



## Recommendation 1576 (2002)<sup>1</sup>

# Implementation of decisions of the European Court of Human Rights by Turkey

Parliamentary Assembly

1. The Parliamentary Assembly, referring to its [Resolution 1297 \(2002\)](#) on implementation of decisions of the European Court of Human Rights taken by Turkey, urges the Committee of Ministers to take all necessary measures to ensure the execution of the Court's decisions without delay, notably by ensuring that the new legislation on the reopening of proceedings adopted by Turkey in August 2002 enters immediately into force and is made applicable to all cases pending before the Committee of Ministers for control of execution under Article 46 of the European Convention on Human Rights (Binding force and execution of judgments).
2. The Assembly in particular expresses its grave concern about Turkey's continued refusal to respect the Court's judgment in the *Loizidou* case, and its invitation to Turkey to ensure payment of the just satisfaction owed to the applicant.
3. It refers also to its [Recommendation 1546 \(2002\)](#), in which it strongly supports the Committee of Ministers' appeal to the authorities of the member states to take whatever action they deem necessary to ensure the proper execution of judgments in situations where the Committee of Ministers has found the respondent state to be in breach of its fundamental obligations under the Convention to comply with the judgments of the European Court of Human Rights.
4. It recommends that the Committee of Ministers consider taking all the necessary measures in the event that Turkey refuses or continues to delay payment of the just satisfaction, including the seizure of the corresponding sum from Turkey's contribution to the Council of Europe, and the application of a daily fine as already recommended in Assembly [Recommendation 1477 \(2000\)](#) on execution of judgments of the European Court of Human Rights;
5. Finally, with respect to the case of *Sadak and others*, the Assembly, again referring to [Resolution 1297](#) and to Turkey's obligation under Article 46 of the Convention to take concrete measures to remedy the consequences of the violation found by the Court, urges the Committee of Ministers to use all means at its disposal to ensure compliance with the judgment without further delay.

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1. Assembly debate on 23 September 2002 (25th Sitting) (see [Doc. 9537](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Jurgens). Text adopted by the Assembly on 23 September 2002 (25th Sitting).

