



Interim resolution CM/ResDH(2014)185

Execution of the judgments of the European Court of Human Rights

in the cases Varnava, Xenides-Arestis and 32 other cases against Turkey

(see the list of cases in the appendix)

(Adopted by the Committee of Ministers on 25 September 2014

at the 1208th meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 46, paragraph 2, of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter "the Convention") ;

Deeply deploring that to date, despite the interim resolutions adopted in the cases of *Xenides-Arestis* and *Varnava*¹, the Turkish authorities have not complied with their obligation to pay the amounts awarded by the Court to the applicants in those cases, as well as in 32 other cases in the *Xenides-Arestis* group, on the grounds that this payment cannot be dissociated from the measures of substance in these cases;

Recalling in this respect that in two letters addressed to their Turkish counterpart², the then Chairmen of the Committee of Ministers stressed on behalf of the Committee that the obligation to comply with the judgments of the Court is unconditional;

Found that the continued refusal to pay the sums awarded to the applicants amounts to a manifest breach of the obligation assumed by Turkey under Article 46, paragraph 1, of the Convention to abide by the judgments of the Court;

DECLARES that this continued refusal by Turkey is in flagrant conflict with its international obligations, both as a High Contracting Party to the Convention and as a member State of the Council of Europe;

EXHORTS Turkey to review its position and to pay without any further delay the just satisfaction awarded to the applicants by the Court, as well as the default interest due.

Appendix

List of cases

- One case against Turkey concerning missing Greek Cypriots

Application	Case	Judgment of	Final on
16064/90+	VARNAVA AND OTHERS	18/09/2009	Grand Chamber

- 33 cases against Turkey concerning interference in property rights and/or respect for home (properties in the northern part of Cyprus)

Application	Case	Judgment of	Final on
46347/99	XENIDES-ARESTIS	22/12/2005 07/12/2006	22/03/2006 23/05/2007
16094/90	ANDREOU PAPI	22/09/2009 26/10/2010	01/03/2010 11/04/2011
18360/91	ANDREOU SOPHIA	27/01/2009 22/06/2010	06/07/2009 22/11/2010
16085/90	CHRISTODOULIDOU	22/09/2009 26/10/2010	01/03/2010 11/04/2011
16219/90	DEMADES	31/07/2003 22/04/2008	31/10/2003 01/12/2008
16259/90	DIOGENOUS AND TSERLOTIS	22/09/2009 26/10/2010	01/03/2010 11/04/2011
18405/91	ECONOMOU	27/01/2009	06/07/2009

		22/06/2010	22/11/2010
19900/92	EPIPHANIOU AND OTHERS	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
18403/91	EVAGOROU CHRISTOU	27/01/2009	06/07/2009
		22/06/2010	22/11/2010
41355/98	GAVRIEL	20/01/2009	06/07/2009
		22/06/2010	22/11/2010
37395/97	HADJIPROCOPIOU AND OTHERS	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
39970/98	HADJITHOMAS AND OTHERS	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
35214/97	HAPESHIS AND HAPESHI-MICHAELIDOU	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
38179/97	HAPESHIS AND OTHERS	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
18364/91	IOANNOU	27/01/2009	06/07/2009
		22/06/2010	22/11/2010
43685/98	IORDANIS IORDANOU	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
46755/99	IORDANOU ANTHOUSA	24/11/2009	10/05/2010
		11/01/2011	20/06/2011
21887/93	JOSEPHIDES	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
18407/91	KYRIAKOU	27/01/2009	06/07/2009
		22/06/2010	22/11/2010
16682/90	LOIZOU AND OTHERS	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
		24/05/2011	28/11/2011
15973/90	LORDOS AND OTHERS	02/11/2010	11/04/2011
		10/01/2012	09/07/2012
18361/91	MICHAEL	27/01/2009	06/07/2009
		22/06/2010	22/11/2010
18406/91	NICOLAIDES	27/01/2009	06/07/2009
		22/06/2010	22/11/2010
16091/90	OLYMBIOU	27/10/2009	01/03/2010
		26/10/2010	11/04/2011
36705/97	ORPHANIDES	20/01/2009	06/07/2009
		22/06/2010	22/11/2010
29092/95	RAMON	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
46159/99	ROCK RUBY HOTELS LTD	22/09/2009	01/03/2010
		26/10/2010	11/04/2011

16160/90	SAVERIADES	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
47884/99	SKYROPIIA YIALIS LTD	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
16161/90	SOLOMONIDES	20/01/2009	06/07/2009
		27/07/2010	22/11/2010
16082/90	STRATI	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
16078/90	VRAHIMI	22/09/2009	01/03/2010
		26/10/2010	11/04/2011
16654/90	ZAVOU AND OTHERS	22/09/2009	01/03/2010
		26/10/2010	11/04/2011

¹ Interim Resolutions CM/ResDH(2008)99 and CM/ResDH(2010)33, adopted respectively in 2008 and 2010 in the case of *Xenides-Arestis* and Interim Resolution CM/ResDH(2013)201, adopted in 2013 in the *Varnava* case.

² Letters sent respectively in October 2009, in the case of *Xenides-Arestis*, and in April 2014, for all these cases.

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