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SECRETARIAT OF THE COMMITTEE OF MINISTERS  
SECRÉTARIAT DU COMITÉ DES MINISTRES

COMMITTEE  
OF MINISTERS  
COMITÉ  
DES MINISTRES



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**Date:** 25/02/2019

**DH-DD(2019)190**

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Meeting: 1340<sup>th</sup> meeting (March 2019) (DH)

Communication from the applicant (22/02/2019) in the case of VARNAVA AND OTHERS v. 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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Réunion : 1340<sup>e</sup> réunion (mars 2019) (DH)

Communication du requérant (22/02/2019) relative à l'affaire VARNAVA ET AUTRES c. 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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22 FEV. 2019

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HR4-8/183/EC

22 February 2019

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

VIA EMAIL ONLY

Dear Sirs

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

Thank you for bringing to the attention of the Members of the Committee of Ministers my letter dated 7 September 2018 in relation to the abovementioned matter whose content is hereby repeated.

The Applicants' note from the Committee's Decision on 6 December 2018 that it had:

"...decided to resume consideration of the issue of the missing persons at its 1340<sup>th</sup> meeting (March 2019) DH."

To that effect and in an effort to allow the Committee and its Members adequate time to consider and prepare for the matter, set out the following:

- (1) With respect to the issue of the payment of the just satisfaction and the taking of individual measures it is clear that the Respondent Government is continuing to act in total disregard to the Applicants' rights, which it has been continuously violating since 1974.
- (2) Furthermore, in total disregard of Turkey's unconditional obligation to pay the just satisfaction awarded by the Court, it takes no account of the various interim Resolutions adopted by the Committee of Ministers.
- (3) This persistent and unacceptable behavior inflicts additional pain to the Applicants and further undermines the institutional role and effectiveness of the Committee of Ministers. It must therefore be brought to an end without any further delay. The just satisfaction awarded must be paid and the appropriate individual measures must be implemented.



- (4) These cases were filed more than 28 years ago, final judgments were secured more than 10 years ago and relate to continuing violations for the last 44 years.
- (5) To this effect, the Applicants respectfully invite the Committee of Ministers to declare that: "Turkey has seriously violated Article 3 of the Statute of the Council of Europe".

I would be grateful if this matter was brought to the attention of the Members of the Committee of Ministers, prior to their forthcoming meeting 12 – 14 March 2019 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.

Thanking you in advance for your cooperation.

Yours sincerely

Achilleas Demetriades

cc: DGI - Directorate General of Human Rights and Rule of Law  
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