

2024 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 Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, four editions of the Rule of Law Report have been published in 2020, 2021, 2022 and 2023.

The Commission would like to invite stakeholders to provide contributions to the 2024 Rule of Law Report. This survey provides information on the type of information and topics that will be covered in the 2024 Rule of Law Report, in order to allow stakeholders to provide input. More targeted input may be requested at a later stage of preparation of the 2024 Rule of Law Report, including in the context of country visits, or bilateral contacts.

The 2024 Rule of Law Report will continue to deepen the assessment under the existing four pillars, and will also follow-up on the implementation of the recommendations to Member States, that were issued as part of the 2023 Rule of Law Report. The contribution to be provided should include **(1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 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 2023^[1] falling under the ‘type of information’ outlined in section II.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

[1] Unless the information was already submitted in the input 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:

A) Legislative developments

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

B) 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

C) 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[2])

D) 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.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable.

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.

[2] 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

Oxygen for Democracy

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/>

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

Nicolas

Surname

Kyriakides

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 2024 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 2024 RoL Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

As Oxygen for Democracy, we engage in activities that support the enhancement of the justice system, combating corruption, promoting media freedom, and any endeavours that advance adherence to legal principles.

Oxygen for Democracy is an independent non-governmental non-profit organisation founded in 2014 and based in Cyprus. Comprising members from diverse backgrounds such as academia, social work, politics, and various professional fields, it operates under the governance of a five-member Board of Directors. It receives guidance from a ten-member Executive Committee.

The goal is to enhance the level of public discourse in Cyprus, leading to reforms and modernisation efforts aimed at improving citizens' quality of life across various domains like healthcare, economy, education, justice, foreign policy, as well as research and entrepreneurship.

Our main projects are Cyprus Forum and Nomoplatform. 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 State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2023 Rule of Law Report and (2) any other significant developments since January 2023[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). 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.

[3] 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 2023 Report regarding the justice system (if applicable)

5000 character(s) maximum

The judiciary faces significant delays in case adjudication, including corruption cases, due to the enormous workload, lack of infrastructure and personnel, absence of a fully computerised system, satisfactory facilities, and storage space. (<https://www.parliament.cy/images/media/redirectfile/012027.pdf>) It has been reported that 80% of a judge's time is occupied by non-judicial matters, leading to delays. (<https://www.philenews.com/kipros/koinonia/article/1312112/anisichies-pds-gia-tin-kathisterisi-stin-aponomi-dikeosinis/>) The establishment of a new Court of Appeal with 16 judges, the reestablishment of the Constitutional Court and recruitment of new district court judges is a positive step. However, there remains a challenge in addressing the shortage of support staff. (<https://cyprustimes.com/astynomiko-reportaz/diorismos-16-dikaston-tou-neosystathentos-efeteiou/>, <https://www.brief.com.cy/oikonomia/kypros/aytoi-einai-oi-12-neoi-dikastes-onomata>) In January 2023, the report on an Independent Courts Service was presented. However, there has been slow progress in implementing it. (<http://www.supremecourt.gov.cy/judicial/sc.nsf/All/95162076C0C459F3C225893C002C641E?OpenDocument>). Cyprus is one of the countries with a low number of judges and a high number of lawyers relative to its population, according to the 2023 EU Justice Scoreboard. (https://commission.europa.eu/document/db44e228-db4e-43f5-99ce-17ca3f2f2933_en). The ongoing projects continue to focus on improving the quality of justice, including digitalisation efforts. However, progress has been slow. (<https://www.unic.ac.cy/school-of-law/plu/>)

The final e-justice solution (while for the last 2 years the interim e-justice, i-justice, was in place), will function in early 2024. (https://economytoday.sigmalive.com/oikonomia/kypros/73906_nea-epohi-gia-ti-dikaiosisini-xekina-apo-simera-e-justice). Trials recording will also be implemented soon. (<https://www.philenews.com/kipros/koinonia/article/1205252/dikeosini-dikes-expres-dietisies-ke-chrisi-zoom/>). Furthermore, there has been some progress on the composition of the Supreme Council of the Judicature for judge appointments. However, broader participation is lacking and the criteria for appointing and evaluating judges are not transparent. (<https://www.cyprusbarassociation.org/index.php/el/news/24637-2022-08-11-19-27-32>)

Allegations and a general perception of corruption also exist within the judiciary. (<https://www.philenews.com/kipros/koinonia/article/1252342/dikastiki-exousia-skies-gia-diafthora-ke-stin-dikeosini/>)

Efforts to enhance the autonomy of the Prosecution Service have not been fully realised, with only minimal advancements acknowledged. Discussions have started about creating an internal mechanism within the Legal Service to evaluate rulings issued by the Attorney General. Regarding prosecutorial authorities, high workload, bureaucratic delays, and a lack of expertise have led to the accumulation of cases and ineffective resolution of issues, including corruption matters. (<https://shorturl.at/dmMZ6>)

Internal problems, such as distrust and limited capability, are often exemplified by the frequent assignment of probes and reports to independent criminal investigators. (<https://www.kathimerini.com.cy/gr/kypros/porisma-aimilianidi-poiniki-dioxi-se-katsoynoto-barypointi-kai-enos-meloyis-tis-astynomias>)

The lack of a review process for the Attorney General's decisions not to prosecute or to discontinue proceedings remains one of the most serious risks regarding checks and balances in Cyprus.

