



Human Rights in relation to the Property Issue in Cyprus Latest Developments

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- Introduction**
- Only legal analysis
- Loizidou v. Turkey**
- Effective control by Turkey
 - Subordinate local administration
 - Recognition of title deeds of Republic of Cyprus (RoC)
- ECtHR**
- Right of Individual Petition: Art. 35 ECHR
 - Exhaustion of domestic remedies
 - Demopoulos v. Turkey, 2010 Judgment on admissibility
 - Immovable Property Commission (IPC) not incompatible with ECHR
 - Effectiveness issue, still open
 - Xenides – Aresti Group. Judgments about €50 mil.
- IPC**
- Accepts certificates of RoC
 - Remedies: Restitution, Exchange, Compensation
 - Joannou v. Turkey: 2 Properties Restitution, 3 Properties Compensation £215.000 (Pending)
 - Skourides, Larnacas tis Lapithou: Restitution
 - Awards: £300 mil. Compensation paid, only £200 mil.
 - Procedure still ineffective
- ECtHR Cases**
- Fenced up area of Famagusta (16/12/19 Turkish Deadline)
 - (a) EVKAF
 - (b) (i) Restitution (ii) Compensation for loss of use
 - Occupied Nicosia (17/12/19 Turkish Deadline)
 - Why is RoC participating only in one?
- Dr. Ramon**
- ECtHR Judgment 2010 www.drramon.eu
 - Execution – Assets of the EU Commission
- CJEU**
- Garnishee proceedings in Cyprus (26/6/19)
 - Pre-accession assistance to Turkey
 - Court of Justice of the European Union (CJEU)
 - Set aside immunity of EU Commission
 - Any future in this?

Discussion

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