

1. INTRODUCTION

During the 3rd Symposium of the Procedural Law Unit at the Law School of the University of Nicosia, discussions emphasised the critical need for modernising court operations to align with global advancements. The conference, titled “The Court of the 21st Century: Personnel and Equipment”, served as a platform for identifying challenges and proposing actionable solutions for the Cypriot judicial system and beyond. Building on the foundation laid by previous symposia, this event focused on key aspects of court functionality, including the integration of technology, efficient resource management, and the professional development of judicial personnel.

Participants in the symposium included a diverse array of collaborators, such as lawyers, academics, and institutional actors, who brought a wealth of expertise to the discussions. The inclusion of empirical research findings and insights from distinguished studies enriched the dialogue, enabling a nuanced understanding of the structural and operational challenges faced by Cypriot courts. Speakers presented innovative approaches to case management, the adoption of digital tools for court procedures, and strategies to improve the work environment for court personnel.

The event emphasised fostering a collaborative exchange of ideas, encouraging attendees to reflect on the broader implications of reform in the judicial sector. Through panel discussions and interactive sessions, participants were able to dissect pressing issues, such as delays in justice delivery and the adaptability of current court practices in a rapidly changing world.

Key discussions included the functionality of courts in a rapidly evolving world, the necessity for updated infrastructure, and addressing issues like delayed justice and corruption. Insights from a quantitative survey revealed widespread dissatisfaction with the justice system, with concerns over corruption and inefficiencies being prominent.

Prominent speakers, including experts from the European Commission and the Council of Europe, contributed to the dialogue, and proposals were made to address these challenges effectively.

Ultimately, the symposium aimed to generate actionable recommendations, bridging theory and practice to ensure that Cypriot courts can meet the de-

mands of the 21st century. By encouraging dialogue among key stakeholders, the event contributed to shaping a roadmap for the systematic enhancement of court infrastructure and personnel capabilities, paving the way for a more efficient and modern judicial system in Cyprus.

The Annual Symposium of the Procedural Law Unit is gradually becoming a tradition for the public discussion around justice reform in Cyprus. Lawyers, academics, judges and others interested in the administration of justice from Cyprus and beyond join the event every year for a valuable exchange of ideas which thereby feed the decisionmakers in further enhancing the judicial reform in Cyprus.

2. WELCOME ADDRESSES

2.1 The Judicial Reforms that strengthened transparency and accountability

The conference opened with a speech from Mr. Nikos Tornaritis, President of the Parliamentary Committee on Legal Affairs. Mr. Tornaritis underscored Cyprus' significant achievements, particularly highlighting the constitutional reforms that have marked a crucial step forward in establishing a swift, high-quality, and effective justice system for its citizens. The outdated, inefficient system, previously plagued by delays as reported by the European Union and evident in Cypriot reality, has been left behind. The introduction of three key legislative bills has ushered in a third degree of jurisdiction, fostering greater transparency and accountability. Specifically, these reforms have established an appellate court with 16 judges, a new supreme court, and a supreme constitutional court, staffed with seven or nine judges respectively.

Mr. Tornaritis emphasised that the reorganisation at the highest level of the judiciary has not only expedited the delivery of justice but also bolstered transparency, control, justification, and accountability. Justice, he stressed, should not only be prompt but also of high quality and transparent, thereby fostering trust among citizens. He firmly believes that this reorganisation has laid a solid foundation for future advancements. Despite these achievements, challenges remain, and Cyprus continues to draw scrutiny from Europe for the time taken to resolve cases, highlighting the need for further improvements.

A key focus for Mr. Tornaritis is the digitalisation of the judicial system. He advocates for Cypriot courts to not only adopt but also anticipate and shape digital advancements. This necessitates a comprehensive overhaul of the system in specific areas. In terms of digitalisation, there is a need to blend traditional legal thought with an understanding of new technologies. Judges must be proficient not only in justice but also in areas such as cyber law, privacy, data protection, and digital justice.

Addressing the necessity of modernising courtrooms, Mr. Tornaritis noted that integrating technology can significantly enhance the efficiency of legal proceedings. However, he cautioned that this technological integration must be

carefully managed to ensure it aligns with legal processes. The moral implications of technology on justice cannot be ignored, and the use of technologies such as artificial intelligence in legal proceedings must be approached with awareness of potential transparency and legislative issues.