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)

5000 character(s) maximum

The Attorney General and Deputy Attorney General in Cyprus are appointed directly by the President, without the need for ratification by the House of Representatives, the Judiciary, or any other authority. As a result, this often leads to the selection of individuals highly loyal to the President, who may be influenced or pressured in the exercise of their unchecked prosecutorial discretion by the President and the President's network of economic and political supporters. The Venice Commission, recognising the political susceptibility of the Cyprus Attorney General, made the following observation: "[he] is close to, and indeed an essential part of, the State machinery serving the government of the day." It is worth noting that not every president has the opportunity to appoint an attorney or deputy attorney general since they do not have a term that aligns with that of the president; instead, they serve in office until reaching retirement age.

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)

5000 character(s) maximum

Nothing substantial to report here.

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges has improved in recent years, with increased transparency. However, it remains the exclusive responsibility of the judges themselves.

Allocation of cases in courts

5000 character(s) maximum

Nothing substantial to report here.

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)

5000 character(s) maximum

There has been some advancement in the formation of the Supreme Council of the Judicature for judge appointments. However, there is a need for wider involvement and greater transparency in the criteria used to appoint and assess judges. (<https://www.cyprusbarassociation.org/index.php/el/news/24637-2022-08-11-19-27-32>)

Also the selection of judges has been a controversial topic, but lawyers have limited influence in the process. Ultimately, it is the Supreme Court that makes the final decision.

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)

5000 character(s) maximum

The evaluation of judges is extremely significant because they have complete immunity for their judicial actions, making it even more crucial to assess their work thoroughly.

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

5000 character(s) maximum

Nothing substantial to report here.

Independence/autonomy of the prosecution service

5000 character(s) maximum

IMMUNITY FROM REVIEW

Article 112(2) of the Constitution of the Republic of Cyprus establishes the Attorney General and the Law Office of the Republic, which he directs, as an "independent office and shall not be under any Ministry". According to Article 113(2), the Attorney General is granted discretionary powers to initiate, discontinue, or abstain from initiating prosecutions against any individual in the Republic. The Supreme Court of Cyprus, in its interpretation of Articles 112-113, has determined that the Attorney General's independence and discretionary authority make his powers "absolute and not reviewable," as seen in the case of *Police v. Athienitis*. The Court has emphasized that "there are no conditions or restrictions" to how the Attorney General exercises his "absolute and not reviewable" prosecutorial discretion and he can do so "without affording any reasons" –he "does not have a duty to place sufficient grounds" before the court. In essence, the Attorney General is considered "paterfamilias" (father of the nation), "the sole arbiter of public interest", and his powers "are in no way fettered". He is exempt from both parliamentary and judicial review. Following the 2023 Rule of Law report, the Attorney General's office has announced the contemplation of establishing an internal hierarchical review system. However, we believe this system would be ineffective in holding the Attorney General himself accountable given the highly hierarchical nature of the Attorney General's office in Cyprus, where the Attorney General has no equal at the highest level. In such a scenario, how could hierarchical review ensure scrutiny of the Attorney General himself? In our opinion, judicial review is imperative. Supporting this perspective, we reference Article 4(2) of the 2020/2092 EU regulation on a "general regime of conditionality for the protection of the Union budget," which states that breaches of the rule of law principles should involve effective judicial review by independent courts of actions or omissions by the relevant authorities including the prosecution service. Developments in the Commonwealth also support the need for judicial review. Articles 94 (3) and 94 (6) of the constitution of Jamaica, articles 187 (1) and 187 (4) of the constitution of Ghana, articles 72 (3) and 72 (6) as well as article 117 (8) of Fiji, bestow prosecutorial authorities in these countries with identical discretionary prosecutorial powers and independence, akin to the Attorney General in Cyprus. In the past, the supreme courts of these countries interpreted these articles as conferring immunity from any kind of review to their prosecutorial authorities (as is still the case in Cyprus). However, the Privy Council has overturned this immunity and subjected them to judicial review. A pivotal case in this regard was the *Mohit v DPP of Mauritius*. The government of Cyprus should thus ensure the adherence of our country to contemporary European and Commonwealth standards of the rule of law and accountability by subjecting the Attorney General to judicial review.

