

SECRETARIAT GENERAL  
SECRETARIAT OF THE COMMITTEE OF MINISTERS  
SECRÉTARIAT DU COMITE DES MINISTRES



Contact: Simon Palmer  
Tel: 03.88.41.26.12

Date: 16/12/2011

**DH - DD(2011)1154 \***

*Item reference: 1136th DH meeting (March 2012)*

Communication from the applicant's representative in the case of Varnava against Turkey  
(Application No. 16064/90).

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.

\* \* \*

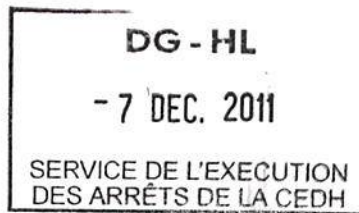
*Référence du point : 1136e réunion DH (mars 2012)*

Communication de l'avocat du requérant dans l'affaire Varnava contre Turquie (*Requête n° 16064/90*) (**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.

---

\* In the application of Article 21.b of the rules of procedure of the Committee of Ministers, it is understood that distribution of documents 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 (CM/Del/Dec(2001)772/1.4). / Dans le cadre de l'application de l'article 21.b du Règlement intérieur du Comité des Ministres, il est entendu que la distribution de documents à la demande d'un représentant se fait sous la seule responsabilité dudit représentant, sans préjuger de la position juridique ou politique du Comité des Ministres CM/Del/Dec(2001)772/1.4).



Our Reference: KC/MP/Varnava and Others

**Council of Europe**  
**Directorate General of Human Rights and Legal Affairs**  
**Department for the Execution of ECHR Judgments**  
**F- 67075 Strasbourg CEDEX**  
**France**

**Nicosia Head Office**

1, Lampousas Street, 1095 Nicosia - Cyprus  
P.O.Box 22119, 1517 Nicosia - Cyprus  
Tel: +357 22 777000 (8 lines)  
Fax: +357 22 779939, 22 773566  
E-mail: (1) info@chrysostomides.com.cy  
(2) kchrysos@logos.cy.net

**Limassol Office**

2, Gkeo Millef Street,  
(corner, 27 Spyrou Kyprianou Avenue)  
Mesa Geitonia, 4002 Limassol - Cyprus  
Tel: +357 25 823232, Fax: +357 25 726425

**Brussels Office (TELEFA)**

Avenue Louise 208, B-1050 Brussels, Belgium  
Tel: +32 2 644 0242

[www.chrysostomides.com](http://www.chrysostomides.com)

By Mail and Fax (+33 03 88 41 27 93)

1<sup>st</sup> December, 2011

Dear Sirs,

**Re: Applications No. 16064/90, 16065/90, 16066/90, 16068/90, 16069/90, 16070/90, 16071/90, 16072/90 and 16073/90 before the European Court of Human Rights - Varnava and Others v. Turkey**

We are acting in the name and on behalf of Messrs. Andreas and Giorghoulla Varnava (16064/90), Andreas and Loizos Loizides (16065/90), Philippos Constantinou and Demetris K. Peyiotis (16066/90), Demetris Theocharides and Elli Theocharidou (16068/90), Panicos and Chrysoula Charalambous (16069/90), Eleftherios and Christos Thoma (16070/90), Savvas and Androula Hadjipanteli (16071/90), Savvas and Georghios Apostolides (16072/90) and Leontis Demetriou and Yiannoulla Leonti Sarma (16073/90), of the Republic of Cyprus,

ADVOCATES - CONSULTANTS:

DR. KYPROS CHRYSOSTOMIDES • ELENI CHRYSOSTOMIDES • CHRYSO PITSIILLI-DEKATRIS • ALEXANDROS TALIADOROS  
GEORGIA GEORGIU • TASSOS STYLIANOU • ALEXANDROS GEORGIADIS • ANNA ROSSIDES • GEORGE MOUNTIS  
NICOLETTA KOUVARA • GEORGIA CHRYSOSTOMIDES-MOUNTIS • PAVLOS SYMEONIDES • ELENA IOANNIDES • GEORGE IOANNOU  
STELIOS HADJILAMBRIS • IRENE ANASTASSIOU • VICTORIA-ZOI PAPAGIANNIS • MARILENA MILTIADOU • MARIA PILIKOU  
KONSTANTINOS MICHAEL • ARIANA GEORGALLIS • ELENI DROUSIOTI • MARIA TRIANTAFILLOU • MANDANA MOAYERI

MARIA P. LAZARI - Larnaca • DAPHNE CHRYSOSTOMIDES • ANDREAS SAMUEL - Brussels

VAT No 10259720R

MEMBER  
**LEX MUNDI**  
THE WORLD'S LEADING ASSOCIATION OF INDEPENDENT LAW FIRMS

**FROM: Dr. K. Chrysostomides & Co. LLC**

**DATE: 01.12.2011**

**TO: Council of Europe  
Directorate General of Human Rights & Legal Affairs  
Department for the Execution of ECHR Judgments**

**PAGE No.: - 2 -**

hereinafter jointly referred to as "the Applicants", and in relation to the above subject matter, we wish to kindly inform you of the following:

In its Judgment dated 18.09.2009, the Grand Chamber of the European Convention of Human Rights found that there was a continuing violation by Turkey of the Applicants' rights guaranteed by Article 2 of the Convention on account of the failure of the authorities of Turkey to conduct an effective investigation into the fate of nine Greek-Cypriot men who had disappeared in life-threatening circumstances during the military operations carried out by Turkey in Cyprus in 1974, by Article 3 of the Convention given that the silence of the Turkish authorities in the face of the real concerns of the relatives of these nine Greek-Cypriot men could only be categorized as inhuman treatment, as well as, by Article 5 of the Convention by virtue of the failure of the authorities of Turkey to conduct an effective investigation into the fate of two of the nine missing men, in respect of whom there had been an arguable claim that they had been deprived of their liberty at the time of their disappearance.

The Court awarded, therefore, the Applicants with the amounts of 12.000,00 Euro per Application in respect of non-pecuniary damage, and 8.000,00 Euro per Application in respect of costs and expenses, plus interest from the expiration of the three-month period from the date of the final Judgment, i.e. 18.09.2009, until full and final settlement thereof.

Despite the Applicants' repeated calls upon Turkey to effect payment of the aforementioned amounts, however, Turkey has systematically denied to settle the aforementioned total amounts plus default interest, and as such, the said amounts are still due and owing to the Applicants.



**FROM: Dr. K. Chrysostomides & Co. LLC**

**DATE: 01.12.2011**

**TO: Council of Europe  
Directorate General of Human Rights & Legal Affairs  
Department for the Execution of ECHR Judgments**

**PAGE No.: - 3 -**

We strongly urge you, therefore, to exercise any and all available options and exert any necessary pressure on Turkey for the purposes of ensuring the due execution of the Judgment in question and the repayment of the just satisfaction awarded to the Applicants, as well as, the default interest due without any further delay.

We thank you in advance for your cooperation and remain at your disposal for any clarifications and/or assistance you may require.

Yours faithfully,



Victoria-Zoi Papagiannis  
Advocate

Dr. K. Chrysostomides & Co. LLC

cc: Mrs. Stella Ioannides  
District Attorney  
Attorney-General's Office  
Nicosia  
Cyprus