In conclusion, the legal reforms in Cyprus are a testament to the country's commitment to upholding the rule of law and improving its legal system. These reforms, influenced by both local legal traditions and the broader European context, aim to create a more efficient, transparent, and just legal system. As Cyprus continues to implement these changes, it is crucial to maintain a steadfast focus on the needs and rights of its citizens, ensuring that the legal system serves justice and the public effectively.

2.2 Emphasis on confidentiality issues when incorporating new technologies

Ms. Louiza Christodoulidou-Zannetou, the Law Commissioner of Cyprus highlighted that the rapid technological advancements and transformative changes of the current century necessitate adaptation across all institutions, including the judiciary. Judges must leverage technology to mitigate delays, enhance transparency, and improve efficiency within the judicial system. This involves implementing modern case management systems and establishing secure communication channels.

Addressing the historical challenges faced by Cypriot courts, Ms. Zannetou noted that these issues rendered the judicial system inadequate for the 21st century. Between 2015 and 2016, the Supreme Court, in collaboration with the Cyprus Bar Association, the Ministry of Economics and Justice and Public Order, foreign experts, and other bodies, initiated significant reforms to avert system collapse. These reforms included the introduction of modern technology, new Civil Procedure Rules, and practices to streamline judicial processes, as well as the implementation of electronic case management systems.

Ms. Zannetou underscored the timeliness of the symposium, coinciding with the forthcoming launch of e-Justice on December 18. This highly anticipated development will enable the electronic registration of documents at all stages of the judicial process, thereby facilitating the work of judges, registrars, and law-

yers. The recent introduction of new civil procedure rules further supports the expedited administration of justice.

The first phase of electronic justice commenced in July with the temporary i-Justice system, which is now transitioning to e-Justice. The pandemic accelerated the necessity for this system to sustain the administration of justice. The integration of technology aims to simplify previously time-consuming and bureaucratic procedures. By 2025, the application of audio-digital recording of court proceedings will further contribute to the digital reform of the courts as part of the recovery and resilience plan.

Ms. Zannetou emphasised the critical importance of integrating new technology into the judicial system with due consideration to confidentiality, secrecy, and cybersecurity. It is essential to implement robust protective measures to safeguard personal data and bolster public trust in the judicial process. This includes establishing strict safety standards, continuous risk monitoring, cybersecurity training for judicial personnel, and developing data recovery protocols.

Moreover, Ms. Zannetou stressed that the integration of new technology should not marginalise the administrative and clerical staff of the courts and law firms. These individuals are integral to the effective administration of justice and the overall judicial infrastructure. Therefore, continuous technological training and ensuring the synergy of human resources and new technologies are imperative.

In conclusion, Ms. Zannetou expressed confidence that the discussions and analyses during the symposium would yield significant insights into the effectiveness of the social framework and underscore the necessity for further improvements in the Cypriot justice system to fully meet the demands of the 21st century.

2.3 The need to enhance justice for the economic influence of a state

The President of the Cyprus Bar Association, Mr Michalis Vorkas, elaborated on the findings of the 2023 EU Justice Scoreboard. According to the latest 2023 EU Justice Scoreboard, Cyprus is at the bottom in the European Union regarding expenditures on the justice system. These perennial issues have gradually

worsened over time, leading to significant delays in case settlements. Consequently, this affects the validity of justice, with negative implications for society, the economy, and the rule of law. Despite repeated identification of these problems in reports and public debates, effective solutions have yet to be implemented.

The operation of the new judicial structure at the highest level in July marks a critical milestone in the ongoing modernisation efforts. The implementation of the new Civil Procedure Rules (CPR) from September, alongside the introduction of iJustice and now eJustice, are significant steps towards this goal.

