

SECRETARIAT / SECRÉTARIAT

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRÉTARIAT DU COMITÉ DES MINISTRES



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Date: 27/09/2024

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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: 1514th meeting (December 2024) (DH)

Communication from the authorities (27/09/2024) concerning the Bekir-Ousta and Others group of cases v. Greece (Application No. 35151/05).

Information made available under Rule 8.2a 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 : 1514^e réunion (décembre 2024) (DH)

Communication des autorités (27/09/2024) relative au groupe d'affaires Bekir-Ousta et autres c. Grèce (requête n° 35151/05) **[anglais uniquement]**.

Informations mises à disposition en vertu de la Règle 8.2a des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



PERMANENT REPRESENTATION
OF GREECE
TO THE COUNCIL OF EUROPE
The Permanent Representative

DGI

27 SEP. 2024

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

Mr. Frédéric Dolt
Head of Department
Execution of Judgments of ECtHR
Council of Europe
Strasbourg

Sent by e-mail – dgi-execution@coe.int

Strasbourg, 27 September 2024
Ref: F: 6702/AS 1045

Dear Mr. Dolt,

Allow me first of all to congratulate you for your recent appointment as head of Department for the Execution of Judgments of the ECtHR and wish you success in your demanding mandate.

In view of the examination of the *Bekir Ousta v. Greece* group of cases (35151/05) in the upcoming 1514th CMDH meeting (3-5 December 2024) please find attached a letter by the president of the Committee of Experts, Pr. George Karavokyris, to the General Director DGI, Mr. Gianluca Esposito, regarding the progress of works of the above-mentioned Committee of Experts.

Reiterating once more our readiness to working together, as well as the unwavering commitment by Greece to honoring its obligations by the ECHR, please accept, Mr. Dolt, the assurances of our highest consideration.

Yours sincerely,

Panos Beglitis
Ambassador

Cc:

- Mr. Gianluca Esposito
General Director – DGI
Gianluca.esposito@coe.int

- Ms. Clare Ovey

Director of Human Rights – DGI

Clare.ovey@coe.int

- State Legal Council, Athens, Greece – hrgent@nsk.gr

In town

Att. pages four (4)

DGI

27 SEP. 2024

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

Dear Director General, **Mr. G. Esposito**,

Allow me first of all to extend to you best wishes for ~~success in your~~ highly demanding new mandate, promoting the values and principles of Council of Europe particularly in the critical field of human rights.

Further to the kind letter and communication dated 5th of July 2024 of the previous Director General, Mr. Christos Giakoumopoulos, I am at the pleasant position to bring to your knowledge that the Greek Committee of Experts to Study the Progress of the Execution of the Bekir Ousta and Others v. Greece group of cases (No. 35151/05) has already embarked upon its mission since its first session, held in Athens, on the 12nd of June 2024.

In this regard, we have already prepared both a specific Road Map, as well as the Terms of Reference of the Committee, which are attached herewith for your kind information.

It has to be stressed that the elements included in the Road Map (proposed meetings, drafting of papers, etc) do not fall within an exhaustive enumeration, but the reference is indicative, pending the evolution of the task of the Committee. Therefore, they stand open to further enrichment with steps and actions that the members of the Committee may consider as pertinent and necessary for the near-future course of action.

I would also like to grasp this opportunity and emphasize that all the members of this Committee accord the greatest importance to the execution of the European Court's judgments, based on the principles upheld by the Council of Europe and the European Convention of Human Rights, while we look forward to working together with your Directorate on this group of cases which holds, indeed, an exceptional perplexity, as it has been also stated in the relative Decision of the Court.

Reiterating Greece's unwavering commitment to honoring its obligations to the Treaty and the Organization, please accept Director General, the assurances of my highest consideration.

