



# Litigation & Dispute Resolution

# 2020

**Ninth Edition**

Contributing Editor:  
**Ted Greeno**

# Global Legal Insights

## Litigation & Dispute Resolution

2020, Ninth Edition  
Contributing Editor: Ted Greeno  
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# GLOBAL LEGAL INSIGHTS – LITIGATION & DISPUTE RESOLUTION

2020, NINTH EDITION

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*We are extremely grateful for all contributions to this edition.*

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## PREFACE

Since the last edition of this book, the global business community has been forced to face the many new challenges that have been thrown up by the Coronavirus pandemic and the almost universal lockdown measures that have been taken in response to it. Courts all over the world have also had to adapt and change.

It might be said that the lockdown strategies pursued by governments would not have been sustainable but for the internet and the ability it affords us to work remotely. Certainly, courts around the world have adapted to this way of working, with procedural hearings and depositions, and even full-scale trials, being conducted exclusively on videoconference platforms. The use of video technology to take witness evidence is, of course, not new. It goes back 20 years or more. However, it was not embraced by commercial litigators because its lack of immediacy impaired the quality of the evidence and sometimes last-minute technical hitches could disrupt and delay trials. Over the last few months, however, the improved technology available and the need to make remote hearings work have shown that they are a reasonable, if not ideal, substitute for in-person attendance.

It remains to be seen how permanent the move to remote hearings becomes. I doubt that trials will be held remotely once all Coronavirus restrictions are lifted. Courts will revert to in-person hearings, but it is surely likely that videoconferencing technology will be used more than it was before the lockdown for procedural hearings and other hearings where no oral evidence is required, both in international litigation and arbitration. The saving of the time and cost of travel, as well as the environmental benefits, will be a significant incentive.

One factor that may play on the need for remote hearings is the potentially sharp increase in litigation that is likely to flow from the forthcoming lockdown-induced recession. A growing volume of cases will inevitably put pressure on the capacity of courts to cope with the increased demand. We are yet to know how serious a recession it will be, but the stress on contracts and cash flows that recessions bring always leads to an increase in commercial disputes. Litigation, even of a weak defence, is sometimes the least worst option for cash-strapped companies. Recessions also tend to expose long-running fraudulent schemes, as the money moved around to create an impression that nothing is missing ultimately runs out. As Warren Buffett famously said, albeit in a different context, it is only when the tide goes out that you discover who has been swimming naked.

In such times, a swift and efficient commercial court system is all the more essential to the economic health of a nation. This time round, disputes will be even more international in nature than in the last recession. Countries can therefore help themselves and each other by easing cooperation between them for the service of process, the taking of evidence, the enforcement of judgments or awards and the swift resolution of jurisdiction challenges.

To that end, this book aims to provide an insight into how such issues are managed by the court systems and procedures of jurisdictions around the world, with a particular focus on practical considerations. I hope it is a useful guide for all lawyers who advise businesses that trade internationally.

Finally, I am grateful to all the contributors from across the globe for the clarity and expertise of their contributions.

Ted Greeno  
Quinn Emanuel Urquhart & Sullivan

# Cyprus

Constantina Hadjianastasi & Maria Afxentiou  
Harris Kyriakides LLC

## Efficiency of process

Cyprus has a quasi-common law jurisdiction which has been influenced by English and Greek law. Section 29(1)(c) of the Courts of Justice Law introduces and endorses common law in the Cypriot legal system.

The courts are bound by the doctrine of precedent, according to which the superior courts' decisions bind subordinate courts. Civil procedure in Cyprus is regulated by the 1954 Civil Procedure Rules (*CPR*) which have been amended from time to time.

Cyprus has five districts which act as courts of first instance and one Supreme Court. Each district court has jurisdiction to try civil cases which fall within their territorial jurisdiction, except for specific civil matters which fall within the jurisdiction of specialised courts. Namely, the:

- family court;
- rent control court;
- industrial disputes court; and
- military court.

All first instance court judgments are subject to appeal before the Supreme Court, whose judgments are final.

Derived from the decisions issued, Cyprus shows significant delays in the time of completion of the litigation before the competent courts. More precisely, in civil proceedings the delay is between four to six years in Cyprus courts of first instance and there is a further delay of up to four years for appeals before the Supreme Court of Cyprus.