IMPOSSIBILITY OF DISMISSAL

Article 112 (4) of the constitution stipulates that the removal of the Attorney General and Deputy Attorney General should occur "on the like grounds and in the like manner as such judge of the High Court." However, an obstacle arises from subordinate regulations (Ο περί της Ενάσκησης της Πειθαρχικής Εξουσίας του Ανωτάτου Δικαστικού Συμβουλίου Διαδικαστικός Κανονισμός του 2023), making it practically impossible to dismiss the Attorney General. Article 18 of these regulations designates the attorney general to handle the litigation for the dismissal of a High Court judge but does not outline a specific procedure when the Attorney General himself is under scrutiny. This results in a legal gap, as pointed out by the Supreme Court in the *Andreas Tryfonos* case, where the Attorney General cannot simultaneously act as both the defendant and the prosecutor (<https://politis.com.cy/231533/article>). Furthermore, the Supreme

Court, in the same case, has determined that citizens are not permitted to file cases for the dismissal of the Attorney General, reserving this authority exclusively for high-ranking officials (especially the President). Nevertheless, we align with the minority opinion expressed by Supreme Court Judge A. Liatsou, contending that the promotion of public interest and transparency necessitates granting citizens the right to bring forth any valid evidence and claims they may have against the Attorney General.

The Disciplinary Power of the Supreme Judicial Council Procedural Regulation of 2023 underwent some reforms at the end of December 2023, but there is still room for further improvement.

(<https://dikaioyni.com/enimerwsi/o-peri-tis-enaskisis-tis-pitharchikis-eksousias-tou-anwtatou-dikastikou-simvouliou-diadikastikos-kanonismos-tou-2023/>)

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

5000 character(s) maximum

Ex president of the bar was overprotective of certain lawyers and very strict with others. [<https://dialogos.com.cy/ch-kliridis-kyroseis-politiki-apofasi-na-pligei-architektoniki-diacheirisis-perioysiakon/>]. The same was true for the passports scandal. Essentially he exhibited double standards. This is one of the reasons that the regulatory review for lawyers (and accountants) will probably be taken away from them rightfully. [<https://www.kathimerini.com.cy/gr/politiki/stin-kypro-to-klimakio-bretanwn-gia-tis-kyrwseis>]

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

5000 character(s) maximum

In the quantitative research conducted in 2023 on the Civil Justice system in Cyprus, regarding satisfaction with the justice delivery system, it was found that there was no significant difference compared to last year's results. The majority expressed little or no satisfaction.

The citizens believe that the most important problem in the justice system in Cyprus is corruption and the possible prevalence of "Pull Strings." There has been a significant increase compared to last year's findings; it was 36% last year, and this year it has risen to 45%. Cypriot citizens often feel that the delay in adjudicating cases is a prevalent issue. Addressing this concern would help them gain more confidence in the legal system.

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)

5000 character(s) maximum

No changes have been detected for the period being assessed.

Resources of the judiciary (human/financial/material)

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

5000 character(s) maximum

No changes have been detected for the period being assessed.

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

5000 character(s) maximum

The training seminars for Judges on the new Civil Procedure Rules that happened at the beginning of the reforms were organised by the Judicial Training School. Although they were successfully completed, it is important to note that during training with foreign instructors, more emphasis could have been placed on the Cypriot element. In future trainings, a combination of local and international trainers could better address the complexities of justice in Cyprus, ensuring that changes are implemented with sensitivity to the Cypriot reality.

(https://economytoday.sigmalive.com/oikonomia/kypros/71844_i-mehri-simera-poreia-tis-dikastiriakis-metarrythmisis)

Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

The permanent e-justice system is expected to become operational in early 2024, following the interim i-justice solution that has been in place for the past two years. (https://economytoday.sigmalive.com/oikonomia/kypros/73906_nea-epohi-gia-ti-dikaosyni-xekina-apo-simera-e-justice). Trials recording will be introduced in the near future. (<https://www.philenews.com/kipros/koinonia/article/1205252/dikeosini-dikes-expres-dietisies-ke-chrisi-zoom/>)

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)

5000 character(s) maximum

There is a significant demand to assess the performance of the judicial system and judges. Relying solely on complaints from lawyers or parties for evaluating judges in Cyprus may not be sufficient, as these complaints could also be made with ulterior motives. Therefore, it is vital to have an effective evaluation system for judicial work in addition to a rigorous appointment process. Up until recently, the assessment process depended solely on the quantity of decisions held in reserve. As a consequence this could compel judges to make rushed or flawed judgments, or even encourage them to postpone making a final decision rather than reserving it. There has been a lack of an effective assessment process as discussed earlier, and the demand for evaluation is now greater than ever following recent reforms in civil procedure rules. (https://www.kathimerini.com.cy/gr/apopseis/prosopikotites-stin-k/1-kathe-allagi-apaitei-desmeysi-kai-apofasistikotita?fbclid=IwAR1hwEx6Xpg9NieMUj9rbpWuizqPJ_7yhB2OyDo9d23bNv45b130X2k665U)