Mr Vorkas highlighted the necessity for executive and legislative powers to contribute to the reform process by providing necessary resources to reduce backlog and improve speed without compromising quality. Constructive dialogue among all cooperating authorities is essential for meaningful reforms. Emphasising the importance of citizen awareness, the speaker underscores the need for public understanding of the judicial system's functioning. Effective access to justice is crucial, as indicated by the European Commission's reports on the efficiency of justice. As expressed by Mr Vorkas efficient judicial systems are vital for economic stability and investor confidence. Judicial decisions made and implemented within a reasonable timeframe establish a favourable business environment. The judiciary's efficiency directly contributes to trust and stability, which are fundamental for economic cycles.

Mr Vorkas outlined several key proposals to enhance the judicial system: 1. Improvement of court facilities and infrastructure. 2. Monitoring the progress of the new Nicosia courthouse. 3. Introduction and utilisation of new technologies to improve court operations and citizen interaction. 4. Implementation of an Independent Court Service. 5. Rationalising judges' workload for better efficiency. 6. Enhancing the organisation of court administration to ensure orderly and efficient functioning.

Investing in judicial training and promoting professional excellence are essential. Additionally, the institution of arbitration and mediation should be advanced to offer alternative dispute resolution methods, alleviating the burden on courts. Increasing the number of judges alone is insufficient; out-of-court dispute resolutions, such as mediation, must also be pursued.

The judicial system model should integrate classic values with contemporary elements to meet modern challenges. The state should ensure effective organisation and infrastructure, respecting judicial independence and decisions. Judges must adhere to strict judicial ideology, accountability, and legislative compliance while maintaining judicial tradition and institutional memory. This integrated approach will help create a judicial system that is both efficient and responsive to the needs of the 21st century.

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Building on the importance of training and mediation, the judicial system model should integrate classic values with contemporary elements to meet modern challenges. The state should ensure effective organisation and infrastructure, respecting judicial independence and decisions. Judges must adhere to strict judicial ideology, accountability, and legislative compliance while maintaining judicial tradition and institutional memory. This integrated approach will help create a judicial system that is both efficient and responsive to the needs of the 21st century.

Mr Vorkas stressed the importance of the role of the Cyprus Bar Association, which is committed to exerting pressure for reforms. Scheduled meetings with key stakeholders, including the President of the Republic, the Legal Committee of Parliament, the Ministry of Justice, and the Supreme and Constitutional Courts, aim to strengthen cooperation and address the judicial system's challenges.

In conclusion, Mr Vorkas reiterated the duty of all justice-serving institutions to meet modern challenges and address the needs of officials and citizens. Recognising significant advancements, the speaker encourages further progress, emphasising that new technological and procedural changes should be seen as opportunities rather than obstacles. Through collaborative efforts and continuous improvement, the judicial system can fully align with the demands of the 21st century, ultimately benefiting society as a whole.

2.4 The importance of implementing an effective system for evaluating judges

Regarding the topic of the conference, The Dean of the University of Nicosia Law School, Professor Achilleas Emilianides made several key observations. He started by emphasising that the structure of the judicial system is fundamentally broken. He pointed out that the essence of the judicial process lies in the first-instance courts, not the Supreme Court or the court of appeal. Despite the ongoing debate about the success of reforms in higher courts, he chose not to comment on that but stressed the need for a significant effort to upgrade district and other preliminary courts. This is where the core of the judicial process and daily operations take place.

In Cyprus, Mr. Emilianides highlighted that there is no real appeal process as known elsewhere; the so-called appeals are essentially limited by law, with the court of appeal's scope being very narrow. The court of appeal typically refuses to delve into the findings of the first-instance courts. Consequently, the importance of first-instance courts is much greater than that of the higher courts. However, the discussion about judicial reforms over the past decade has focused more on higher levels of justice rather than on the lower levels.

He noted that there are significant problems with the infrastructure of the judicial system that remain unresolved. From simple issues like the delay in lawyers receiving their expense lists, especially in Nicosia, where delays can extend up to a year and a half, to the timely provision of trial records. In England, for example, trial records are provided on the same day with a detailed index, whereas in Cyprus, even after a trial has ended, records are often not available, leading to discrepancies in what was said or not said during the process.

Mr. Emilianides pointed out that the problem of not having trial records available for appeals creates significant issues. For instance, only the examination and cross-examination records are available for appeals, but not the arguments, which often leads to problems when points were not analysed in the original procedure. This lack of comprehensive records results in practical issues that complicate the judicial process.

