 – Other grants

€280,000 "De minimis" aid scheme to subsidise television broadcasters for the broadcasting of free-to-air high-definition programme via digital terrestrial television networks. The Plan aims to encourage the upgrading and broadcasting of high-definition television programs (HS Decision no. 92.873 and dated 07.04.2022). (Article 04281.2 "Miscellaneous Grants").

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

3000 character(s) maximum

No change has been identified.

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

3000 character(s) maximum

No change has been identified.

Existence and functions of media councils or other self-regulatory bodies

3000 character(s) maximum

No change has been identified.

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

3000 character(s) maximum

No change has been identified.

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

3000 character(s) maximum

No change has been identified.

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

The Parliamentary Committee on Internal Affairs, during the session on 27/10/2022, examined the following draft law:

The Radio and Television Organizations (Amendment) (No. 4) Law of 2021 (<https://www.nomoplatform.cy/bills/o-peri-radiofonikon-kai-tileoptikon-organismon-tropopoiitikos-ar-4-nomos-toy-2021/>)

The Committee examined the above draft law, the purpose of which is to amend the Radio and Television Organizations Law, in order to review the restrictions applicable to the granting of licenses for the establishment, establishment and operation of an audiovisual media service provider and which concern the holding of shares both in the company concerned and by the company in question in other organizations.

The Radio and Television Authority participated in the meeting of the Committee, noting that it stands positively and supports the effort to amend the legislation on the ownership of the media. He said that following recommendations communicated last September by the Commission on media freedom in the member states, European regulations on financial transparency and ownership concentration of SMEs are expected to be promoted in the near future.

In his statements after the meeting, Panikos Leonidou (MP proposing the draft law) said that the aim of the legislative regulation is "to have full transparency, that is, to know who the real owners are and this must be seen through the public documents and through the procedures we seek to implement".

He noted that this is a key aspect of the effort for transparency, control and, consequently, safeguarding democracy. He added that equal treatment should also be ensured in political debates, in the promotion of party positions and political bodies, both in general and during election periods. "At this time there is an attempt to restrict democracy in many countries and we must strengthen democracy", stressed Mr. Leonidou. (<https://www.nomoplatform.cy/epitropi-esoterikon-diafaneia-sto-idioktisiako-kathestos-mme-kai-neos-nomos-gia-kolymvitiria/>)

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications

3000 character(s) maximum

No change has been identified.

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

3000 character(s) maximum

No change has been identified.

Access to information and public documents (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

3000 character(s) maximum

No change has been identified.

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

3000 character(s) maximum

No change has been identified.

Other - please specify

3000 character(s) maximum

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IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the system of checks and balances (if applicable)

3000 character(s) maximum

The consultation process on legislative proposals remains limited and concerns exist on the access to drafts by the public and the involvement of civil society organisations at a sufficiently early stage.

In 2022, the Citizens' Commissioner set up a dedicated expert group to enrich an existing public consultation guide.

The General Directorate of Development of the Ministry of Finance is preparing a platform (<https://e-consultation.gov.cy/>) where all public consultations organized by government agencies will be posted. The platform will have public consultations gathered together and at the same time there will be the possibility of an alert to update the ongoing public consultations.

In the competent parliamentary committee on Legal Affairs, a relevant proposal for a law regulating the issue of public consultations (<https://www.nomoplatform.cy/bills/o-peri-tis-diadikasias-tis-dimosias-diavoyleysis-nomos-toy-2022/>) and a bill concerning citizens' initiatives (e-petiton, <https://www.nomoplatform.cy/bills/o-peri-protovoylias-ton-politon-nomos-toy-2017/>) are pending.

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (particularly consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process

[1] This includes also the consultation of social partners

3000 character(s) maximum

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Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

3000 character(s) maximum

No change has been identified.

Regime for constitutional review of laws

3000 character(s) maximum

No change has been identified.

COVID-19: provide update on significant developments with regard to emergency regimes/measures in the context of the COVID-19 pandemic

- judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic
- oversight (incl. ex-post reporting/investigation) by Parliament of emergency regimes and measures in the context of COVID-19 pandemic

- processes related to lessons learned/crisis preparedness in terms of the functioning of checks and balances

3000 character(s) maximum

No change has been identified.

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

3000 character(s) maximum

No change has been identified.

Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

3000 character(s) maximum

No change has been identified.

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

3000 character(s) maximum

No change has been identified.

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)

3000 character(s) maximum

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Follow-up by the public administration and State institutions to final (national/supranational) court decisions, as well as available remedies in case of non-implementation

3000 character(s) maximum

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D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

3000 character(s) maximum

No change has been identified.

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services.

3000 character(s) maximum

No change has been identified.

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

3000 character(s) maximum

No change has been identified.

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

3000 character(s) maximum

In 2022, the Citizens' Commissioner set up a dedicated expert group to enrich an existing public consultation guide.

The General Directorate of Development of the Ministry of Finance is preparing a platform (<https://e-consultation.gov.cy/>) where all public consultations organized by government agencies will be posted. The platform will have public consultations gathered together and at the same time there will be the possibility of an alert to update the ongoing public consultations.

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E. Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society etc.)

3000 character(s) maximum

No change has been identified.

Other - please specify

3000 character(s) maximum

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Contact

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