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

5000 character(s) maximum

Laws providing for Constitutional Court, Commercial Court, and Maritime Court passed. No judges were hired yet to be appointed to the two latter. There is also lack of overall specialisation in courts which is something that contributes to the delays. <https://simerini.sigmalive.com/article/2023/9/14/neo-exeidikeumeno-emporiko-dikasterio-kai-nautodikeio-beltiomeno-plaisio-diethnous-epiluses-diaphoron/>

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

5000 character(s) maximum

New Civil Procedure Rules, new judges, e-justice and other measures were correctly implemented to tackle delays. However, there is no material reduction in the average time of adjudication, especially in civil courts which is around 7-8 years. Numerous suggestions were made by lawyers and other bodies such as further use of technology, hiring of judicial clerks etc but nothing was adopted yet.

Other - please specify

5000 character(s) maximum

No changes have been detected for the year under review.

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 2023 Report regarding the anti-corruption framework (if applicable)

5000 character(s) maximum

Elected officials are now subject to partially implemented regulations on revealing their assets, which has led to significant progress. However, the voting process for the proposed laws has stalled and has been rescheduled for early January 2024, when comprehensive asset disclosure rules are expected to be voted on and subsequently implemented. Assessing the current status in achieving goals for 2023 reveals promising results, but there is still room for improvement. The President of the Parliamentary Committee on Institutions is eager to move forward with the law's vote as soon as possible. (<https://m.kathimerini.com.cy/gr/politiki/d-dimitrioy-se-2-ebdomades-anatheorimeni-protasi-gia-pothen-esxes>) . On the other hand, there has been no progress or implementation of the recommendation regarding legislation for transparent advertising expenditure. The recommendation for creating a framework to engage stakeholders in the legislative process has been partially implemented with progress seen in ongoing legislative proposals and some enhancements made to the electronic consultation platform. A relevant proposal for a law is still pending before the Legal Affairs Committee, while the e-consultation platform has not been fully implemented. Progress has been made in implementing a framework to involve stakeholders in the legislative process, with advancements evident in current legislative proposals and certain improvements made to the online consultation platform. A relevant law proposal is still pending before the Legal Affairs Committee, and the e-consultation platform has not been fully implemented.

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 and with foreign authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

5000 character(s) maximum

With the enactment of the "Law on the Establishment and Functioning of the Independent Authority Against Corruption of 2022 (Law 19(I)/2022)," the Anti-Corruption Authority has been designated as the competent authority to coordinate actions of public sector services, the broader public sector, and the private sector to prevent and combat corruption at the national level. (Law on the Establishment and Functioning of the Independent Authority Against Corruption of 2022 (19(I)/2022), https://www.cylaw.org/nomoi/enop/non-ind/2022_1_19/full.html) Since the passing of Law 19(I)/2022 in 2023, the Authority has not implemented any collaborative measures to coordinate the different services engaged in anti-corruption efforts. The Authority has faced challenges in conducting investigations into corruption complaints due to a shortage of essential staff. (For more information, see "Pogiatzis: 138 complaints before the Anti-Corruption Authority-New complaints every day," <https://shorturl.at/cnoD7>) Two foreign experts were appointed to investigate, among other things, accusations against the Deputy Attorney General. (<https://www.kathimerini.com.cy/gr/politiki/sto-mikroskopio-bretanwn-empeirognomonon-i-diafthora>). See also this regarding the spying scandal <https://oparatiritis.com.cy/2023/06/20/%CF%83%CF%85%CE%BD%CE%B4%CE%AD%CE%B5%CE%B9-%CE%B1%CE%B3%CE%B3%CE%B5%CE%BB%CE%AF%CE%B4%CE%B7-%CE%BC%CE%B5-%CE%B5%CF%84%CE%B1%CE%B9%CF%81%CE%B5%CE%AF%CE%B5%CF%82-%CF%80%CE%B1%CF%81%CE%B1%CE%BA%CE%BF/>