He emphasised the importance of addressing these practical, everyday issues, which are more significant than broader reforms. The delays and ineffi-

ciencies in handling cases affect the daily operations and require immediate and practical solutions.

Mr. Emilianides also touched upon the issue of judicial selection. Despite extensive debates in the past, there is no actual participation of judges in their selection process. The selection is entirely in the hands of the Supreme Court, and there is no practical record of the selection criteria or the process, unlike in other public service sectors where such records are maintained.

He argued that the system of judicial evaluation and selection needs much improvement. The current system, which evaluates judges based on the number of decisions upheld, forces judges to make decisions that may not always be just. This system cannot solely rely on objections or complaints, which can be misused to serve other interests. Therefore, a robust evaluation system is crucial for improving judicial performance and ensuring justice.

Mr. Emilianides believes that the academic community, judges, the judicial authority, the state, and the general public, who are the ultimate judges of the system, must collaborate to improve the justice system. He stressed the importance of asking tough questions and seeking continuous improvement in the judicial process, not as an act of denial but as a commitment to bettering the system for society and its economy.

In conclusion, Mr. Emilianides welcomed everyone to the newly inaugurated studio and expressed hope that the conference would serve as a forum for practical actions and further discussions to strengthen the bonds within the judicial community.

3. KEYNOTE SPEECH

3.1 The (Post)Modern Notion of a Court: A Paradigm Shift Exploring a New Cross-Cultural Meaning for Courts in the 21st Century

The event continued with a keynote address by Dr Alan Uzelac, Professor of Law and Head of the Department of Civil Procedure at the University of Zagreb.

Professor Uzelac addressed the question of whether there is a new cross-cultural meaning for a court in the 21st century, by examining the different connotations that have historically been associated with the notion of a court. In contemplating whether there is a new cross-cultural meaning for a court Professor Uzelac delved into seven different layers encapsulated in the concept of a court

The court as a place

The first and most traditional layer views the court as a place. This spatial connotation as Professor Uzelac indicates is present in the English word “court” as well as the Latin word “forum” both of which denote a place. Historically, a forum was a public or semi-public space where citizens gathered, life unfolded, and crucial decisions were made and announced. Today, the word “court” is still often understood as a distinct location, a purpose-built court building where justice is dispensed. This layer underscores the territoriality and physicality associated with courts, although civil justice is evolving, prompting courts to transform accordingly. The distinction between a court as a physical location and its other meanings is often emphasized to reflect this evolution.

The court as a community

The second layer, while partly connected to the first, is distinct in its emphasis on community. Historically, just as the Roman forum was a place where the community gathered, the original understanding of a court was also linked to the idea of a community. The etymology of the word “court” or “cour” in French traces back to the Latin expression “cohors,” which refers to a group of people living or serving together in a military unit. This layer signifies that courts reflect social values and must enjoy popular trust. This trust can be achieved through decisions that have democratic legitimacy or other methods ensuring that courts align with popular beliefs and customs. The notion of a court as a

community also underscores the need for courts to work in the interest of the community, providing solutions to conflicts, often through compromise, negotiation, or mediation.

The court as an administrative Institution

The third layer, more recent in nature and partly contrasting with the previous one, views courts as closely linked with secular power and nation-states from the 14th to the 20th century. In this context, courts hold “imperium” or authority. Technically, this layer understands courts as administrative institutions, organisations that host judges and ancillary staff who participate in state government functions. This perspective sees courts as part of a hierarchically organised judiciary, highlighting their role in the broader administrative framework of governance.

The Function of Courts: Adjudication and Human Rights

The next layer explores the fundamental function of courts and their essential purpose. In Europe, every code of procedure, especially in civil matters, recognises courts as individual bodies or tribunals performing specific duties reserved exclusively for judges. When a body acts as a sole judge, it becomes an iudex, a judge with the solemn responsibility and social privilege of exercising jurisdiction to resolve civil disputes or impose sanctions in criminal cases. This critical function is not merely organisational but involves the arduous and accountable task of adjudication, undertaken by courts as judicial bodies. Today, the right to a court, the right to have a case decided by an independent and impartial tribunal, is enshrined in human rights guarantees such as Article 6 of the European Convention on Human Rights and Article 47 of the European Charter of Fundamental Rights.

