



15th Colloquy  
15ème Colloque

Council of Europe  
Conseil de l'Europe



Bundesamt für Justiz  
Office fédéral de la justice  
Ufficio federale di giustizia  
Federal Office of Justice



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**15<sup>th</sup> COLLOQUY ON INFORMATION TECHNOLOGY AND LAW IN EUROPE  
“E-JUSTICE: INTEROPERABILITY OF SYSTEMS”**

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**National Report of Cyprus**

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## Part I: General Planning

### 1. Core Projects

The Information Systems Strategy (ISS), of the Republic of Cyprus, which was adopted by the Council of Ministers early in 1998, was a revised version of the Government Computerization Plan produced in 1989 and aims to achieve the best possible quality of services offered to the public making full use of the new information technologies.

The development of the strategic projects, which were defined in our Information Systems Strategy (ISS) are almost completed and we are now in the process of moving them on the web so as to provide our citizens, with the facility to get services from anywhere. In order to achieve this we proceed with the interconnection of government systems over the Government Data Network and provide for the creation of secure gateway on the web.

In the context of e-government, year 2002, is devoted, among others, to:

- a. transform completed information systems into web-enabled systems, in order to give information and services to citizens and businesses.
- b. give government information services to the public via internet.

In parallel with the ISS, the **Ministerial Committee**, established by the Government of Cyprus, for the promotion of the Information Society in Cyprus, has delegated authority to the Planning Bureaux of the Republic to deal with e-Commerce in Cyprus. The Planning Bureaux has already employed a firm of consultants to prepare a study for e-Commerce in Cyprus. The consultants undertake the role to produce recommendations for transactions or procedures falling -between others- under the following fields of action:

- Business to **Public Administration**
- Consumer to **Public Administration**
- **Public Administration to Public Administration**
- **Public Administration to Consumer**

Reasoned recommendations on the international standards that need to be followed, on the network upgrading required to ensure interoperability and the security services required, are some of the most basic elements of the above study.

## 2. Regulating steps

The Law Office of the Republic, has already proceeded in studying the effects of the introduction of information technologies (especially as a result of the office automation, the automation of registers, the use of data bases, etc) in the legal field, focusing on the impact, of such technologies, on the legal value of documents and information, retrieved by data bases. The detection of the legal obstacles, which may hinder the application of information technology systems and finding, as well as devising ways to overcome them, defines the main role for the Law Office of the Republic.

Concerning the amendment of the Cyprus Evidence Law, a draft bill has been prepared by the former Deputy Attorney General of the Republic and submitted before the competent Committee, at the House of Representatives for consideration. The current Attorney General of the Republic has strongly promoted the enactment of this bill and has repeatedly requested the House of Representatives to expedite the debating procedure over the said bill. In addition, a Committee has been formed constituted by the Deputy Attorney General of the Republic, members of the House of Representatives, officers from the Ministry of Justice and practicing lawyers, entrusted with the work to look into the whole matter and submit to the House of Representatives a comprehensive bill, revising the current legislation on evidence. The new legislation will take into account the impact of new technologies on the evidence rules.

Another area of major interest for the success of “dematerialization” of legal procedures, is the use and legal value of digital signatures. A comparative study in relation to digital signatures has been prepared by the Department of Information Technology Services (DITS), dealing with possible models of legislation already enforced in various countries, with particular emphasis in the particularities of Cyprus. The above study will be assessed and evaluated in cooperation with the Law Office of the Republic. It is expected that by the end of this year the necessary legal framework will be ready.

Furthermore, Law 138(I) of 2001 applies for the protection of Personal Data, based on the Data Protection Directive of the EU. In addition, the Convention on Data Protection of the Council of Europe has been ratified by Law 29(III) of 2001.

Summarily, the legislative initiatives undertaken at the EU level (Cyprus is a candidate country for accession to the EU) i.e. the Directive on E-Commerce, Electronic Signatures, E-money etc and at of the Council of Europe level, i.e. the Cybercrime Convention, the Convention on Data Protection, the Convention on Conditional Access etc, orient our regulatory steps.

