

8 December 2021

Modernisation of Civil Procedure Rules in CY

Closing event - Speech for Deputy Director B of DG REFORM

Honourable Minister of Justice,
Honourable President of the Supreme Court, Justice Panayi,
Distinguished guests and speakers,

Dear colleagues,

It is a great pleasure for me to participate to this event today, celebrating the successful completion of a very important project that supported judicial reform in Cyprus and more specifically the modernisation of the Civil Procedure Rules.

On a personal note, allow me to say that I am particularly pleased to be physically with you today – among colleagues and now friends – after such a long time and after quite some effort to get here, given the overall situation that we know by now way too well. Allow me to share the professional importance and the personal consideration that I pay to this project, that I have been following since its beginning, with its ups and downs, whose successful completion is ahead of us today! And whose celebration I wouldn't have missed for a thing!

The new Civil Procedure Rules that were adopted a few months ago by the Supreme Court of Cyprus, represent a fundamental contribution to the ambitious reform process undertaken by the Cypriot authorities and more precisely by the Supreme Court with a view to improving the court system and strengthening the efficiency of justice. As the Director of Reform and Training, George Erotocritou, explained earlier, the adoption of the new Civil Procedure Rules is part of a long reform journey that was initiated back in 2016, with the European Commission – through its Directorate General for Structural Reform Support (DG REFORM) – providing technical support, through several projects, to the Cypriot authorities and the Supreme Court in this pivotal, multi-faceted and complex reform of the court system, including thus the modernisation of the Civil Procedures rules.

Throughout this process of reviewing the civil procedure rules, the fundamental objective has been and still is to enable the courts, through new and modernised rules, to deal with cases justly, at proportionate cost and more speedily and efficiently than under the previous rules, making thus the justice system faster and fairer, not only for judges and lawyers but for the whole society of and in Cyprus.

As mentioned by Commissioner Ferreira in her message, but also as illustrated in the 2021 Rule of Law report and the EU Justice Scoreboard, effective justice systems are essential for upholding the rule of law and the values upon which the EU is founded. The rule of law is not only an integral part of the democratic identity of the EU and of its Member States, but it is also essential for the functioning of the EU, and for citizens and businesses to trust public institutions.

While Member States have different legal systems and traditions, the core meaning of the rule of law is the same across the EU. The key principles of the rule of law are common to all Member States- legality, legal certainty, prohibition of the arbitrary exercise of executive power, effective judicial protection by independent and impartial courts respecting fundamental rights in full the separation of powers, permanent subjection of all public authorities to established laws and procedures, and equality

before the law are enshrined in national constitutions and translated in legislation. In parallel, efficient justice systems are essential for implementing EU law.

National courts act as EU courts when applying EU law; they ensure in the first place that the rights and obligations provided under EU law are enforced effectively. During a year marked by a profound global health crisis, EU justice systems have been put to the test and the importance of effective justice systems for the rule of law and the protection of fundamental rights has been clearly demonstrated. In particular, especially in the first phase of the pandemic, there were interruptions or delays in the handling of cases and court proceedings leading to significant additional backlogs in courts in a number of Member States.

In this context, the new Civil Procedure Rules are important not only for Cyprus but for the EU in general. Needless thus to demonstrate further our common interest in having a performing judicial system in Cyprus and in the EU. We are confident that the introduced changes as they were presented by the President of the Rules Committee, will improve the efficiency of the courts in Cyprus, making the system faster and fairer, thus contributing to strengthening the rule of law in Cyprus and speeding-up justice, ensuring social fairness, favorable investment conditions and supporting the sustainability of growth.

In our views, these new rules constitute an outstanding achievement and an excellent starting point and should be treated as a living document that must regularly adapt to the reality of the Cypriot society according to the arising needs and circumstances.

Let's not wait another 60 years or so for the next massive reform.

I certainly will not be at the best of my intellectual capacity by then.

Acknowledging the importance of the judicial reform, the Commission has never stopped supporting Cyprus in this pivotal reform effort and we all feel proud for having contributed to this endeavor. It is a beautiful and rewarding feeling. Thank you for making me part of it.

On behalf of the Commission, I would like to praise the Cypriot authorities and relevant stakeholders, including the experts, for their determination and commitment in leading this complex process. I think we have a tangible example of resilience here!

I would like to acknowledge the fundamental role played by the Supreme Court, by its President and by the members of the Rules Committee thanking all and each one separately for the excellent cooperation during all these years.

Allow me a special professional and personal consideration and thought for the Director of Reform and Training, Judge Erotocritou, George, I will not exaggerate by saying that without your personal resilience, your encompassing and optimistic vision of the reform your strenuous efforts in conditions not always "easy" without your amazing flair and competence well, we would not be here today with these results.

I would like to thank particularly the Council of Europe for the resilience demonstrated in the design phase of our project. We are not always the easiest clients on the planet, I admit, as well as for your professionalism during the implementation.

Last but not least, an immense epharisto poli goes to my team, Adamantia in primes, who always believed in this project who brought it to maturity on our side with competence serenity and above all, passion. And to our colleague and friend Sébastien who was second to none in appreciating the importance of this reform in supporting it in pleading your case and contributing to its achievement. He would have deserved his place with us today. Probably even more than me. But the situation being what it is, he couldn't join us today. Reform is not an easy process, but Cyprus has proven that it is something doable. And that the journey is at least as rewarding as the destination.

Thank you for your attention!