Sincerely Yours,

George Karavokyris

President of the Committee of Experts

Road map and Terms of Reference
for the Committee of Experts to Study the Progress of the Execution
of the Bekir Ousta and Others v. Greece group of cases
(No. 35151.05)

DGI

27 SEP 2024

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

I. Introduction

1. The present text was developed and agreed by the members of the Committee of Experts to Study the Progress of the Execution of the Bekir Ousta and Others v. Greece group of cases (No. 35151.05). It contains a proposed road map and terms of reference for the Committee for the period from its first session, held in Athens on the 12th of June 2024, to its session after one year, to be held on June 2025, with a view to facilitating the fulfilment of the Committee's mandate through a well-planned, organized and transparent approach.
2. The proposed road map (see the table below) has been prepared in accordance with the time frame established in the schedule for the negotiating and sessions of the Committee that was circulated by the Chair on 12th of June 2024 and subsequently modified in accordance with most recent deliberations of the members of this Committee.

II. Terms of Reference for the Committee

A. General

The purpose of the Committee is to Study the Progress of the Execution of the Bekir Ousta and Others v. Greece group of cases (No. 35151.05) following the substantial and productive talks that Deputy Minister for Foreign Affairs Mrs. Papadopoulou held on 8th November 2023 in Athens, in the MFA's premises, with the Delegation of the Council of Europe Secretariat, headed by Director of Human Rights Mr. Poirel, and composed of members of the Department for the Execution of Judgments of the European Court of Human Rights.

By taking into account the experiences of the three independent members of the Committee in key thematic areas such as constitutional law, civil rights and liberties, protection of human rights, social exclusion and discrimination issues, specialized public law, humanitarian and international law, as well as the interrelationship of the relevant with the issue articles in domestic law, it is proposed that a draft document compiling the experts' initial proposals for a way forward be prepared to serve as the basis for the work of the Committee at its following sessions. At a later stage, a consolidated document will be prepared on the basis of the outcomes of the sessions and the research by the members of the Committee.

In advance of the sessions of the Committee, relevant stakeholders will be requested to provide to the Committee draft texts or provisions that are to be examined at those sessions. These consultations will be scheduled between the sessions of the Committee, bearing in mind that participation in the work of the Committee by multi-stakeholders does not entail negotiation and drafting roles, which are the exclusive prerogative of this Committee.

At the end of each session, the Committee may, if necessary, readjust the timetable in accordance with the progress made to date.

B. Aims & Objectives

1. Exchange of information in written on the issue and proposals as a way forward.
2. Provide a framework for the discussion and promotion of best practice and share the latest research and evidence for best practice on the issue.
3. Collaboration with other relevant stakeholders to analyse and evaluate the specific aspects of the issue identified by the Committee by means of exchanges of information and experiences (reporting) and thematic visits.

C. Responsibilities

Each Committee member shall take an active part in undertaking agreed tasks in between the meetings as appropriate.

To make the most effective contribution each committee member shall:

1. Attend all committee meetings including the sessions of the Committee
2. Take an active and constructive part in committee discussions and decision making, and accept a share of the responsibilities for conducting its tasks
3. Conduct all business in a professional independent manner to assist in the promotion of the aims and objectives of the Committee

D. Funding for Committee Members

Committee members may claim expenses for doing so. The Government of Greece will, upon request, bear the travel and subsistence expenses of the members of the Committee.

III. Roadmap

<i>Session</i>	<i>Venue</i>	<i>Meeting Dates</i>	<i>Comments</i>
First session	Athens	12.06.2024	Convening of the Committee – First reading of the substantive agenda items: a) objectives and scope of the Committee, b) preliminary exchange of views on key elements of the issue c) Modalities of work
Intersessional consultation with relevant stakeholders (Judges, Lawyers, Academia, representants of the Muslim minority etc)	Athens		Soliciting inputs on the issue
Deadline for submitting contributions by relevant stakeholders November-December 2024			
Second session			
Thematic visit to Strasbourg - Meetings with the Execution Department December 2024			

Third Session			
Meetings at the Ministries of Justice, Citizen's Protection, Ministry for Foreign Affairs First semester of 2025			