However, during recent years, the judicial system in Cyprus has been under constant reform that aims to reduce the delay.

In the last few years, the CPR have been amended and a simplified procedure was established for amendments of pleadings under Order 25 of the CPR and for summons of directions under Order 30 of the CPR. The amendment of Order 30 of the CPR has made the process more expedient in relation to claims under €3,000. As a result of this amendment, the courts can now issue summary judgments in relation to these cases.

In general, additional changes are pending in relation to the CPR in order to make the procedures shorter and more convenient. Furthermore, the appointment of new Judges is expected to be concluded within the next few months in order for the backlog to be limited and, in addition, the establishment of a second instance court is expected to be concluded which will handle appeals that are submitted against the decisions issued by the first instance court. In light of this, the Supreme Court of Cyprus will operate as the tertiary jurisdiction

and will examine and handle only a limited number of appeals for reasons related to legal grounds or legal matters of major public interest.

### **Integrity of process**

The Cyprus Judiciary is characterised by impartiality and independence. Judicial independence is safeguarded by the Constitution and the traditions of the Judiciary. Judges are members of the Judicial Service of the Republic. In Cyprus, the doctrine of the separation of powers is applied, according to which, in order to prevent power from being abused, the legislature (parliament), the executive (government) and the Judiciary (the law courts) are separate from one another.

In Cyprus, the independence of Judges is guaranteed by their permanence and the securing of their remuneration. A Judge cannot be removed except under very exceptional circumstances.

The applicable laws in Cyprus are the following:

- The Constitution of the Republic of Cyprus.
- The laws retained in force by virtue of Article 188 of the Constitution.
- The principles of Common Law and Equity.
- The laws enacted by the House of Representatives.

The Constitution has been amended so that European law has supremacy over the Constitution and national legislation.

Recently, the Supreme Court of Cyprus adopted further principles/guidelines in order to ensure the impersonal nature of the courts and judicial integrity. These principles are intended to provide guidance and assistance to Judges to reach their own decisions as to whether or not a particular activity or behaviour is appropriate.

### **Privilege and disclosure**

Pursuant to the provisions of the CPR, any party can apply to the court in order to obtain a decision ordering the other party to disclose the documents that are or have been in his/her possession, custody or power. Disclosure applications are made in the course of summons for directions.

Parties must disclose:

- documents considered relevant to the matters in question even if these adversely affect the parties; and
- documents referred to in pleadings or affidavits (for which inspection must also be allowed).

The following documents do not have to be disclosed:

- documents that are not material to the case;
- privileged documents; and
- without prejudice documents.

Documents that are not disclosed cannot be adduced as evidence. Parties have a continuous obligation to disclose any new relevant documents that come into their possession. In cases where there are valid grounds to suspect that the other party has not provided full disclosure, a party can apply for specific disclosure.

Disclosure is followed by an inspection whereby each party can physically inspect or request copies thereof.

Furthermore, the CPR allows for a third party to be summoned to produce documents to the court during the trial.

Privileged documents that are deemed confidential are not subject to disclosure and are as follows:

- documents “without prejudice”, e.g. communications between the parties’ lawyers (either discussing the case or potential settlement options);
- legal professional privilege which includes (a) confidential communications between lawyers and clients containing legal advice, and (b) communication between lawyers, the client and third parties in relation to pending or contemplated litigation; and
- self-incriminating information.

In a case where a party requests disclosure of a specific document which is privileged, the court will inspect it and then decide whether it should be produced.

In Cyprus, legal professional privilege is ensured:

- by the relevant regulations issued pursuant to the provisions of the Lawyers Law (Chapter 2) and the Code of Conduct;
- by the principles of common law, applied in accordance with the provisions of the CPR; and
- by the decisions of the Court of Justice of the European Union.

