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Judgment of the European Court of Human Rights in the case of Cyprus v. Turkey: access to Turkish military archives

Reply to Written question[1]: Written question No. 575 (Doc. 12082)
Committee of Ministers

Written Question No. 575 by Mr Pourgourides (Doc. 12082)

At its 1059th meeting (June 2009), the Committee of Ministers, dealing with the implementation of the Grand Chamber judgment in the case of Cyprus v. Turkey,

> *"reiterated in this context the urgency for the Turkish authorities to take concrete measures, having in mind the effective investigations required by the judgment, in particular regarding the CMP's access to all relevant information and places;*
>
> *noted with interest in this regard the declaration of the Turkish authorities that they are ready to consider any request from the CMP relating to access to information and places relevant for its work."*

Similarly, at its 1051st meeting (March 2009), the Committee of Ministers:

> *"underlined in any event, the urgent need for the Turkish authorities to take concrete measures having in mind the effective investigations required by the judgment, in particular relating to the CMP's access to all relevant information and places; "*

After the recent discovery and identification, through DNA testing, of the remains of a particularly emblematic group of missing persons who had been photographed in the custody of Turkish forces, it would appear that the efforts aimed at clarifying the fate of these and other missing persons would benefit considerably from granting the CMP full access to relevant parts of Turkish military archives.

Mr Pourgourides,

To ask the Chairperson of the Committee of Ministers,

Whether, in view of the decisions of the Committee of Ministers cited above, he could confirm that the archives in question are considered as part of the said "relevant information".

Reply by the Committee of Ministers

The Chair of the Committee of Ministers would like to remind the Honourable Parliamentarian that, as this judgment is on the Committee's agenda under the terms of Article 46 of the European Convention on Human Rights, the answer it can provide to his Written Question is contained in the decisions adopted in this context.

The decisions can be reached at the following link:

http://www.coe.int/t/cm/System/WCDsearch.asp?ShowRes=yes&DocType=docDecision&Theme=thmHumanRights&Keyword=(DH)&Language=lanEnglish&Sector=secCM&ResultTitle=Decisions#

1. adopted at the 1084th meeting of the Ministers' Deputies (5 May 2010)