**Short Introduction**

The current Civil Procedure Rules, as most of you know, were introduced in the 1950s. Since then several attempts have been made to review them, but they did not materialize into anything concrete.

I remind you of the Stavrinakis Report, which was the first serious attempt to draft new Rules, which incidentally were also based on the English Rules, but were not accepted by the Supreme Court.

The second attempt was made by a four-member Committee of the Supreme Court, which tried to review the existing Rules. The Committee made suggestions to the Supreme Court, but again the suggestions were not accepted.

The third attempt was made soon after, around 2012, when the Supreme Court decided to review the current Rules itself and at the same time attempt to translate them. After several very long meetings, it was apparent to everybody that it was not an easy task and the attempt was abandoned and the Supreme Court proceeded to amend mainly Order 30, which concerned the management of cases.

A few years later the backlog of cases increased dramatically and everybody realized that something had to be done urgently. It was obvious by then, that the system was collapsing and could not cope with the increasing demands of the economy and society.

The Supreme Court in order to seek Technical Assistance from the EU, decided to codify the main problems that the courts were facing, as at that time. On the basis of a Report that was issued by the Supreme Court in 2016, Technical Assistance was obtained from the European Commission.

The first funded project was the Functional Review. One of the recommendations of the experts was the urgent review of the Civil Procedure Rules. All stakeholders agreed with the experts that this was vital to the general reform that was undertaken.

As most of you know, the expert team that was to review the Rules, was led by Lord Dyson. At the same time the Supreme Court formed a ten-member Rules Committee, which later was increased to eleven. The Committee’s initial task was to review and comment on the drafts produced by the Dyson team of experts and at the second phase to review the Rules again, fill in the Missing Chapters and to oversee the accuracy of their translation into Greek.

The eleven-member Rules Committee consisted of 5 Judges, 5 Lawyers and 1 Registrar. The Committee was chaired by Mrs Persefoni Panayi then a Justice of the Supreme Court and today its President. Deputy President was Justice Yiasemis. There were also three Judges from the District Court namely Mr Nicolas Santis, President of Court, who is also the President of the Judges Association of Cyprus, Mrs Marina Papadopoulou, President of Court and Mrs Georgia Korfioti, Senior District Judge. The other members of the Committee were Dr Achilleas Emilianides, Mr Agis Georgiades and Mr Nicos Makrides, representing the Cyprus Bar Association, Mrs Theano Mavromoustaki, representing the Attorney-General’s Office, Dr Marcos Dracos who came from private practice and Mrs Marina Eleftheriou, a Senior Registrar.

Lord Dyson in his Report described the work of the Committee as *“Thorough and detailed and the insights and wise counsel that they have provided, enabled the expert group to develop these Guiding Drafts”* (June 2019).

The Lawyer members of the Rules Committee had a continuous and constructive involvement throughout the review procedure. Over and above this, a public consultation was arranged and several lawyers from private practice as well as ordinary citizens sent their views to the Experts who took them into account before finalizing the Guiding Drafts.

The Dyson team of experts drafted the final Guiding Drafts in English and they delivered them to the Supreme Court in June 2019.

The Supreme Court accepted the Guiding Drafts *“in principle”*, in order to allow the procedure to proceed to the second phase, which was for the Rules Committee to review and oversee the accuracy of the translation of the Rules in Greek, so that they become Cypriot ownership.

The European Commission through DG Reform once again provided funding for the new project.

The Council of Europe was chosen as Project Managers on behalf of the Commission and myself on behalf of the Supreme Court.

The first task that we had to attend, was to choose the experts who were to translate the Guiding Drafts and place them before the Rules Committee.

The Council of Europe following its procurement procedure selected a Cypriot Lawyer, Mr George Colocassides and his team to do the translation.

The linguistic review was assigned to Dr George Georgiou, legal linguist, who undertook the work *pro bono*.

There were certain Parts of the Rules that for various reasons, were not completed by the Dyson team of experts. This was mainly due to the uncertainty that was created as a result of several Reform Bills concerning Admiralty, the Commercial Court and the Creation of a new Court of Appeal, that were still pending before Parliament.

As a result, the President of the Rules Committee Justice Panayi had to undertake the drafting of the Admiralty Rules, whilst the drafting of the Commercial Court Rules, as well as the Rules relating to Appeals, was undertaken by Justice Yiasemis, Deputy President of the Rules Committee.