Pursuant to the provisions of Article 13 of the Code of Conduct, professional secrecy is recognised as the fundamental and primary right and obligation of advocates and must be protected by the court and any State or public authority. In general, the below derive from the Code of Conduct:

- Advocates are guardians of the confidential information and evidence entrusted to them by their client. The safeguarding of secrecy is a necessary prerequisite in inspiring the client’s trust in the advocate and in this respect, advocates are obliged, without any time limitation, to respect the secrecy of all confidential information or evidence that has come to their knowledge in the course of their professional activity.
- In cases where an advocate is a witness, they must no longer appear also as an advocate. As a witness, they must appear before the court with a fully independent opinion and may refuse to answer any question that may lead them to a disclosure or violation of secrecy.
- The duty of maintaining secrecy includes the protection of confidential information provided by third persons in the context of the advocate’s professional capacity, as well as confidential information arising from conversations necessary in view of reaching an agreement, which later did not materialise. Secrecy also includes the confidential information entrusted by a fellow colleague.
- If a client makes an accusation against their advocate, or if the advocate faces criminal or disciplinary prosecution, then the latter is entitled to disclose any confidential information with regard to the accusation or the case, even if information confided to them by their client would, in this manner, be disclosed.

## Costs

In general, the costs of civil court proceedings are calculated based on the economic scale, nature and complexity of the case and include the costs of the proceedings. Normally, the costs include the costs of:

- the procedure;
- the preparation of the legal documents (i.e. interim applications);
- the court appearances;
- the witnesses;
- the preparation of the list of costs; and
- the preparation of informative letters before and during the proceedings.

As a rule, in civil cases, the unsuccessful litigant to the proceedings will be ordered to pay all the costs. However, pursuant to Order 59 of the CPR, the awarding of costs lies exclusively at the court's discretion. The factors considered by the court when awarding the costs are, *inter alia*, the nature, importance, difficulty or urgency of the case and the demeanour of the parties. In light of the above, the court may decide that the successful litigant may only be able to receive part of the costs or that each party to the proceedings will bear its own costs. Costs are assessed by the court registrar and approved by the court, unless otherwise agreed between the parties.

Legal costs awarded to a successful litigant bear legal interest.

### Litigation funding

The legal fees are generally charged based on (a) an agreement between the client and the lawyer subject to the provisions of the Advocates' Code of Conduct, and (b) Supreme Court regulations providing the minimum and maximum charges for each stage of litigation, depending on the scale of the claim. However, the exact amount of legal fees depends on the complexity, urgency and difficulty of the case, the nature of the claim and the extent of the proceedings.

Funding of litigation is normally provided by the parties to the legal proceedings. However, in cases where (a) the litigants lack liquidity to support their valid claims in Cyprus, and/or (b) the parties to the proceedings can afford litigation but prefer to receive funding, the litigation funding comes into play. In this respect, we note the following:

- Contingency fee agreements (i.e. an agreement that provides that any fee is payable only if there is a favourable result) are prohibited as they offend the equitable principle against champerty, which aims to restrict the funding and selling of litigation.
- Third-party funding is not expressly prohibited, although its legality has yet to be considered and examined by Cyprus courts. In case such an issue is raised, Cyprus courts will probably take guidance from common law and/or English case law. Third-party funding is *prima facie* available to both the plaintiff and defendant.
- Pursuant to the provisions of the Legal Aid Law (**Law 165(I)/2002**), as amended, the Republic of Cyprus may provide legal aid when individuals cannot bear the costs of the legal proceedings. However, legal aid can only be granted in cases of specific violations of human rights, cross-border disputes, and family and matrimonial law disputes.

### Interim relief

Pursuant to Article 32 of the Courts of Justice Law (**Law 14/60**), Cyprus district courts are vested with the power to grant interim orders in the context of proceedings, pending before the Cyprus court. This means that Cyprus courts do not have jurisdiction to issue an injunction in respect of contemplated court proceedings and therefore, the proceedings should have already commenced before the court is vested with jurisdiction to issue an injunction. However, this would not apply in relation to international arbitration, where courts do have jurisdiction to issue an injunction in aid of contemplated arbitration proceedings.

Cyprus courts have the discretion to issue an injunction provided that the following criteria are met:

- the applicant demonstrates that he/she has a good arguable claim which presents a serious question to be tried;
- the applicant demonstrates a reasonable probability that he/she is entitled to the relief sought; and

- the applicant presents evidence that demonstrates that it will be difficult or impossible to do complete justice at a later stage without granting an interim injunction or that it is likely that the applicant will suffer irreparable harm or harm that will be difficult to be redressed through monetary compensation.

Even if all of the above conditions are met, an interim injunction is not granted automatically. The court will assess whether it is just and convenient to grant the order after having taken into account all of the facts and circumstances surrounding the case.

