

Leaving Cyprus without divorce

Question:

I'm married to a Cypriot for two years. We have no children. I want to get a divorce and go back to Russia. However, my husband keeps preventing me from doing this. Can I leave Cyprus and get divorced while being in Russia? Will I have problems in the case of leaving Cyprus without divorce? 11/09/2015

Response:

Dear reader, in order to get a divorce in Cyprus, you do not need to obtain the other spouse's consent, nor the other spouse's signature as many people tend to confuse. Despite the fact that your husband may be preventing you from doing so, it is your legal right to file a divorce if you wish so and return back to Russia. The fact that you do not have children means that you do not need to follow any procedures regarding custody, which in itself would be a separate procedure. Our litigation department is experienced in such judicial proceedings and is at your disposal for any legal consultation. The procedure regarding a claim for divorce in Cyprus - commencing from the date of filing the divorce up to the date of the issue of the divorce - can take from 1 to 2 months, for cases that do not include matrimonial property regimes and provided that the other spouse will not bring any objection during the hearing procedure. If the spouse brings an objection during the hearing of the divorce at the Court, the divorce will still be issued, with some delay however.

Alternatively, if you wish to return back to Russia without having a divorce at hand, you will not face any restrictions or barriers here in Cyprus. It is your choice whether you wish to file for a divorce either under Cyprus' laws or Russia's laws.