As Mrs Panayi will explain later on, the Admiralty Rules, after they were drafted and before they were finalized, were discussed with an Advisory Group of Admiralty practitioners that was formed for this purpose. The group consisted of Mr Andreas Haviaras, Mr Andreas Yiorkatzis, Mr Yiannis Christodoulou, Mr Petros Iacovides and Mr Yiannis Papapetrou, who offered their expertise *pro bono* and I thank them for their invaluable contribution.

The translation of the Admiralty Rules and Forms was assigned by the Council of Europe by procurement to advocate Mr Akis Montanios.

The Forms which accompany the Rules were one of the missing chapters that were not drafted by the Dyson team of experts. The Council of Europe contracted an English Barrister to draft the Forms, but he was forced to abandon the project due to ill health. This was a major setback in terms of time.

Fortunately members of the Rules Committee immediately volunteered to assist. They were Judges Marina Papadopoulou and Georgia Korfioti and private practitioners Mr Agis Georgiades and Dr Marcos Dracos. Mr Angelos David, President of the Forms Subcommittee and Mrs Rafaella Hadjikyriakou of the Council of Europe, also assisted substantially in the drafting of the Forms.

Mrs Rafaella Hadjikyriakou was kind enough to also complete within a very short period of time, the translation in Greek of all the Forms, except those relating to Admiralty, which were translated by Mr Montanios.

Finally, the Rules Committee drafted Part 45 but there was a need to carry out a compatibility check with the European Directives relating to European Procedures. This was undertaken *pro bono* by a team headed by Mr Constantinos Kombos, Assistant Professor at the University of Cyprus.

The Supreme Court, the Rules Committee and myself wish to thank all the above persons for their invaluable expertise and contribution in the final review and translation of the proposed Rules. Without their support, we would not have been able to complete the project in time.

It would be a great omission if I did not specifically thank Justice Panayi, the President of the Rules Committee and today the President of the Supreme Court, as well as the Deputy President, Justice Yiasemis and all the members of the Rules Committee, who in the middle of the pandemic and under very tight time constraints, they spent months on end to check not only the accuracy of the translations, but also to review each Rule in substance, in order to ensure that the Rules are practicable and workable.

I would like to extend special thanks to the four members of the Rules Committee, who although are private practitioners, they declined to accept our offer for remuneration for their hard work and the endless hours they put into the project. I am referring to Dr Achilles Emilianides, Mr Agis Georgiades, Mr Nicos Makrides and Dr Marcos Dracos.

My warmest thanks also go to Mrs Theano Mavromoustaki, Senior Counsel of the Republic, who represented the Attorney-General’s Office in the Rules Committee, as well as Mrs Marina Eleftheriou, Senior Registrar for their invaluable contribution to the work of the Rules Committee.

Lastly, I wish to thank DG Reform for funding this very important project and especially its representatives, Mr Sebastien Renaud and Mrs Adamantia Manta, for their constant support and encouragement, especially during the difficult stages of the project.

My thanks also go to the representatives of the Council of Europe, Mrs Elena Yurkina and Mrs Rafaella Hadjikyriacou, for the excellent relationship we had in the management of the project. Although Rafaella joined the project halfway through, she was always ready and willing to undertake new assignments, in order to facilitate the meeting of today’s deadline.

The project to review and translate into Greek the proposed Civil Procedure Rules, was by far the most difficult and strenuous of all six projects that I was involved in.

If the proposed Rules are finally approved by the Supreme Court, I believe that they will provide a unique opportunity to the courts to face the challenges of the 21st century.

In order to make sure that the Rules, after they are approved, are updated on an annual basis, we will place before the Supreme Court a suggestion that the Rules Committee evolves into a Permanent Rules Committee, whose task would be to make sure that the Rules remain practicable and workable and that all problems that may arise are solved immediately.

I am certain that the proposed Rules will greatly improve the efficiency of the justice system and especially the management of cases and the speedy trial of disputes.

However, I believe that what is primarily needed is a **change of culture**, both by Judges and Lawyers. Without a change of culture, the proposed Rules will not achieve the desirable result.

George Erotocritou

Former Supreme Court Judge

*Director of Reform and Training* Nicosia

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