

## SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS  
SECRETARIAT DU COMITE DES MINISTRES



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Date: 30/05/2013

DH-DD(2013)623

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: 1172 DH meeting (4-6 June 2013)

Item reference: Communication from the applicants' representatives (29/05/2013) in the case of Varnava and six other cases 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.

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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 : 1172 réunion DH (4-6 juin 2013)

Référence du point : Communication des représentants des requérants (29/05/2013) dans l'affaire Varnava et six autres affaires 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.

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29. May. 2013 12:29

DR K. CHRYSOSTOMIDES & CO LLC

No. 2379 P. 1/4



DR. K. CHRYSOSTOMIDES & CO LLC  
ADVOCATES AND LEGAL CONSULTANTS



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Our Ref.: KC/VP/Execution of ECHR Judgments

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His Excellency Mr. Armen Papikyan, Chairperson of the Ministers' Deputies  
Committee of Ministers  
Council of Europe  
Palais de l'Europe, Avenue de l' Europe  
F-67075 Strasbourg  
France

*By Fax (+33 388 412 781) and Courier*

28th May, 2013

Your Excellency,

**Re: Execution of Judgments issued by the European Court of Human Rights in the context of the Applications:**

- (i) No. 16064/90, 16065/90, 16066/90, 16068/90, 16069/90, 16070/90, 16071/90, 16072/90 and 16073/90 - Varnava and Others v. Turkey
- (ii) No. 39970/98 - Hadjithomas and Others vs. Turkey
- (iii) No. 18360/91 - Sophia Andreou vs. Turkey
- (iv) No. 18361/91 - Michalis Michael vs. Turkey
- (v) No. 18364/91 - Andreas Ioannou vs. Turkey
- (vi) No. 35214/97 - Hapeshis and Hapeshi - Michaelidou vs. Turkey
- (vii) No. 38179/97 - Hapeshis and Others vs. Turkey
- (viii) No. 39970/98 - Hadjithomas and Others vs. Turkey

We are acting in the name and on behalf of the Applicants in the abovementioned Applications, which were brought thereby before the European Court of Human Rights, and in light of the upcoming 1172<sup>nd</sup> Human Rights Meeting of the Ministers'

ADVOCATES - CONSULTANTS:

DR. KYPROS CHRYSOSTOMIDES • ELENI CHRYSOSTOMIDES • CHRYSO PITSILLI-DEKATRIS • ALEXANDROS TALIADOROS  
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MARTA D. IZARDI - Tarnovo • NADINE CHRYSOSTOMIDES • ANDREAS SAMIPI - Roussaki

29/05/2013 11:47

1/4

VAT No 10259720R

MEMBER  
LEX MUNDI  
FOR EUROPEAN ATTORNEYS OF RECOGNIZED LAW FIRM

29. May. 2013 12:29

DR K. CHRYSOSTOMIDES & CO LLC

No. 23/9 P. 2/4

<b>FROM: Dr. K. Chrysostomides &amp; Co. LLC</b>	<b>DATE: 28.05.2013</b>
<b>TO: His Excellency Mr. Armen Papikyan Chairperson of the Ministers' Deputies, Committee of Ministers</b>	<b>PAGE No.: - 2 -</b>

Deputies between 4<sup>th</sup> -6<sup>th</sup> June 2013, we kindly request that you bring to the attention of the Members of the Committee the fact that, despite our repeated calls upon Turkey to effect payment of the amounts awarded by the European Court of Human Rights to our clients as just satisfaction, to date Turkey has systematically denied to repay the total amounts, plus default interest, due and owing to them.

In particular, the following amounts have been duly awarded to our clients by the European Court of Human Rights and have yet to be settled by Turkey:

**(i) Applications No. 16064/90, 16065/90, 16066/90, 16068/90, 16069/90, 16070/90, 16071/90, 16072/90 and 16073/90 - Varnava and Others v. Turkey:**

The amount 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;

**(ii) Application No. 39970/98 - Hadjithomas and Others vs. Turkey:** The amount of 1.000.000,00 Euro in respect of pecuniary and non-pecuniary damage, and 7.375,00 Euro 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. 01.04.2011, until full and final settlement thereof;

**(iii) Application No. 18360/91 - Sophia Andreou vs. Turkey:** The amount of 80.000,00 Euro in respect of pecuniary and non-pecuniary damage, and 7.238,00 Euro in respect of costs and expenses, plus interest from the expiration of the three-month period from the date on which the judgment became final, i.e. 22.11.2010, until full and final settlement thereof;



29. May. 2013 12:29

DR K. CHRYSOSTOMIDES & CO LLC

No. 2379 P. 3/4

FROM: Dr. K. Chrysostomides & Co. LLC

DATE: 28.05.2013

TO: His Excellency Mr. Armen Papikyan  
Chairperson of the Ministers' Deputies,  
Committee of Ministers

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(iv) Application No. 18361/91 - Michalis Michael vs. Turkey: The amount of 68.000,00 Euro in respect of pecuniary and non-pecuniary damage, and 8.000,00 Euro in respect of costs and expenses, plus interest from the expiration of the three-month period from the date on which the judgment became final, i.e. 22.11.2010, until full and final settlement thereof;

(v) Application No. 18364/91 - Andreas Ioannou vs. Turkey: The amount of 250.000,00 Euro in respect of pecuniary and non-pecuniary damage, and 7.688,50 Euro in respect of costs and expenses, plus interest from the expiration of the three-month period from the date on which the judgment became final, i.e. 22.11.2010, until full and final settlement thereof;

(vi) Application No. 35214/97 - Hapeshis and Hapeshi-Michaelidou vs. Turkey: The amount of 130.000,00 Euro in respect of pecuniary and non-pecuniary damage, and 8.000,00 Euro in respect of costs and expenses, plus interest from the expiration of the three-month period from the date on which the judgment became final, i.e. 11.04.2011, until full and final settlement thereof;

(vii) Application No. 38179/97 - Hapeshis and Others vs. Turkey: The amount of 900.000,00 Euro in respect of pecuniary and non-pecuniary damage, and 8.000,00 Euro in respect of costs and expenses, plus interest from the expiration of the three-month period from the date on which the judgment became final, i.e. 11.04.2011, until full and final settlement thereof;

(viii) Application No. 39970/98 - Hadjithomas and Others vs. Turkey: The amount of 1.000.000,00 Euro in respect of pecuniary and non-pecuniary damage, and 7.375,00 Euro in respect of costs and expenses, plus interest from

29. May. 2013 12:30

DR K. CHRYSOSTOMIDES & CO LLC

No. 2379 P. 4/4

<b>FROM: Dr. K. Chrysostomides &amp; Co. LLC</b>	<b>DATE: 28.05.2013</b>
<b>TO: His Excellency Mr. Armen Papikyan Chairperson of the Ministers' Deputies, Committee of Ministers</b>	<b>PAGE No.: - 4 -</b>

the expiration of the three-month period from the date on which the judgment became final, i.e. 11.04.2011, until full and final settlement thereof.

We kindly request and urge you, therefore, to exercise any and all available options at the Committee's disposal pursuant to Article 46 of the European Convention of Human Rights, as well as, exert any necessary pressure on Turkey for the purposes of ensuring the due execution of the aforementioned Judgments and the repayment of the just satisfaction awarded to the Applicants without any further delay.

We thank you in advance of your most precious assistance on this matter and remain at your disposal for any clarifications you may require.

Yours sincerely,



Dr. Kypros Chrysostomides  
Managing Partner

cc.: Directorate General of Human Rights and Legal Affairs  
Department for the Execution of ECHR Judgments  
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