A wide range of interim relief is available in Cyprus:

Freezing orders: A freezing order usually restrains the respondent from selling, disposing, exchanging, leasing, charging or transferring its property in any way.

Chabra orders: Cyprus courts have jurisdiction to freeze the assets of a co-defendant against whom no direct cause of action lies, provided that the claim for the injunction is ancillary and incidental to the claimant's cause of action.

Norwich Pharmacal orders: These take their name from the well-known case of *Norwich Pharmacal Co. v. Commissioners of Customs and Excise of the House of Lords*. This type of order aids the search and discovery of information, especially that which is necessary in order to identify a wrongdoer or to obtain the necessary information or evidence in order to pursue an action against the ultimate wrongdoers.

Tracing orders: A tracing order enables the applicant to ascertain the extent and whereabouts of the respondent's assets so that the freezing injunction may operate effectively.

Bankers trust orders: Cyprus courts can order a Cyprus bank to submit an affidavit in court which discloses and specifies any information regarding the interaction they have had with the defendants, including correspondence, orders received, transactions in their bank accounts, monetary transfers and any other information deemed necessary, and the affidavit is accompanied by the copies of the documents disclosed.

Anton Piller (search) order: A search order is a form of mandatory injunction that compels the defendant to allow the claimant's representatives to enter into the defendant's premises and search for, copy, remove and detain documents, information or other material in order for these to be stored in a safe place and to safeguard such evidence from being destroyed or altered.

Gagging order: Where interim freezing injunction proceedings are commenced and disclosure orders are sought on an *ex parte* basis (i.e. without notice to the other side), the defendants are ordered not to notify in any manner whatsoever any person in relation to the pending proceedings commenced against them and/or in relation to the provisions of any court order issued on an *ex parte* basis until all requested information is properly disclosed and/or until any further directions are given by the court.

Anti-suit injunctions: Cyprus courts have jurisdiction to restrain a party from commencing or continuing proceedings abroad.

Quia timet order: A *quia timet* injunction is granted where no actionable wrong has been committed, to prevent the occurrence of an actionable wrong or to prevent the repetition of an actionable wrong.

Pursuant to Section 9 of the Civil Procedure Law, an interim injunction can be obtained on an *ex parte* basis (i.e. without notice to the defendant) provided that very urgent or exceptional circumstances are shown. In an application made *ex parte*, the applicant has a duty of full and frank disclosure to the court in connection with all material facts (and possible defences of the respondent) that the applicant is aware of (or could have reasonably discovered with prudent and reasonable inquiries). What is considered material is a matter for the court to decide.

In addition, the court will require the applicant to provide an undertaking in damages, which may also be fortified with a bank guarantee or other similar security. This works as a counter-security, used to indemnify the respondent against all losses sustained due to the injunction, in case the court finds that the injunction issued was unreasonable or was issued *mala fides*.

Provided that the court is satisfied by the applicant in regard to the existence of the conditions justifying the issuance of the *ex parte* order, and provided that the principles established by case law are also satisfied, the order is generally made returnable. After the service of the order to the respondent, the respondent will have the right to object to the application and request the discharge or variation of the orders issued *ex parte*, during an *inter partes* hearing.

Non-compliance with a court order amounts to “contempt of court”. Pursuant to Section 42 of the Courts of Justice of 1960 (Law No. 14/60), and Order 42A of the CPR, Cyprus courts are vested with the power to compel a person to obey the provisions of any order issued by it ordering or prohibiting any action, through the imposition of a penalty (i.e. a fine) or a sentence of imprisonment, or through the attachment or sequestration of assets.

## **Enforcement of judgments**

### Domestic judgments

A judgment issued by a Cyprus court becomes automatically enforceable. The Civil Procedure Law, Cap. 6, provides for, *inter alia*, the following methods of enforcement:

- writ of execution for the sale of movables;
- writ for sale of immovable property or registration of a charge over the property;
- writ of sequestration of immovable property;
- writ of possession, ordering property to be delivered to the judgment creditor;
- an order to the judgment debtor to make payments over the debt on a monthly basis; and
- injunctions and other orders encumbering the interest of the judgment debtor on shares and other stock owned.

