

OPAL Country Reports

The Cypriot Parliament and EU Affairs

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To cite this report: K. Agapiou-Josephides (2012), *OPAL Country Reports: The Cypriot Parliament and EU Affairs*, weblink

OPAL Country Report on the Cypriot Parliament¹

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I. General Position of Parliament in the Constitutional Balance of the Member State: Constitutional and institutional factors	
This section looks at the role of Parliament in the political system, to help us understand the relative power position of the legislature.	
1.1	What is the type of government in the political system of your member state? (i.e. parliamentary or semi-presidential)
	The political system of the Republic of Cyprus is a Presidential Democracy, according to art.1 of the Constitution.
1.2	Is it a uni- or bicameral Parliament? If bicameral, is one house dominant or are both equally strong? Please briefly explain.
	It is a unicameral parliament.
1.3	Is the state federal, decentralized or unitary? If applicable, is it a form of asymmetrical federalism?
	The Republic of Cyprus is a unitary state.
1.4	Briefly describe the electoral system, if applicable, for each chamber.
	Regarding the parliamentary elections, the electoral system is based on universal, direct elections every five years with simple proportional representation through party-list, proportional representation, and preferential system. Voters first select the list of a single party (or coalition of parties or a single independent candidate) and then, within the list, can mark their preferences. Seats are distributed among lists within each constituency by dividing the total number of votes cast for each list by the electoral quota. The remaining seats are distributed among the parties or coalitions of parties that won at least one seat in any constituency after the first distribution.
1.5	What (f)actors can prevent the parliament agreeing on EU legislation and/or treaty reform? (e.g. a constitutional court, or public referenda on questions of EU integration)
	The Constitution provides explicitly (article 1A) that European Union law prevails over conflicting national legislation, including constitutional provisions and thus a Constitutional Court decision declaring EU legislation as contrary to the Constitution is not possible. Regarding referenda the Law on Referenda (N. 206/89) provides that they may be conducted so that the opinion of the people can be asked on particularly important issues of public interest. This wording implies that there is no formal obligation of the state institutions to implement the

¹ This country report provides some basic data that has been collected in the context of the research for a chapter to be published in C. Heffler, C. Neuhold, O. Rozenberg, J. Smith & W. Wessels (Eds.). (forthcoming in 2014). *The Palgrave Handbook of National Parliaments and the European Union*. London: Palgrave, Macmillan.

opinion reflected in the referendum. Furthermore, referenda on issues of EU integration have not been carried out in Cyprus so far.

2. General Position of Parliament in the Constitutional Balance of the Member State: Political Factors

This section is about the basic political factors which might influence parliament's strength in relation to the government.

2.1	What is the type of government after the most recent elections e.g. single party, minority, coalition, oversized coalition government?														
	Since the political system is presidential, the type of government cannot be characterized with view to parties involved. However it is noted that 3 parties initially supported the candidacy of President Christofias, with 2 parties withdrawing from the coalition government before the end of the presidential term.														
2.2	When were the most recent general elections and what were the results? Could you please give a short list of the parliamentary groups, their no. of seats in parliament and ideological position?														
	Latest election:	22 May 2011 Results: <table border="1"> <tr> <td>Democratic Rally (DISY)</td> <td>34.28%</td> </tr> <tr> <td>Progressive Party of the Working People (AKEL)</td> <td>32.67%</td> </tr> <tr> <td>Democratic Party (DIKO)</td> <td>15.76%</td> </tr> <tr> <td>Movement of Social Democrats (EDEK)</td> <td>8.93%</td> </tr> <tr> <td>European Party</td> <td>3.88%</td> </tr> <tr> <td>Cyprus Green Party</td> <td>2.21%</td> </tr> </table>		Democratic Rally (DISY)	34.28%	Progressive Party of the Working People (AKEL)	32.67%	Democratic Party (DIKO)	15.76%	Movement of Social Democrats (EDEK)	8.93%	European Party	3.88%	Cyprus Green Party	2.21%
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	Name of the party	No. and percentage of seats in parliament	Ideological position (e.g. Communist, left liberal, socialist, liberal, right liberal, conservative, christian democrat, extreme right, ethnic minority or regionalist party)												
	Democratic Rally (DISY)	20 seats out of 56* -35,7% of seats in Parliament	Right wing party												
	Progressive Party of the Working People (AKEL)	19 seats-33,9% of seats	Left wing party												
	Democratic Party (DIKO)	8 seats-9 candidates of the party were elected but one MP was expelled from the party after the first Plenary session and is now an independent MP.-14,3% of seats	Centre party												
	Movement of Social Democrats (EDEK)	5 seats-8,9% of seats	Socialist												

