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Date: 25/04/2025

DH-DD(2025)473

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Meeting: 1531st meeting (June 2025) (DH)

Communication from the applicants (25/04/2025) in the case of BEKIR-OUSTA AND OTHERS v. Greece (Application No. 35151/05)

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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Réunion : 1531^e réunion (juin 2025) (DH)

Communication des requérants (25/04/2025) relative à l'affaire BEKIR-OUSTA ET AUTRES c. Grèce (requête n° 35151/05) **[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.

The President of the Committee of Ministers
Council of Europe
Strasbourg
DGI-execution@coe.int, cm@coe.int



Komotini, 25-04-2025

Dear President,

Under the Rule 9.1 of the Rules of the Committee of Ministers for the supervision of the execution of ECtHR judgments, please find enclosed the communication on the execution of Bekir-Ousta and others group of cases against Greece (Application No:35151/05) and request that it is uploaded on your website.

Yours Sincerely,

A handwritten signature in blue ink, appearing to be 'Ozan Ahmetoglou'.

Ozan Ahmetoglou
Head of the Board of Xanthi Turkish Union

A handwritten signature in blue ink, appearing to be 'Hasan Bekir Ousta'.

Hasan Bekir Ousta
Head of the Board of Evros Minority Youth Association

A handwritten signature in blue ink, appearing to be 'Hulya Emin'.

Hulya Emin
Head of the Board of the Cultural Association of
Turkish Women of Rodopi Prefecture

LETTER OF COMMUNICATION
Under Rule 9.1
for the supervision of the execution of judgments
and of the terms of friendly settlements

With this letter of communication we would like to kindly inform the Honourable members of the Committee of Ministers about the latest developments with regard to the process of execution of the judgments of the European Court of Human Rights issued in the Bekir Ousta v. Greece group of cases (application nos, 26698/05, 35151/05, 34144/05).

On 17th March 2025 the applicants (Mr. Hasan Bekir Ousta was excused due to professional commitments) met with the Committee of Experts appointed by the State for the execution of judgments delivered on the *Bekir Ousta v. Greece* group cases.

Despite the hospitable and polite context prepared by the committee members the meeting did not meet our expectations. We were informed about the scope of the committee's mandate and their commitment to deliver the expected report by June 2025. In our opinion the discussion revolved around non-essential matters. Most importantly, we felt confused as to whether this committee works with focus on proposing a solution to the current gridlock or simply studies the process of (non) implementation of the Court's judgments in the Bekir Ousta group of cases. Nonetheless, acting in good faith, we reiterated that the obligation to implement the judgements of the Court belongs with the national authorities whereas the norm with regard to the full and effective implementation is *restitutio in integrum*. We also stated that previous initiatives by the State to show progress in the execution process have disappointingly failed. In this respect, we recalled that in 2017, article 758 of the Greek Civil Code of Procedure had been amended in order to facilitate the reexamination of our legal demands before the national judiciary. Despite that, our relevant petitions were once again rejected by the national courts. In addition, we stressed that the task of formulating the (technical) means for the execution of the respective judgments does not rest with the applicants. In any case, we referred the committee members to the guidelines outlined by the Venice Commission and the Parliamentary Assembly of the Council of Europe. Importantly, we informed the Experts Committee that abstention from the execution of the judgments generates significant problems because it lays the ground to the local authorities or various ambiguous individuals in our region to marginalise, harass and demonise us in the eyes of the society. Some of us, simply because we hold and express a different ethnic origin, often get targeted by extremist groups or individuals as *agents of foreign interests*, *peril to the national sovereignty* or *territorial integrity of the State*. This is also the case with many other Turkish minority members who voice their ethnic origin. Consequently, this situation reveals the wider decay of democracy, rule of law and respect of human rights in Western Thrace, Greece.

In sum, we doubt whether the Experts Committee is in position to propose a concrete plan for the resolution of the problem of non-implementation concerning the *Bekir Ousta v. Greece* group cases. In fact, our impression is that the national authorities actually do not wish to offer any solution. Besides, the seventeen year long period of non-execution is enough to presume that the State is unwilling to settle the disagreement with the minority associations. We are also afraid that the mandate given to the Experts Committee is destined to operate as a mechanism to further delay the restitution of our rights. Therefore we expect the Honourable Members of Committee of Ministers to consider, endorse and implement the foreseen steps envisaged by the Council of Europe.