The police force is typically understaffed, lacks necessary equipment and specialised expertise in investigating corruption cases, and internal corruption undermines its effectiveness. (see "The Frontlines of the Police, Accumulated Problems, and the Urgent Need for Changes", <https://reporter.com.cy/article/2023/7/2/719703/ta-metopa-tes-astynomias-ta-problemata-kai-to-agnosto-plano-tes-anakampses/>) Furthermore, a prominent illustration of internal problems, limited capacity, and widespread suspicion is the frequent need for international bodies' help in investigations. ("FBI agents will assist in the investigations of Cyprus Confidential", <https://www.sigmalive.com/news/politics/1168703/praktores-tou-fbi-tha-syndramoun-stis-erevnes-gia-ta-cyprus>). There has been a suggestion to introduce body cameras on police personnel, but the official position of the Police Force was negative. (<https://www.kathimerini.com.cy/gr/kypros/astynomia-%E2%80%93-symfonoy-naxarxoy-n-kameres-stis-stoles-kai-sta-peripolika>)

The slogans "Applying zero tolerance to corruption" and "no one is above the law" are frequently echoed by political figures whenever a scandal emerges on the island. The customary damage control strategy involves appointing an ostensibly 'independent' inquiry committee to examine the specific scandal and generate a report assigning responsibility to those involved. These inquiry committee reports are then transmitted, often without being publicized, to the Attorney General, who, wielding unchecked prosecutorial discretion, holds a monopoly over initiating prosecutions and bringing wrongdoers to justice. Throughout the nation's history, despite numerous corruption scandals and the ensuing inquiry committee reports assigning blame, state officials have seldom faced legal consequences. The Attorney General's prosecutorial monopoly, deemed by the Supreme Court "absolute and not reviewable," effectively excludes both parliamentary scrutiny through the House of Representatives and judicial review by victims of corrupt practices from challenging prosecutorial decisions.

In 2022, the government of Cyprus established the Independent Anti-Corruption Authority to address

pervasive corruption on the island. Mr. Odysseas Michaelides, the Auditor General of Cyprus, has recently attempted to hold the Attorney General and the Deputy Attorney General accountable. He alleges that they obstructed police investigations and discontinued prosecutions against individuals and companies linked with influential figures in the country. Mr. Michaelides has requested an official investigation by the Independent Anti-Corruption Authority against the Deputy Attorney General and the Attorney General. However, similar to inquiry committees, the Attorney General has the authority to intervene and limit the scope of the Independent Anti-Corruption Authority's investigations. Furthermore, the outcomes of these investigations, ultimately depend on the unchecked prosecutorial discretion of the Attorney General, who remains the sole authority in the country with the power to initiate, refrain from initiating, or discontinue prosecutions.

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

5000 character(s) maximum

- Financial Intelligence Unit is controlled by the Attorney General (https://www.law.gov.cy/law/mokas/mokas.nsf/home_en/home_en?openform)
- The Independent Authority Against Corruption is basically appointed by the executive
- The Attorney General and Auditor General and their deputies are appointed by the executive and their term is infinite.
- The head of Police is appointed by the executive

In conclusion, most authorities tasked with the prevention and detection of corruption are controlled solely by the executive and no change has been made on this lack of checks and balances in 2023.

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

5000 character(s) maximum

There is no strategic anti-corruption framework and nothing was done to this end in 2023.

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)

5000 character(s) maximum

The current code of ethics regulating specific issues for state institutions is not sufficiently stringent and is only applied in a non-binding manner. Based on the background details provided earlier, the latest update is the introduction of a positive new code of ethics for Ministers, representing a significant stride in the right direction. (<https://www.philenews.com/politiki/article/1394680/aftos-ine-o-kodikas-deontologias-gia-ta-meli-tis-kivernisis/>). Moreover, penalties for breaching these regulations are typically mild and infrequent, leading to their frequent disregard. The most severe punishment for breaking the Code of Principles and Rules of Ethics for Members of the House of Representatives is a public demand for an apology, to be read from the House podium, and corrective action towards the offended party as deemed fit. (Disclosures of gifts received by members of parliament. Almost none declare the gifts they receive. <https://shorturl.at/fnCDP>). In conclusion, the code of ethics for different government institutions should be reinforced.

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)

5000 character(s) maximum

The Anti-Corruption Authority organised a half-day event on December 8th to mark the global anti-corruption day, with the support of the Transparency Commissioner of the Republic of Cyprus. This event was regarding the implementation of the law regulating lobbying. The lobbying registry opened in November 2023 in the Authority's website while the law is said that it will be enforced in February 2024. (<https://cyprustimes.com/politiki/stadiaki-i-efarmogi-tis-nomothusias-pou-afora-sto-lobigk/>)

Finally, concerning the legislation on lobbying regulation, although it was passed in 2022, the internal regulations had to be approved. Even though it was supposed to be fully implemented by January 1, 2023, the Authority only opened registrations in the lobbyist registry on November 27th, 2023. Provisions for reporting meetings between state officials and lobbyists are expected to be implemented in 2024.