	European Party (EK)	2 seats-3,6% of seats	Right wing
	Cyprus Green Party (KOP)	1 seat-1,8% of seats	Green party
	Independent MP	1 seat-1,8% of seats	He stood as a candidate for the Democratic Party until he was expelled after the elections.
	<p>Please note that the Constitution provides that in order for a party in parliament to be considered as a parliamentary group it must have attained more than 12% of the total number of seats. Therefore, only DISY, AKEL and DIKO are deemed as parliamentary groups.</p> <p>*According to Article 62.1 of the 1960 Constitution, the statutory number of members of the House of Representatives is 50, of whom 35 (70%) are elected by the Greek Cypriot community and 15 seats (30%) by the Turkish Cypriot community. The latter withdrew from the institutions of central government in 1963, leaving the 15 seats vacant ever since. In 1985, the statutory number of members of the House was raised to 80, of which 56 are reserved for the Greek Cypriot community and 24 for the Turkish Cypriot community (currently vacant).</p>		
2.3	How polarized was parliamentary debate over ratification of the Lisbon Treaty? Which parliamentary party groups supported and which opposed ratification?		
	There were 31 votes in favour, 17 against and 1 abstention. AKEL MPs voted against while the MPs from the Green Party abstained. The other parties were in favour. The debate, notwithstanding the difference of opinions, was not polarized.		

3. New Provisions of the Lisbon Treaty on Direct Contact with EU Institutions

The Lisbon Treaty provides national parliaments with new opportunities for direct contact with the EU institutions. This section addresses the incorporation of the new Lisbon provisions into national law and concrete procedures. Questions 3.3 to 3.5 investigate in how far these procedures have been used.

3.1	<p>Have there been any regulations adopted by your member state to incorporate the new powers that are entrusted to the national parliaments by the Treaty of Lisbon? If so, please list the regulations in their appropriate categories:</p> <ul style="list-style-type: none"> a. Constitutional provisions b. Legal provisions - Statutory provisions c. Parliamentary Standing Orders d. Other (please specify) <p>Is this process complete or ongoing?</p>
	No measures were deemed necessary.
3.2	What exactly are the rules (i.e. parliamentary bodies involved, procedure, regional parliament's involvement, cooperation in bicameral systems) for...
3.2 i	The "Political Dialogue" with the Commission
	The European Affairs Service prepares a catalogue of documents that the Committee on Foreign and European Affairs might consider examining. The Committee takes the final decision.

3.2 ii	The Early Warning Mechanism (EWM)
	The European Affairs Service prepares a catalogue of documents that the Committee on Foreign and European Affairs might consider examining. The Committee takes the final decision.
3.2 iii	The "Passarelle clause"
	No measures have been considered yet.
3.2 iv	The action of annulment before ECJ on breach with the subsidiarity principle (What quota of MPs is needed to enforce the action of annulment?)
	No measures have been considered yet.
3.2 v	Accession of new member states to the EU
	A decision of the plenary by simple majority is needed.
3.3	How actively does the parliament engage in the political dialogue and "early warning mechanism" with the Commission?
	Cyprus has sent two written contributions and one a reasoned opinion regarding the tax on financial transactions, in the context of the early warning mechanism. Further, in the context of the political dialogue many issues are considered in the Committee.
3.4	Has parliament ever threatened to bring a legislative act to the ECJ because of subsidiarity concerns?
	No.
3.5	If applicable to your member state, how does parliament proceed on the ratification of: a. Treaty Establishing the European Stability Mechanism, signed 2 Feb 2012 b. Treaty on Stability, Coordination and Governance in the Economic and Monetary Union, signed 2 March 2012
	They have both been ratified.