



INTERNSHIP REPORT AND SUMMARY

Identification of the participant

Surname: Hentzgen

First name: Carole

Nationality: French

Seniority: 2 years

Identification of the internship

Host jurisdiction/institution: Supreme Constitutional Court of Cyprus

Town/city: Nicosia

Country: Cyprus

Dates of the internship: 6 to 10 October 2025

SUMMARY

This study trip to the Cypriot courts gave me an insight into the richness and complexity of the Cypriot judicial system, which sits somewhere between continental law and common law.

On a comparative level, my observation of Cypriot courts revealed many similarities with French administrative justice. This experience gave me a better understanding of the specific features of a hybrid legal system, influenced by the British and French models. The discussions with Cypriot magistrates, which were characterised by their kindness and openness, enriched my thinking on comparative judicial practices and confirmed the value of developing cooperation between the French and Cypriot administrative courts.

Beyond the technical differences, I discovered a community of values and principles that unite European judges in their desire to ensure that justice is fair and respectful of rights.





Thanks

I would like to express my sincere gratitude to all the magistrates and legal staff who welcomed me into their courts.

I would like to express my special thanks to the judge responsible for the ACA and the presidents of the various courts visited for their hospitality, their teaching and their kindness.

This internship will remain a formative and human experience for me, one that has strengthened my interest in comparing legal systems.

I. Internship programme

The first day of the internship took place at the **Administrative Court of First Instance**, where I was able to attend a hearing. Afterwards, I had a very informative discussion with the President of the Court, who explained to me the role of this court in reviewing the actions of the Cypriot administration. I learned that Cypriot administrative law is heavily influenced by **French** and **Greek law**, particularly with regard to appeals for abuse of power.

The second day was devoted to the **Administrative Court for International Protection**, which deals with cases relating to asylum and refugee protection. I attended a hearing on challenges to rejected asylum applications. The meeting with the President of the Court gave me a better understanding of the complexity of these cases, which involve humanitarian, legal and diplomatic considerations.

On the third day, I was welcomed at the **Supreme Constitutional Court**, the highest court in the country for constitutional matters. In particular, this institution ensures that laws comply with the Cypriot Constitution and that fundamental rights are protected. It was explained to me that the organisation of the Cypriot judicial system, which stems from the 1960 Constitution, has established a dual legal heritage: a continental influence in public law and an Anglo-Saxon (common-law) influence in civil, commercial and criminal law. This exchange was particularly instructive: I noticed that, although the French and Cypriot legal systems differ in structure, the fundamental principles of law to which judges refer when making rulings remain very similar, as do the legal solutions ultimately adopted.

On the fourth day, I had the opportunity to attend a criminal hearing in one of the three chambers of the **Nicosia Assize Court**. There, I discovered that, unlike the French system, there is no jury system in Cyprus: criminal cases are judged by a panel of three professional judges. The President of the Chamber also explained to me that in Cyprus, judges must have practised as solicitors before they are appointed to the judiciary, in order to ensure that they have practical experience of the law and the realities of litigation.

The last day was spent at the **Court of Appeal**. The President of the Court described to me how the appeal system works and how judges re-examine the facts and the law. This discussion highlighted the rigour of the Cypriot justice system, which is committed to ensuring judicial efficiency and respect for the rights of the defence.





II. The host institution

Historically, the **Supreme Constitutional Court** had exclusive jurisdiction over constitutional and administrative matters, while the **High Court** acted as the court of appeal for all other cases. However, the constitutional crisis of 1963–1964 weakened both institutions, leading to their merger into a **single Supreme Court** under Law 33/1964. Over time, this single court has accumulated a wide range of powers, becoming the highest judicial authority in the country.

In 2022, Law 145(I)/2022 introduced significant reforms to this judicial organisation by dividing the unified Supreme Court into two separate entities: the **Supreme Constitutional Court** and the **Supreme Court**, composed of nine and seven judges respectively. This reform, which came into effect on 1 July 2023, was designed to strengthen the specialisation of magistrates, improve the quality and speed of justice, and reduce the concentration of powers within a single jurisdiction. It also responded to the recommendations of GRECO (Group of States against Corruption) and the Venice Commission, which had emphasised the need for a better institutional balance.