## Part II

### (a) Courts Administration System (CAS)

The Scoping Study for the computerization of Courts Administration<sup>1</sup> has been completed and the project is to be initiated by the end of this year. The primary aim of this project (the Courts Administration System) is the automation of all procedures, processes and functions of the Supreme Court, the Criminal Courts, the District Courts, the Military Court and the other Tribunals. Interoperability of CAS with other registers/systems is one of the major objectives and concerns. CAS will interoperate with the registers of other related Government Departments, such as, the Law Office (Legal Information System) and the Police. Furthermore, it will support its interconnection with the Bar Association for information retrieving purposes (e.g, Date of hearing, status of a case, court resolutions, etc).

Courts Administration, which plays a crucial role in supporting the Judicial Process in the Courts of Cyprus, consists of five main elements:

- Judge and Court Secretariat Services
- Registry
- Execution of Warrants and Service of Documents
- Accounting for Fines and Fees received
- Preparation and publication of Judgments

The objectives of Courts Administration are to maintain the smooth running of the judicial process (**Case Management System**) by:

- Ensuring that Case documents generated as a result of Judges' decisions are duly produced, properly authorized and are distributed according to standing institutions
- Effective scheduling of Cases, Judges and those appearing before the Courts
- Responding efficiently to all lawful requests for documents relating to Court Cases
- Providing safe receipt, registration and storage of all documents relating to Cases and to ensure that they are available to authorized parties, when and where they are required
- Ensuring that all documents relating to Court proceedings meet the quality set out in the Courts' various rules and regulations
- Providing weekly, monthly and yearly statistics

The individual Registries are very similar in that they carry out the following activities:

- Case Initiation
- Case Registration and Register Maintenance
- Case File Maintenance, Storage and Retrieval

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<sup>1</sup> See in relevance the "National Report on behalf of the Delegation of the Republic of Cyprus" at the 25<sup>th</sup> Meeting of the Committee of Experts on Information Technology and Law (CJ-IT), which took place in Strasbourg, on 23-25 October 2001.

- Case/Court/ Judge/Registry Scheduling
- Generation and Distribution of Standard Documents
- Compilation of Costs
- Preparation of Statistics

In addition, to the Judiciary, the Courts Administration System interfaces with the following entities:

- **Prosecution Authorities:** The Office of the Attorney General, Government and semi-Government Authorities (such as Lands and Surveys Department, Official Registrar, Ministry of Labor Welfare Department, Road Traffic Department of Police) Local Administration Authorities, the Police, Inland Revenue and Military Attorney for the initiation of cases and processing of Cases
- **Advocates:** representing the opposing sides in a Case, before the Judiciary throughout the course of the case
- **Bailiffs:** Government and private bailiff, Post Office and Police for service of documents and execution of warrants
- **Prison Authorities**
- **Other** Members of the public, such as private receivers and liquidators, sundry users of law etc.

(b) Legal Information System (LIS)

In addition to CAS, the Government is proceeding with the development of a web-enabled Legal Information System (LIS), covering both Court Judgments and Legislation. The relevant Tender is anticipated to be released, in mid April 2002. The primary aim of LIS is to build a central Data Base (with dynamic full text search), which will be available on the Internet for information retrieval by all authorised interested bodies/individuals, such as judges, lawyers, citizens, etc.

### **Part III: Technical architecture**

Legal Information System, as an Internet application, will use and follow the development of the leading market standards, such as XML (extensible mark-up language). The same strategy and technical approach has been followed for that part of Courts Administration System, which has to do with information retrieval by Bar Association and other interested/authorised bodies or/and individuals.

It should be noted that for both of the above systems (CAS, LIS), the two Recommendations Rec(2001) 2 and Rec(2001) 3, were considered for achieving the best possible results.