The Court as Auctoritas: Legal Authority

In this layer, the court assumes the role of auctoritas - the legal authority. As the only institutionally sanctioned body with the right to be right, the court acts as both interpreter and sometimes creator of law. In this capacity, the court functions as an agent of the government but is distinct from other branches of state power. While the legislature drafts laws, courts are the ultimate authority that gives meaning to these laws, contextualising abstract rules within the concrete realities of daily life. Though everyone must obey and interpret the law,

only courts, particularly the highest courts, have the authoritative and sometimes binding power to interpret the law definitively.

Courts as Public Service Providers

Moving towards a future-oriented perspective, this layer positions civil courts within the realm of public service, akin to health or education services. Courts have a mission, officium and a public duty to serve society. This layer emphasises that courts, in many aspects of their work, must serve rather than rule. To justify their existence, courts need to provide valuable services to their clients. Citizens engaging with the judicial system should be treated as users, not merely as subjects of court actions. To effectively serve their users, courts must meet pressing social needs, highlighting the importance of this service-oriented approach in the 21st century.

The Enduring Principle of Justitia: Justice

Lastly, and most importantly, is the enduring layer of justitia - justice. Courts must not only deliver decisions that are lawful, functional, efficient, and timely but also ensure that these decisions are fair and equitable. Equitable solutions are achieved when courts maintain a balance, the scales of justice must be even, and the adjudicator must be independent and impartial. At the individual case level, this balance ensures fairness in decision-making. At a broader level, it ensures that courts uphold the system of checks and balances, supervising and moderating other branches of government to prevent arbitrary and uncontrolled exercise of power.

Main Features of 19th and 20th Century Courts

Professor Uzelac mentioned that in order to understand what courts should be in the 21st century and in order to appreciate the need for modernisation and adaptability in the 21st century judiciary, it is essential to examine the main features attributed to courts in the 19th and 20th centuries, particularly from the perspective of civil justice, thus, he briefly outlines some of these characteristics.

State-Centered and Hierarchical Structure

Firstly, courts during the 19th and 20th centuries were conceived as state-centered bodies established to prevent self-help and maintain order. They were

seen as a branch of state power, organised hierarchically and bureaucratically. This structure emphasized the authority of the state in dispute resolution and reinforced the formal, institutional nature of the judiciary.

Litigation as the Default Function

Secondly, the primary function of these courts in the civil sphere was litigation, viewed as the standard method of dispute resolution and the principal means of accessing justice. The main focus within courts was adjudication—applying the law to established facts correctly. Other values, such as the satisfaction of interests or effective dispute resolution, were secondary or even non-existent.

Individual Dispute Processing

Courts were also seen as venues for processing individual issues, such as disputes between individuals and legal entities or non-contentious matters. Collective forms of relief were rare or sporadic, indicating a focus on individual rather than group justice.

High-Level Professionalism and Low-Tech Activity

Most key activities in courts, and civil justice generally, were performed by high-level professionals such as judges, lawyers, and notaries. Court work was exclusively conceived as a low-tech, human activity focused on case processing. The required qualifications primarily included legal education and, occasionally, classical education in social sciences and humanities. Technical knowledge and the use of high technology were generally disregarded, despised, or even prohibited.

Uniform Procedural Tracks

Another feature of the old understanding of civil courts was the creation of a single procedural track for all types of cases, known as the one-size-fits-all procedure. This model assumed a single procedure with only minor, usually insignificant variations. The focus was on achieving correct outcomes rather than on proportionality, with little attention given to whether the time and costs involved corresponded to the social usefulness and rationality of the results achieved.

Rigidity and Lack of Flexibility

The central focus of court procedures was on elaborate technical rules contained in extensive civil procedural codes, offering little flexibility for adjusting

procedures to the needs of specific cases. This rigidity often hindered the ability to address the unique requirements of different types of cases effectively.

