

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES

COMMITTEE
OF MINISTERS
COMITÉ
DES MINISTRES



Contact: Clare Ovey
Tel: 03 88 41 36 45

Date: 06/03/2017

DH-DD(2017)267

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: 1280 meeting (7-9 March 2017) (DH)

Communication from the applicant (06/03/2017) in the case of ORPHANIDES v. Turkey (Xenides-Arestis group) (Application No. 36705/97)

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 : 1280 réunion (7-9 mars 2017) (DH)

Communication du requérant (06/03/2017) dans l'affaire ORPHANIDES (groupe Xenides-Arestis) c. Turquie (Requête n° 36705/97) **[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.

DH-DD(2017)267 : Rule 9.1 communication from the applicant in Orphanides v. Turkey.
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. / Les documents distribués à la demande d'un/une Représentant/e sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

PROFESSOR ANDREAS G. ORPHANIDES, Ph.D, D.H.C
Nicosia, Cyprus
Email: a.orphanides1@gmail.com

DGI
06 MARS 2017
SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

6 March 2017

Messers
Secretariat of the Committee of Ministers
Conseil de l'Europe
F-67075 STRASBOURG CEDEX
FRANCE

By Fax & by email: DGI-execution@coe.int

Dear Sirs,

Re: Execution of Just Satisfaction Judgment of ECtHR, no. 36705/97, Orphanides v. Turkey (Xenides-Arestis Group)

I refer to the ECtHR Final Just Satisfaction Judgment on 22/11/2010 on my Application no. 36705/97, Orphanides v. Turkey (Xenides-Arestis Group), and I would appreciate it if you would bring this communication to the attention of the Members of the Committee of Ministers prior to their forthcoming 1280th meeting on this matter on 7-9 December 2017, pursuant to rule 9 of the Rules for the Supervision of the Execution of Judgments.

I regret that I once again am sending a letter to indicate the failure of the respondent government to execute the above judgement of the ECtHR, and also the failure of the Committee of Ministers to effectively supervise, as the European Convention on Human Rights prescribes, the execution of the judgement. At the same time, I am deeply concerned about the future of human rights in Europe due to such failures of CoE member states to execute final judgements of the ECtHR and the breaching of the European Convention on Human Rights. Despite the efforts, decisions and interim resolution of the Committee of Ministers, the above awarded just satisfaction by ECtHR remains unpaid. Obviously and sadly, these decisions, interim resolution, as well as the efforts of the Secretary General, have been ignored by the respondent government and have not had any practical results.

I would, therefore, strongly request and urge the Committee of Ministers to take more drastic and effective measures on Turkey to finally execute the above judgement of the ECtHR and pay immediately the Just Satisfaction.

There is no excuse for the Committee of Ministers to continue any more to tolerate the denial and failure of the respondent government to execute a final judgment of ECtHR and thus the breaching by Turkey of the European Convention on Human Rights.

Sincerely yours,

Professor Dr. Andreas G. Orphanides