(<https://www.nomoplatform.cy/bills/oi-peri-tis-diafaneias-stis-diadikasies-lipsis-dimosion-apofaseon-kai-synafon-thematon-kanonismoi-toy-2023/>, "Announcement by the Independent Authority Against Corruption regarding the gradual implementation of lobbying legislation", <https://www.iaac.org.cy/iaac/iaac.nsf/All/DFD842433A1C4D1DC2258A6700397334?OpenDocument>).

Following suggestions from GRECO and the Rule of Law reports, steps have been taken to revise the current laws regarding the disclosure of financial assets and interests in Cyprus. ("FOURTH EVALUATION ROUND-Corruption prevention

in respect of members of parliament, judges and prosecutors-ADDENDUM TO THE SECOND COMPLIANCE REPORT-CYPRUS", <https://rm.coe.int/its-fourth-evaluation-round-addendum-to-the-second-compliance-report-o/1680a72b8f>,

and "2023 Rule of Law Report Country Chapter on the rule of law situation

in Cyprus", https://commission.europa.eu/system/files/2023-07/31_1_52612_coun_chap_cyprus_en.pdf,

<https://www.nomoplatform.cy/bills/o-peri-toy-proedroy-ton-ypoyrgon-kai-ton-voyleyton-tis-kypriakis-dimokratias-dilosi-kai-elegchos-perioysias-tropopoiitikos-ar-2-nomos-toy-2021/>, <https://www.nomoplatform.cy/bills/o-peri-orismenon-dimosia-ektetheimenon-prosopon-kai-orismenon-axiomatoychon-tis-kypriakis-dimokratias-dilosi-kai-elegchos-perioysias-nomos-toy-2023/>)

The proposed laws aim to improve the current legislative framework on asset origin by addressing observed gaps and dysfunctions during implementation. The changes include enabling obliged individuals to electronically submit asset declarations, along with financial details of their spouses or partners and dependent family members. The proposed law also mandates audited individuals to disclose assets beyond real estate, such as jewelry and other valuable items valued at over €10,000 each. In addition to deposits and shares in companies, obligated individuals must also declare their cryptocurrency holdings. The voting process for the law proposals is currently stagnant. It has been rescheduled and is expected to be voted on in early January 2024, concerning comprehensive asset disclosure rules. And after that subsequently implemented. Assessing the current status in this area for achieving goals in 2023 reveals promising results, but there is still room for enhancement. The President of the Parliamentary Committee on Institutions is eager to proceed with the voting of the law as soon as possible. (<https://m.kathimerini.com.cy/gr/politiki/d-dimitrioy-se-2-ebdomades-anatheorimeni-protasi-gia-pothen-esxes>)

Political party financing is regulated by the provisions of the Political Parties Law of 2012.(Law 175(I)/2012).

(http://www.cylaw.org/nomoi/enop/non-ind/2012_1_175/full.html). The legislation is flawed and various irregularities persist without specific investigations and accountability to the relevant authorities. ("Opacity and irregularities in party contributions", <https://www.philenews.com/eidiseis/article/479054/adiafania-ke-paratipies-stis-isfores-ton-kommaton/>). A significant legislative proposal, titled 'The Political Parties Law of 2022,' was submitted amid the presidential pre-election period before the 2023 elections. Currently pending before the House Institutions Committee, its aim is to exclude contributions to political parties from legal and natural persons, with the exception of regular contributions from their members (<https://www.nomoplatform.cy/bills/o-peri-politikon-kommaton-tropopoiitikos-nomos-toy-2022/>) This legislative proposal, while significant, is unlikely to pass.

Rules and measures to prevent and address conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

Several laws include specific provisions regarding conflict of interest, despite the absence of a unified legislation regulating conflict of interest prevention. ("Law on the Regulation of Procedures for the Conclusion of Public Contracts and Related Matters of 2016 (73(I)/2016), Article 6", http://www.cylaw.org/nomoi/enop/ind/2016_1_73/section-scfd31ec7e-8868-4345-9cdf-710d0326aedc.html, or "Law on Accounting and Financial Management and Audit of the Republic of 2014 (38(I)/2014), Article 9", http://www.cylaw.org/nomoi/enop/ind/2014_1_38/section-sca8eb1c5a-72a1-42aa-ac2c-056727b5d293.html). The legal framework could be characterised as quite general, and its guidelines may be seen as flexible, failing to precisely outline the necessary actions in case of conflicts of interest.

The legislation 'on the Incompatibility with the Exercise of Duties of Certain Officials of the Republic in Certain Professional and Other Related Activities Law of 2008 (7(I)/2008),' which imposes specific restrictions regarding the work of state officials, is relevant. (http://www.cylaw.org/nomoi/enop/non-ind/2008_1_7/full.html)

Progress in this area has been limited, and the issue of conflict of interest still lacks comprehensive monitoring. Furthermore, there are currently no present intentions to implement stricter laws. A notable example is the fact that conflict of interest on a parliamentary level is regulated by a non-binding Code of Ethics that 'encourages' members to disclose any conflicts of interest. ("Code of Principles and Rules of Ethics for Members of the House of Representatives", <https://shorturl.at/epDF1>) As a result, there has been minimal to no significant progress observed in 2023.

