

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES



Contact: Abel CAMPOS
Tel: 03 88 41 26 48

Date: 02/12/2013

DH-DD(2013)1301

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: 1186 meeting (3-5 December 2013) (DH)

Item reference: Communication from the applicants' representative
(29/11/2013) in Varnava and others 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.

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 : 1186 réunion (3-5 décembre 2013) (DH)

Référence du point : Communication du représentant des requérants
(29/11/2013) dans l'affaire Varnava et autres 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.



LELLOS P. DEMETRIADES LAW OFFICE LLC



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

HR4-8/152/EC

29 November 2013

Mr Abel Campos
Senior Administrator
(Human Rights meetings and monitoring mechanisms)
Secretariat of the Committee of Ministers
Council of Europe
Palais de l'Europe
F-67075 Strasbourg
France

VIA EMAIL & MAIL

Dear Mr Campos

**Re: Application nos. 16064/90, 16068/90, 16070/90, 16072/90 and 16073/90
Varnava and Others v Turkey, Judgment dated 18 September 2009**

I refer to the abovementioned matter and would be grateful if you could express my thanks to the Committee of Ministers for its Interim Resolution CM/Res DH (2013) 201.

Unfortunately, the Respondent Government has still failed to comply with its unconditional obligations set by the said judgment and would be grateful if this is brought up at the forthcoming Committee meeting between 3 – 5 December 2013.

It is astonishing that the Respondent Government is allowed to get away with this inaction and silence. It actually amounts to what, in Common Law, would be considered as contempt of Court. I therefore call upon the Committee of Ministers to take whatever further action is required to bring about the enforcement of the said judgment.

Furthermore, given the fact that I will not be travelling to Strasbourg next week I would like, without prejudice and with full reservation of rights, to withdraw my offer to attend the forthcoming meeting of the Committee of Ministers to explain further my proposal for elevating the Committee of Missing Persons to an effective domestic remedy. Perhaps you may want to put my proposal to them as part of your discussion.

I also thought the Committee of Ministers would be interested in the attached statement of the President of the Republic of Cyprus dated 7 November 2013 who actually acknowledges that "The time limits for the effective investigation of the fate of our missing have narrowed and are being exhausted everyday that goes by".



I would be grateful if this matter is brought to the attention of the Members of the Committee of Ministers pursuant to Rule 9 of its Rules for the Supervision of the Execution of Judgments and the Respondent Government is requested to honour the said judgment.

I remain at your disposal should you require any clarifications on the abovementioned.


Thanking you in advance for your cooperation.

Yours sincerely

Achilleas Demetriades

Enc


cc: DG Human Rights & Legal Affairs
Directorate of Monitoring
Department for the Execution of ECHR Judgments
Council of Europe
F-67075 Strasbourg, Cedex
France



PRESS AND INFORMATION OFFICE

ΕΛΛΗΝΙΚΟ


Home Page | FAQ | Sitemap | Links | Contact Us


Search: 

Advanced Search

- About us
 - Divisions and Sections
- Government
 - Spokesman
 - Press Releases
 - Photos
 - Photo Gallery
 - Photographic Exhibitions
 - Diary of Events
- Cyprus Problem
 - Recent Developments
 - Documents
 - Fact Sheets
 - Turkish Press Publications
 - Mass Media
 - Council of Ministers
- Service Desk

PRESS RELEASES

 Print



Written statement by the President of the Republic, Mr Nicos Anastasiades, on the issue of the missing persons in Cyprus
07/11/2013

The issue of the missing persons is most tragic dimension of the drama that the people of Cyprus live through for a few decades now.

The families of the missing experience this drama every day, more than any other category of people. For half a century all those who have missing persons dating from the events of 1963-1964, and for nearly four decades all those who lost track of their own people during the invasion, are tormented and are suffering from the agony and the uncertainty, the doubt and the fear about the fate of their loved ones.

The primary and indispensable condition for the entire process of the investigation is to secure the necessary information and to locate and excavate the sites where the missing are buried. It is the first and decisive step, the first phase for the beginning of the arduous scientific process that follows.


And that is why I appeal to all those who know or have information about the sites where there are buried missing Turkish Cypriots or missing Greek Cypriots and fallen from the 1963-64 period and/or the two phases of the invasion of 1974, to give us this information and to provide the appropriate authorities and the Committee on Missing Persons in Cyprus with all the evidence in their possession.

The time limits for the effective investigation of the fate of all our missing have narrowed and are being exhausted with every day that goes by. We must now act decisively, to find and open the graves, to give answers to the relatives of the missing about the fate of their loved ones and to heal the wounds of the past.

I expect from all those who can contribute to this purpose by providing information and evidence, Greek Cypriots and Turkish Cypriots, to perform their ethical, humanitarian and patriotic duty.

I expect from Turkey, in particular, to respect its legal obligations and its treaty commitments and to contribute decisively to the solution of this enormous and lingering humanitarian issue by opening the archives of the Turkish military and by allowing free access to the Committee on Missing Persons in Cyprus to the military areas in the occupied areas but also in its own territory.

As in the past, the Government of the Republic of Cyprus will continue to support by all possible means the very important humanitarian work of the Committee on Missing Persons in Cyprus. I take this opportunity to thank publicly the Government of Kuwait for its recent decision to provide the amount of 200.000 euro to cover the needs of the Committee on Missing Persons in Cyprus.

 Send to friend