Furthermore, bankruptcy or liquidation proceedings can be initiated against a judgment debtor.

### Foreign judgments

The recognition and enforcement of a foreign court judgment depends on whether or not the said judgment was issued in another EU Member State. In this respect, the recognition and enforcement of a foreign court judgment can be based on:

- the provisions of Regulation 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters;
- the provisions of a bilateral or multilateral convention between Cyprus and other countries, in which case reliance can be given on the law of Judgments of Foreign Courts (Recognition, Registration and Enforcement pursuant to a Convention), Law 121(I)/2000;
- the Foreign Court Judgments Law (Reciprocal Enforcement), Cap. 10; and
- a common law action pursuant to domestic private international law.

As far as the judgments issued by courts of EU Member States are concerned, these are recognised without any special procedure and without the need of a declaration of enforceability for proceedings instituted on or after 10 January 2015. The court must be satisfied that the conditions necessary to establish the authenticity are fulfilled. The recognition of a foreign judgment can be refused for the specific reasons set out in Regulation 1215/12.

In relation to the cases where there exists a bilateral treaty or multilateral convention between Cyprus and the country that issued the judgment, the procedure is governed by the specific treaty or convention. In any of the above-mentioned cases, an application must be filed before the appropriate Cyprus district court, seeking the recognition and subsequent enforcement of the issued foreign judgment.

If there is no multilateral or bilateral agreement between the state of origin and Cyprus, then the filing of a new claim in Cyprus is needed, in which the cause of action would be the foreign judgment itself (by a common law action).

Once a foreign judgment has been recognised and registered in Cyprus, it obtains the status of a domestic judgment.

### **Cross-border litigation**

The general rule is that service of judicial documents in Cyprus is effected through a private process server to the defendant in person or at his/her house or usual place of employment. Service on a corporate entity is effected either (i) at its registered office on a person who is authorised to accept service, or (ii) on the company's directors or secretary.

If service cannot be effected in the manner prescribed by the CPR, a party can request leave from the court for substituted service.

Judicial cooperation in civil matters includes the simplification of (a) the cross-border service of judicial and extrajudicial documents, (b) the recognition and enforcement of awards, and (c) the cooperation in obtaining evidence.

More precisely, if a defendant resides outside the jurisdiction, leave of the court must be obtained before the claim is served. The method of service depends on any existing treaty or agreement between Cyprus and the country in which the defendant resides.

Service to defendants residing in the European Union is carried out pursuant to Council Regulation (EC) No. 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters, which provides for the following means of service:

- post;
- direct service (if permitted by the State's domestic law);
- diplomatic or consular agents; and
- transmitting and receiving agencies designated by the State. In Cyprus, the Ministry of Justice and Public Order has been designated as the receiving agency.

If the country in which the defendant resides is a signatory to the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters 1965, the following means are also available:

- postal channels, directly to persons abroad;
- designated judicial officers;
- post (if there is no objection to this); and
- in accordance with any bilateral agreement concluded between the signatory parties.

Cyprus has entered into bilateral agreements with a number of countries for legal assistance in civil matters and for the enforcement of court decisions in their respective jurisdictions. This means that Cyprus is obliged to follow, in relation to the service of documents, the procedures described in the content of each bilateral agreement so that the service can be effected accordingly.

## International arbitration

There are two pieces of legislation governing international arbitration in Cyprus: (a) the International Commercial Arbitration Law of 1987 (**Law 101/1987**); and (b) the Law on the Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1979 (**Law 84/1979**).

### Law 101/1987

Law 101/1987 is an almost identical adaptation of the original UNCITRAL Model Law of 1985 and applies exclusively to international commercial arbitrations. Pursuant to Article 1(2), an arbitration is considered international if:

- the parties to an arbitration agreement have, at the time of the conclusion of that agreement, their places of business in different States; or
- one of the following places is situated outside the State in which the parties have their places of business:
  - the place of arbitration if determined in, or pursuant to, the arbitration agreement; or
  - any place where a substantial part of the obligations of the commercial relationship is to be performed or the place with which the subject matter of the dispute is most closely connected.

