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Contact: Ireneusz Kondak
Tel: 03.90.21.59.86

Date: 18/03/2026

DH-DD(2026)357

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Meeting: 1563rd meeting (June 2026) (DH)

Communication from the applicant (13/03/2026) in the case of Orphanides v. Turkey (Application No. 36705/97) (Xenides Arestis group).

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 : 1563^e réunion (juin 2026) (DH)

Communication du requérant (13/03/2026) relative à l'affaire Orphanides c. Turquie (requête n° 36705/97) (groupe Xenides Arestis) **[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.



LELLOS P. DEMETRIADES LAW OFFICE LLC

DGI

13 MARS 2026

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

THE CHANTECLAIR HOUSE
2 SOPHOULIS STREET, 9TH FLOOR
NICOSIA 1096, CYPRUS
P.O. BOX 21646, CY1511 NICOSIA
TEL: +357 22676060
FAX: +357 22676061
EMAIL: info@ldlaw.com.cy
WEB: www.ldlaw.com.cy

Our Ref: HR646/6/EC

13 March 2026

Messrs
Secretariat of the Committee of Ministers
Council of Europe
F-67075 Strasbourg, cedex
France

VIA EMAIL ONLY (cm@coe.int)

Dear Sirs

**Re: Application no. 36705/97 – Orphanides v Turkey, Judgment (Just Satisfaction)
dated 22 June 2010, FINAL 22 November 2010 (“Judgment”)**

Thank you for circulating copy of the Applicant’s letter dated 22 October 2025 under
reference [DH-DD\(2025\)1369](#).

Further to that we set out the following:

- (1) The Respondent continues to deny access and use of the Applicant’s properties since August 1974 and in any event since the date of the above-mentioned Application.
- (2) As suggested by the Respondent in its letter dated 22 June 2023 under reference [DH-DD\(2023\)811](#) the Applicant and his sister have on 19 March 2025 applied to the Respondent’s Immovable Property Commission (“IPC”).
- (3) The Respondent in its defense, finally filed on 10 October 2025, has generally denied the Applicant’s and his sister’s claims including the fact that there was Judgment by the Court and does not even accept to pay same.
- (4) It is important to note that the amount, which the Applicant’s property has been valued today by the Respondent for purposes of buying it (namely, £969,550) is very low when compared to the amount (plus interest up to date of filing) awarded by the Court for loss of use for 20 years in the Judgment (namely, €635,535). In any event, no global offer has been made by the Respondent.
- (5) Finally, the application before the IPC had been, inter alia, fixed on (i) 30/10/2025, (ii) 13/11/2025, (iii) 11/12/2025, (iv) 15/01/2026 and (v) 19/02/2026 (namely, for more than 4 times) and without any real justification it has been adjourned and is now fixed for 18 March 2026.



- (6) In view of the above, we find it very difficult to understand how in this case the IPC is an effective remedy when even the facts of the Judgment are not accepted and no reasonable amount is offered to be paid even for the Judgment which has been pending for more than 15 years.
- (7) The Applicant is thus still without a remedy (after nearly 52 years of dispossession) and CM(DH) should be made aware of this in order to take appropriate steps to enforce the Judgment.
- (8) Given the Respondent's failure to meet its unconditional obligations under Article 46 (1) and to pay the just satisfaction awarded (even after some of the Applicants' concession to be paid in escrow to the Council of Europe) the Applicants respectfully make a request for the procedure under Article 46(4) to finally commence.
- (9) It is unfair, to say the least, for the Respondent to enjoy for more than 16 years the procedural advantage of the Demopoulos Decision while it fails to pay the just satisfaction awarded and/or proceed with the Applicants' IPC application.

Thanking you in advance for your cooperation and would be grateful if this letter is brought to the attention of the Members of the Committee of Ministers, prior to their forthcoming meeting 9 – 11 June 2026 pursuant to Rule 9 of its Rules for the Supervision of the Execution of Judgments.

I remain at your disposal should you require any clarifications.

Yours sincerely

Achilleas Demetriades

cc: DGI - Directorate General of Human Rights and Rule of Law
Department for the Execution of Judgments of the ECHR
Council of Europe
F-67075 Strasbourg, Cedex
France

VIA EMAIL ONLY (dgi_execution_just_satisfaction@coe.int)