The **Supreme Constitutional Court**, which was re-established in 2023, plays a central role in preserving the constitutional order and guaranteeing fundamental rights. It rules on conflicts of jurisdiction between authorities, appeals on grounds of unconstitutionality and certain major appeals in matters of public law. It also acts as the supreme disciplinary authority for judges. As the authentic interpreter of the Constitution (Article 149), the Court has the difficult task of adapting its interpretation of the fundamental text to modern social and political realities, while reconciling constitutional supremacy with Cyprus's international obligations, particularly those arising from its membership of the European Union.

III. The law of the host country

Cypriot magistrates pay particular attention to issues relating to fundamental rights and international law, including European Union law. The national legal framework fully reflects the principles enshrined in the European Convention on Human Rights (ECHR), such as the right to a fair and public trial and the principle of equality before the law.

Furthermore, the Supreme Constitutional Court of Cyprus maintains close jurisprudential ties with the European Court of Human Rights, whose reasoning it regularly draws upon. Some judges have even told me that, on certain sensitive issues, the Cypriot Court adopts positions that are even more protective than those of the European Court in Strasbourg.

Finally, it is worth noting that, in accordance with the hierarchy of laws in force in Cyprus, the European Convention on Human Rights and ratified international treaties take precedence over national legislation.



IV. The comparative law aspect of the internship

With regard to administrative jurisdiction, the Cypriot and French systems have genuine similarities, notably the fact that judges most often rule collectively and that administrative proceedings are mainly conducted in writing. However, I did note that the Cypriot judges of the Administrative Court of International Protection rule individually, each with a separate and independent workload.

However, there are minor differences in terms of the substance of the law. As a court of annulment, the Cypriot Administrative Court is not empowered to conduct a full review of a case or to deal with technical or specialised issues. Conversely, French administrative judges may exercise a more comprehensive judicial review. As regards constitutionality, the Administrative Court of Cyprus may only examine the constitutionality of a law under strict conditions: the allegation of unconstitutionality must be expressly mentioned in the application, and its examination is only justified if it is necessary in order to rule on the legality of the contested act. Otherwise, if the annulment can be pronounced on other grounds, the constitutional issue is not examined.

Despite these few differences, I noted that Cypriot administrative courts remain heavily influenced by the case-law of the French and Greek Councils of State, particularly with regard to general principles of administrative law.

V. The European aspect of your internship

During my exchange programme, I observed that the principles and guidelines derived from European law play an important role in Cypriot judicial practice. Since joining the European Union in 2004, Cyprus has ensured that its domestic law is compatible with the *acquis communautaire*, in particular through certain adaptations, and Cypriot courts take care to interpret and apply national law in the light of European standards.

VI. The 'good practice' aspect within the jurisdiction visited

As French administrative courts are considering further strengthening the oral dimension of public hearings, Cypriot practice could be an interesting source of inspiration. In this system, although the procedure is written and adversarial, as in our model, hearings systematically offer judges the opportunity to question lawyers directly, and this active interaction helps to inform the decision and clarify the points at issue in a dynamic manner.

VII. Benefits of the internship

This internship allowed me to enrich my legal knowledge and broaden my understanding of the legal systems being compared.

More specifically, this exchange programme gave me an exceptional opportunity to strengthen my understanding of administrative law by observing it in a different institutional and cultural context. Discovering a jurisdiction comparable with the one in which I usually practise, but within a different legal system, gave me a practical understanding of the various ways in which the law can be interpreted and applied. The experience was all the more enriching because, in a system inspired by common law, the method of reasoning and constructing judicial decisions differs significantly from that found in



countries with a tradition based on civil law. This immersion has therefore greatly enriched my legal thinking.

I was also struck by the kindness and helpfulness of the Cypriot judges, who took the time after their hearings to answer my questions and explain the intricacies of their legal system to me. Their warm welcome and willingness to share their experience touched me deeply.

VIII. Suggestions

I have no comments or suggestions for improvement, as the programme was perfectly organised and entirely satisfactory from both a professional and personal point of view. The welcome, the quality of the exchanges and the content of the visits exceeded my expectations.

In conclusion, I am convinced that increasing the number of meetings and professional exchanges between magistrates from French and Cypriot administrative courts would be highly beneficial, given the structural similarities between our legal systems.