If available to you, for the three preceding questions, you are also invited to provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

5000 character(s) maximum

The public and private sectors lack understanding of whistleblowers legislation, the lobbying legislation has not yet entered into force, and the Independent Authority Against Corruption claims to be understaffed to investigate corruption allegations and carry out its functions in general.

Furthermore, when it comes to safeguarding whistleblowers, it appears that both public and private sectors have not made the essential efforts to create internal reporting mechanisms for their staff. This requirement will become obligatory from December 17, 2023. (See Article 42 of the Law of 2022 Regarding the Protection of Persons Reporting Violations of Union and National Law (6(I)/2022).

Sectors with high-risks of corruption in your Member State:

- Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement
- List other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen/residence investor schemes, urban planning, 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)

5000 character(s) maximum

A special report published on September 6th, 2023 by the audit service investigating the process followed by Ministries/Departments/Services of the Central Government and Organisations of the Wider Public Sector revealed delays, inaccuracies in contract values, cost estimation errors, and inexperience in public contracts for Civil Engineering, Electromechanical, and Information Systems services based on international standards ISSAI 300 and ISSAI 3000. ("MANAGEMENT AUDIT OF PUBLIC CONTRACTS DELAYS, EXTENSIONS, COST OVERRUNS", <https://www.nomoplatform.cy/wp-content/uploads/2023/12/2023-09-06-Διαχειριστικός-Ελεγχος-Δημοσίων-Συμβάσεων-.pdf>)

There has been a recent decision by the Independent Authority Against Corruption regarding allegations made against the Assistant Attorney General in relation to conflict of interest. (<https://www.iaac.org.cy/iaac/iaac.nsf/All/6199A6BCC280C1E5C2258A9400253574?OpenDocument>). Three individuals were facing criminal cases for which the Assistant Attorney General registered suspension of criminal prosecution. The complaints allege that the Assistant Attorney General was amicably and professionally associated with the Defendants before his appointment. Due to this relationship, it is argued that he should have been excluded from the examination and decision on their cases if there were other motives for suspending criminal prosecution. These actions may constitute an abuse of power, which is a form of corruption. In this Complaint, the Complainant was also the Senior Police Officer.

The officer was accused of exceeding his duties by influencing the Assistant Attorney General to suspend criminal prosecution for the accused. Arriving for a deposition, the officer presented two documents to the inspection officers but refused to answer the questions, citing that the documents related to "sensitive matters". The report states that the officer's refusal was obstructive and without legitimate reason. It concludes that this behavior may constitute an offense under Article 8 (b) of Law 19(I)/2022. (https://www.cylaw.org/nomoi/enop/non-ind/2022_1_19/full.html)

Consequently, there is no indication of a corruption offense in any of the cases, either involving the Assistant Attorney General or the Police Officer. Despite this, the Authority considers that the Police Officer may have violated Article 8 (b) of Law 19(I)/2022 by refusing to answer the questions submitted to him.

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

5000 character(s) maximum

No changes have been detected for the period being assessed.

C. Repressive measures

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

5000 character(s) maximum

Addressing foreign bribery cases in Cyprus is complex due to challenges in the investigative and prosecutorial processes, including potential delays and obstacles. Issues like resource allocation, coordination among authorities, and transparency in legal proceedings contribute to this complexity. Addressing these challenges requires a comprehensive review of existing mechanisms, potential legal reforms, and enhanced collaboration between law enforcement agencies. Strengthening the treatment of foreign bribery cases in Cyprus demands a commitment to expeditious, transparent, and coordinated efforts that align with international standards and best practices in combating corruption.

Data on the number of investigations, prosecutions, final judgments and application of sanctions for corruption offences (differentiated by corruption offence if possible) including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds

5000 character(s) maximum

We have no data on the number of investigations. From what we can observe there have been fewer prosecutions on corruption cases.