3.2 The Main Trends of Transformation of Civil Justice Systems in the 21st Century

Professor Uzelac highlighted seven significant processes that signify almost a metamorphosis in civil justice systems:

1. **Interconnectedness of Systems:** There is a shift towards more interconnected systems, with an increased tendency for systems to borrow from each other rather than developing independently on a national level.
2. **Establishment of Multidimensional Procedures:** Courts are increasingly implementing multidimensional procedures, which are designed to address various aspects of civil justice more comprehensively.
3. **Emphasis on Speed and Costs:** There is a stronger focus on enhancing the speed of judicial processes and reducing costs.
4. **Reorganisation of Courts and Redefinition of Court Functions:** Courts are being reorganised, and their functions are being redefined to better meet the demands of contemporary civil justice.
5. **Pursuit of Alternatives to Litigation:** There is an intense pursuit of alternatives to traditional litigation, such as mediation and arbitration.
6. **Pronounced Role of Technology:** Technology, particularly digitisation, is playing a much more significant role in the functioning of civil justice systems.
7. **Collectivisation of the Decision-Making Process:** The introduction of collective redress mechanisms, ranging from US-style class actions to newer European forms of representative suits, is becoming more common.
8. **Outsourcing Judicial Activities**

The speaker also notes a trend towards outsourcing activities traditionally within the jurisdiction of courts to private or semi-private non-judicial actors. This occurs both at the lower end, with small claims and consumer disputes being handled by non-judicial bodies, and at the higher end, with significant international commercial cases increasingly referred to arbitration and other alternative dispute resolution methods.

Focus on Court Reorganisation and Redefinition

For the purpose of this speech, the speaker focused on three challenges related to the reorganisation of courts and the redefinition of court functions which are most relevant to the topic of the speech, the Diversification of court structures, globalisation and supranational influence on national justice systems and court as a public service.

By addressing these specific aspects, the speaker aims to provide insights into how courts are evolving to adapt to the complexities of modern civil justice systems and the broader implications of these transformations.

Diversification of Court Structures

Professor Uzelac discussed the first major challenge in the evolution of civil justice systems: the diversification of court structures. This involves examining the various forms and configurations of court systems that exist in modern jurisdictions. The speaker acknowledges the time constraints and aims to provide a brief overview of how court structures are organised and the issues that must be considered.

In today's multifaceted judicial landscape, there are numerous parallel reform processes occurring at different paces. Some jurisdictions are experiencing rapid changes, while others are moving more slowly or not at all. As a result, achieving uniformity in court structures is challenging. The concept of a "21st-century court" varies greatly; in some jurisdictions, courts still resemble those of the 19th century. Despite these differences, certain common trends and challenges are emerging.

One significant trend is that courts can no longer operate as isolated entities within individual nation-states. The modern world is too interconnected and complex for courts to function as independent, autarkic bodies of sovereign power. This interconnectedness necessitates that even national judiciaries adapt and evolve in response to global developments.

Courts are increasingly becoming law-making institutions. The distinction between judicial interpretation and political activism is becoming blurred. Courts are now more involved in shaping law through their decisions and interpretations, reflecting broader societal changes.

There is a growing pressure on courts to incorporate alternative dispute resolution (ADR) methods, particularly mediation. This shift encourages courts to work alongside private dispute resolution institutions and individuals, thereby changing the traditional roles and boundaries within the judicial system.

The integration of diverse staff into the court system is another significant trend. Courts are realising the need to employ and collaborate with a wide range of professionals, including mediators, psychologists, social workers, auditors, sociologists, IT specialists, and others. This diversification blurs the lines between court personnel and external players, leading to a more holistic approach to justice.

Diversification of Court Structures: An In-Depth Analysis

The first major challenge in modernising civil justice systems is the diversification of court structures. To address this challenge, the variety of court structures that exist in contemporary jurisdictions must be examined. Given the limited time available, I will provide a brief overview of how court structures are organized and the critical issues that need to be considered.

Multifaceted Nature of Court Reforms

We live in a complex and multifaceted world where numerous reform processes are happening simultaneously. The transformation of court systems varies significantly in speed across different regions. Some jurisdictions are experiencing rapid reforms, while others are making modest changes, and some are not evolving at all. Consequently, it is difficult to achieve uniformity in court structures.

