

## SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS  
SECRETARIAT DU COMITE DES MINISTRES



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Date: 12/03/2018

**DH-DD(2018)261**

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1310<sup>th</sup> meeting (March 2018) (DH)

Communication from the applicant (09/03/2018) in the case of ORPHANIDES (Xenides-Arestis group) v. Turkey (Application No. 36705/97).

Information made available under Rule 9.1 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1310<sup>e</sup> réunion (mars 2018) (DH)

Communication du requérant (09/03/2018) dans l'affaire ORPHANIDES (groupe Xenides-Arestis) c. Turquie (Requête n° 36705/97) **[anglais uniquement]**

Informations mises à disposition en vertu de la Règle 9.1 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

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**PROFESSOR ANDREAS G. ORPHANIDES, Ph.D, D.H.C**

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9 March 2018 (By Fax & by email: DGI-execution@coe.int)

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DGI

09 MARS 2018

SERVICE DE L'EXECUTION  
DES ARRETS DE LA CEDH

Dear Sirs,

**Re: Application no. 36705/97, Orphanides v. Turkey (Xenides-Arestis Group)**  
**Judgment of 06/07/2009 (Merits), and**  
**Judgment of 22/11/2010 (Just Satisfaction)**

I appreciate that you brought to the attention of the Committee of Ministers my letter dated 16 February 2018 in relation to the above application and above ECtHR judgments.

I repeat the content of same, and both respectfully and strongly request that the Committee of Ministers follows the ECtHR's above mentioned judgments and take more drastic and effective measures for their execution by the Respondent Government. More precisely:

1. The **Judgment on Just Satisfaction** issued more than 7 years ago, which the Respondent Government has failed to execute despite the decisions and interim resolutions of the Committee of Ministers, as well as despite a letter dated 18 December 2017 I sent to the President of Turkey together with a calculation (statement) of the amounts due by Turkey, requesting immediate payment of the Just Satisfaction.
2. The **Judgment on Merits** issued more than 8 years ago and the individual measures I claimed, including immediate restoration of possession of my home and property. I therefore respectfully suggest that the Committee of Ministers resumes consideration of the execution of this Judgment on Merits.

I also respectfully repeat that the intentional failure of Turkey to execute the above ECtHR's Judgments and thus its intentional breaching of the European Convention on Human Rights in fact constitutes serious violation of Article 3 of the Statute of the Council of Europe.

I would appreciate it if this matter would be brought to the attention of the members of the Committee of Ministers prior to their meeting on 13-15 March 2018 (Rule 9).

Sincerely yours,



**Professor Dr. Andreas G. Orphanides**