The criminal case, which concerns a potential scandal revealed by Al Jazeera and events related to the exceptional naturalisation of foreign investors and business people (known as the golden passports scandal), based on the report prepared by the Nicolatos

Committee was re-filed for technical reasons in June 2023. Currently, there have been no updates regarding the progress of this case, apart from the fact that the case was withdrawn against one of the accused. (<https://www.sigmalive.com/news/local/1153163/diki-al-jazeera-ksafnika-apo-katigoroumenos-egine-dikigoros-o-pittatziis>). Also, in another case that was filed regarding golden passports, the accused were acquitted for lack of evidence and the Attorney General filed an appeal. (<https://oparatiritis.com.cy/2022/11/21/%CE%AD%CF%86%CE%B5%CF%83%CE%B7-%CE%B5%CE%B9%CF%83%CE%B1%CE%B3%CE%B3%CE%B5%CE%BB%CE%AD%CE%B1-%CE%B3%CE%B9%CE%B1-%CE%B1%CE%B8%CF%8E%CF%89%CF%83%CE%B7-%CF%83%CF%84%CE%B7%CE%BD-%CF%85%CF%80%CF%8C%CE%B8/>)

A number of other cases is said that will be filed soon regarding this scandal. (<https://www.philenews.com/kipros/koinonia/article/1406377/isigisi-gia-piniki-dioxi-grafiou-gnostou-politikou/>)

Overall, it is being said that the Attorney General's office is very reluctant to prosecute former government officials and people related to specific political parties who allegedly had a significant role to play in many of the cases. (<https://cyprustimes.com/opinion/ena-chrono-mia-trypa-sto-nero/>)

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)

5000 character(s) maximum

In 2023, there was a request to lift the political immunity of a member of parliament following alleged hate speech made on a social media post that another member of parliament made. The General Attorney's Office examined a request to revoke the political immunity of a parliament member. After reviewing all the data, it concluded that the

recent petition to the Supreme Court for lifting this parliament member's political immunity could not be supported, based on the evidence provided in the post, it was judged that there is not enough support for a case based on hate speech. (<https://www.philenews.com/kipros/koinonia/article/1369269/den-erete-i-asilia-tou-themistokleous/>)

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

5000 character(s) maximum

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Other - please specify

5000 character(s) maximum

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III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

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A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

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

5000 character(s) maximum

Editorial interference directly impacts media concentration and the lack of transparency in print and digital media ownership which weakens media pluralism. This situation has led journalists to engage in self-censorship. Nonetheless, there have been recent enhancements to the journalists' code in terms of editorial independence and journalistic ethics when dealing with sensitive matters. (<https://rsf.org/en/country/cyprus>)

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

5000 character(s) maximum

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

5000 character(s) maximum

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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)

5000 character(s) maximum

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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

5000 character(s) maximum

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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

5000 character(s) maximum

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

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Even though defamation is not a crime, the Attorney General has the authority to approve criminal prosecution of a media outlet. While there are regulatory safeguards in place for source protection and guaranteed editorial autonomy, there are limited mechanisms or procedures to safeguard journalists from political interference. Editorial work faces frequent direct interference. Private communications are protected by law, but rules on the use of interception devices remain unclear due to national security concerns. Civil libel lawsuits contribute to self-censorship and discourage investigative journalism efforts.

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

5000 character(s) maximum

There are no arbitrary detentions or murder of journalists. There are incidents of verbal attacks by state officials against the media, which affect freedom of expression. Although there are no serious physical threats or attacks, journalists are often victims of online harassment.

Access to information and public documents by public at large and journalists (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)

5000 character(s) maximum

In July a law passed that made the ownership of media even less transparent while there was no coverage in the media regarding this law in the days before it passed. (<https://www.nomoplatform.cy/bills/o-peri->

radiofonikon-kai-tileoptikon-organismon-tropopoiitikos-ar-4-nomos-toy-2021/) There is also discussion now regarding the stance of Cyprus in the contemplated EU regulation 2010/13/EU. (<https://reporter.com.cy/article/2023/12/15/748789/anoikte-epistole-edd-gia-parakoloutheseis-demosiographon-kai-proteinomeno-kanonismo/>)

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

5000 character(s) maximum

There are allegations of state surveillance and hacking into the devices and electronic archives of a journalist who published a book about corruption; however, the police investigation failed to produce any results.

Other - please specify

5000 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 2023 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

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A. The process for preparing and enacting laws

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

[1] This includes also the consultation of social partners

5000 character(s) maximum

Creating a framework to engage stakeholders in the legislative process has seen partial implementation, with progress evident in ongoing legislative proposals and some enhancements made to the electronic consultation platform.

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)

5000 character(s) maximum

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

5000 character(s) maximum

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Regime for constitutional review of laws

5000 character(s) maximum

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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#>)

5000 character(s) maximum

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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

5000 character(s) maximum

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C. Accessibility and judicial review of administrative decisions

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

5000 character(s) maximum

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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)

5000 character(s) maximum

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Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

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

5000 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)

5000 character(s) maximum

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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

5000 character(s) maximum

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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)

5000 character(s) maximum

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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.)

5000 character(s) maximum

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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, education initiatives etc.)

5000 character(s) maximum

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Other - please specify

5000 character(s) maximum

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Contact

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