Variability Across Jurisdictions

What constitutes a court of the 21st century can differ greatly depending on the jurisdiction. In some areas, modern courts still resemble those of the 19th century. Despite these differences, there are some common trends that emerge, presenting challenges in themselves.

Common Trends and Challenges

One of the most significant trends is that courts can no longer operate as isolated entities within individual nation-states. The global landscape is too interconnected, insecure, and complex for courts to function independently of de-

velopments elsewhere. Even within national judicial systems, the traditional concept of courts is evolving.

How?

1. Law-Making Institutions

- Courts are increasingly becoming law-making institutions. The distinction between judicial interpretation and political activism is becoming increasingly blurred, pushing courts into roles that extend beyond their traditional functions.

2. Alternative Dispute Resolution

- Courts are under pressure to incorporate alternative dispute resolution (ADR) methods, particularly mediation. This shift necessitates collaboration with private dispute resolution institutions and individuals, changing the traditional boundaries between court personnel and external players.

3. Collaboration and Integration

- The line between insiders (court personnel) and outsiders (external collaborators) is gradually shifting. Courts are recognising the need to employ and cooperate with a more diverse range of professionals, including mediators, psychologists, social workers, auditors, sociologists, and IT specialists. This diversification helps courts address the complex nature of modern disputes more effectively.

Justice as a power in a state

The concept of justice as power within a nation-state is undergoing significant transformation, particularly in plurinational and multicultural contexts. This transformation reflects a shift away from the traditional notion of a court system that is tightly bound to a single nation-state.

Erosion of Exclusive National Judicial Systems

In many states, particularly those with diverse cultural and national identities, the court system is progressively losing its exclusive connection to a single nation-state. This evolution is driven by the recognition that an exclusive and uniform national judicial system may not adequately address the needs and realities of all regions and communities within a state.

1. *Multinational and Multicultural States*

In multinational and multicultural states, the traditional model of a single, cohesive national judicial system is becoming less relevant. These states are increasingly adopting more flexible and diverse judicial structures that better reflect their complex social and cultural landscapes.

2. *Common and Separate Court Systems*

In some parts of the world, we observe the coexistence of common court systems that serve multiple states alongside separate court systems for individual states. This dual approach allows for both regional cooperation and the preservation of unique national legal traditions.

Internationalisation of Judicial Standards

Beyond the regional developments, there is a broader trend towards the internationalisation of judicial standards. This trend involves the adoption of certain universal principles and practices that courts across various jurisdictions are expected to adhere to.

Universal Judicial Standards

Courts around the world are increasingly required to meet certain international standards. These standards often pertain to human rights, fairness, and procedural integrity, ensuring a consistent level of justice globally.

Impact on National Judicial Systems

The internationalisation of judicial standards impacts national judicial systems by promoting greater alignment with global best practices. This alignment helps enhance the credibility and effectiveness of national courts, fostering greater trust in the judicial process both domestically and internationally.

In some elements, especially in plurinational and multicultural states, the court system is progressively losing its connection to a single nation-state. For many states, an exclusive and uniform national judicial system simply does not exist. Insofar, in some regions of the world we get both common court systems for several states and separate court systems for single states. But beyond developments in particular regions, there is also a general trend of internationalisation of certain standards that courts in all jurisdictions need to satisfy.

4. CYPRUS REFORMS (EMPHASIS ON CPR, INDEPENDENT COURT SERVICE)

The Symposium featured three panels, the first of which centered on “Cyprus reforms” (emphasis on CPR, Independent Court Service). It was led by Lawyer Agis Georgiadis, Angelos Binis from the European Commission, and Rafaella Hadjikyriakou from the Council of Europe. The discussion revolved around the recent progress in implementing new Civil Procedure rules and proposed reforms for an independent court service.

4.1 The European Efforts to Restore Trust in Cyprus Judicial Institutions

The Panel began with an introduction from Angelos Binis of the European Commission, who was asked to clarify the scope of his orders when deciding to provide technical assistance to the European Union regarding the reforms.