Pursuant to the provisions of Law 101/1987 and Law 84/1979 (which has transposed the provisions of the New York Convention of 1958 on the Recognition and Enforcement of Foreign Arbitral Awards (the **New York Convention**)), a foreign arbitral award can be recognised as binding and be enforced in the Republic of Cyprus upon the filing of a written application in court, accompanied by the duly authenticated original award or a duly certified copy thereof, as well as the arbitration agreement. If the award and/or the agreement is not made in an official language of the Republic of Cyprus, then the court may request the party to supply a duly certified translation.

In accordance with Article 36, the recognition and/or enforcement of an arbitral award, irrespective of the country in which it was made, may be refused only:

- on the application of the party against whom the recognition and enforcement of the arbitral award are being sought, if the said party (respondent) shows that:
  - one of the parties to the arbitration agreement was lacking contractual capacity or that said agreement is not valid under the law governing the agreement or, in the absence of an express agreement of the parties as to choice of law, under the law of the country in which the arbitral award was issued; in the case under examination, therefore, the parties would have to prove that the arbitration agreement was invalid under English law;
  - he/she was not duly notified of the appointment of the arbitrator or the carrying out/conduct of the arbitration, or was in any other way deprived of the opportunity to appear and present his/her case;
  - the arbitral award refers to a dispute that was not anticipated or did not fall within the terms of the arbitration agreement, or includes decisions on issues that fall outside the scope of the arbitration agreement;
  - the composition of the arbitral tribunal or the conduct of the arbitration proceedings was not in accordance with the relevant agreement of the parties or, in the absence of such an express agreement, took place in breach of the law of the country where the arbitration took place; or
  - the arbitral award has yet to become binding on the parties or has been set aside or suspended by a competent court of the country in which it was issued or in pursuance to whose laws it was issued; or

- if the court finds that:
  - the subject matter of the dispute is not capable of settlement by arbitration under the laws of the Republic of Cyprus – i.e. it is not arbitrable; or
  - the recognition or enforcement of the arbitral award would be contrary to public policy principles in the Republic of Cyprus.

#### Law 84/1979

Cyprus has also ratified the New York Convention and transposed its provisions into national legislation through Law 84/1979.

It should be noted that the New York Convention applies only to the recognition and enforcement of awards made in the territory of another contracting state.

### **Mediation and ADR**

The alternative dispute resolution (**ADR**) methods that are available in Cyprus include arbitration, mediation and conciliation, of which the most frequently used form is arbitration proceedings. Arbitration secures privacy and confidentiality and is a speedy means of resolution. Mediation is a non-binding, private, confidential and low-cost procedure in which the parties, with the help of an intermediary, attempt to reach a binding settlement agreement. Conciliation is a non-binding procedure in which the conciliator can provide the parties with a non-binding opinion on possible settlement terms.

The Arbitration Law, Cap. 4 governs domestic arbitral proceedings while Law 101/1987 regulates international arbitration. Arbitration procedures are also regulated by Order 49 of the CPR. Mediation is governed by Law 159(I)/2012, which implements Directive 2008/52/EC on mediation in civil and commercial matters and applies also to cross-border disputes. However, there are areas of law that cannot use mediation or arbitration as means of ADR. More precisely, (a) matters concerning criminal law, (b) matters concerning family law, and (c) matters that may have public policy implications, are considered to be non-arbitrable. In Cyprus, mediation is often used to resolve family disputes.

### **Regulatory investigations**

In Cyprus, there are independent administrative authorities that perform their duties and exercise their powers in complete independence. These authorities have under their control the monitoring of sensitive fields of economy, politics and private life. The most important authorities are, *inter alia*, the below:

- The Commission for Protection of Competition (**CPC**). CPC has the exclusive competence for the harmonious operation of the market, within the rules of fair competition far from any anticompetitive distortions as means to boost economic growth and social welfare.
- The office of the Commissioner for Personal Data Protection. The Commissioner for Personal Data Protection is an independent public authority responsible for monitoring the implementation of Regulation (EU) 2016/679 (**GDPR**) and other laws aiming at the protection of individuals with regard to the processing of their personal data.
- The Cyprus Energy Regulatory Authority (**CERA**). CERA is the National Independent Energy Regulatory Authority of the Republic and is legally distinct and functionally independent of any other public or private entity. It takes autonomous decisions independently of any political organisation and draws up separate budget forecasts, with budgetary autonomy and sufficient human and financial resources to carry out its tasks.

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