

**CYPRUS / CHYPRE**  
**21 May/mai 2015**

Cyprus law provides for the re-opening/re-examination of criminal proceedings only. The re-opening of criminal proceedings is provided in a law that was recently passed by the House of Representatives. The Law allows the applicant to apply for a re-opening of the proceedings and an annulment of his criminal conviction. The main provisions of the law are summarised as follows: (a) a person convicted of any criminal offence, may make a written request to the Supreme Court to examine his conviction following a final judgment by the European Court that his right to a fair trial or any other fundamental right/freedom was violated in the criminal case, due to his conviction, or due to serious errors or shortcomings related to his conviction regarding any procedure of the criminal case, or due to other serious violations related to his conviction. The request must be made within 3 months from the date on which the European Court judgment became final, or if the judgment became final before the Law came into force, within 3 months from its date of entry into force. (b) The Supreme Court may examine the conviction and issue a judgment, order or directions, where in the light of the Court's judgment and findings, it appears that the case raises an issue of affording restitution to the applicant by domestic courts which cannot be achieved without a judgment, order or directions. (c) The Supreme Court may annul the final judgment convicting the applicant, annul the said final judgment and order the domestic court which had issued it, to try the case anew, taking into account the Court's judgment and findings so as to achieve applicant's restitution or annul the final judgment and try itself the case anew.

There have not been any requests to the Supreme Court by virtue of this law thus far. It is noted that this law was enacted for complying with the Court's judgments in two instances (*Kyprianou v Cyprus* and *Panovitz v Cyprus*). The 3 months within which the applicants may make a request for re-opening of criminal proceedings in the light of the European Court's judgments are due on 25 May 2015.