Mr Binis expressed his appreciation for the opportunity to discuss the collaboration the European Commission had with the Cypriot authorities from 2017 to the present, particularly with the Supreme Court. This cooperation, initiated in 2016, was grounded in the conclusions and proposals of the Erotokritou committee, seven works, with a total budget of 2.3 million euros. Each project within this cooperation had distinct technical supporters.

The cooperation was primarily based on two main projects. The first project concentrated on enhancing the business operations of the offices and designing specific proposals for improvement. The second project focused on the re-evaluation of the CPR, which was officially adopted on May 19, 2021.

The key proposals from the co-chair of this project were distilled into three main objectives:

1. Improvement of administration.
2. Enhancement of the institutional structure.
3. Optimisation of procedures, including advancements in information technology and communication, the functioning of ministries of the courts, revenue input, and the equitable distribution of workloads among judges.

The overarching goal was to achieve a more effective justice system by delivering enhanced services to citizens, judges, businesses, and employees. This included making the service more attractive to lawyers and ensuring that these improvements benefitted both citizens and judicial institutions. Ultimately, the objective was to establish justice as the foundation for economic development and prosperity for the citizens of Cyprus. The speakers underscored the importance of a productive judicial system in achieving these aims.

Dr Nicolas Kyriakides inquired to Angelos whether there had been any additional requests from Cypriot Justice or if he had any proposals to suggest for submission.

Mr Binis addressed the ongoing discussions of the DGI reform board regarding the requested Technical Support Instrument (TSI) 2024. He mentioned that there were specific requests from the Cypriot side, mainly focusing on accountability and transparency issues. He emphasised the importance of evaluating both the strengths and weaknesses of the digital reform efforts.

The Strong Points in the DG Reform

Mr Binis highlighted the significant contributions of individuals such as Adamantia Manda, who was involved from the beginning and showed great commitment and passion for the collaboration. He also noted the involvement of the Cypriot Justice, represented by Raffaella and other groups, as crucial to the success of the reforms. Drawing from his extensive experience as a technical provider of OECD and Governor of the Hellenic National Transparency Authority, Mr Binis emphasised that the reforms must be practical and aligned with the needs of the professionals who will use them.

The Weak Points in the DG Reform

Mr Binis pointed out several weaknesses in the DG reform process. He stressed that reforms need more than just theoretical presentations; they require active ownership and engagement from the beneficiaries. Without this, the reforms are unlikely to be effective. He also highlighted that the implementation of new technologies, such as Artificial Intelligence (AI), must go beyond buzzwords and be practically integrated into the judicial system.

Mr Binis discussed the challenges and potential of using AI in courts. While AI offers promising advancements, its practical application in the judicial system requires thorough evaluation and careful integration. Continuous education, evaluation, and modernisation of practices are necessary to ensure AI technologies effectively contribute to judicial processes.

Mr Binis mentioned the targets set to reduce delayed cases, referencing a conversation with the president of the Supreme Court. The goal is to reduce the backlog of cases and improve judicial efficiency, with specific targets set for the years 2023 and 2024. Continuous dialogue among stakeholders, including professional and legal associations, is essential to meet these objectives.

Mr Binis emphasised the need to attract competent directors with the right mix of expertise and experience to support the reform. These individuals are vital for implementing modern practices and ensuring the success of judicial reforms. He expressed optimism that initiatives to create initial changes and adopt modern practices would be effectively supported in the near future.

Mr Binis underscored the importance of continuous evaluation and redesign in the judicial reform process. As problems evolve, new technologies and practices must be integrated to address these changes effectively. Ongoing education and a willingness to reform and improve available resources are critical components of successful reforms.

The discussion also addressed the issue of consistency in applying procedures across various registries. Mr Binis highlighted the necessity of enacting consistent processes to support e-justice implementation and bridging the gap created by outdated procedures.

Finally, the principle of independent administration of the courts was discussed. Mr Binis explained that implementing this principle could significantly enhance the efficiency and effectiveness of Cyprus's judicial system. Developing appropriate management procedures based on new rules and best practices is essential for supporting this initiative.

Dr Nicolas Kyriakides posed a final question to Mr Binis regarding resistance to change within the Cypriot judicial system. He inquired about any negligence on the Cypriot side, the progress of projects, and whether resistance was a natural response to absorbing changes.