



11.2.2015

B8-0150/2015 }
B8-0153/2015 }
B8-0155/2015 }
B8-0156/2015 }
B8-0157/2015 }
B8-0159/2015 }
B8-0161/2015 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rules 135(5) and 123(4) of the Rules of Procedure

replacing the motions by the following groups:

Verts/ALE (B8-0150/2015)

ECR (B8-0153/2015)

ALDE (B8-0155/2015)

EFDD (B8-0156/2015)

GUE/NGL (B8-0157/2015)

S&D (B8-0159/2015)

PPE (B8-0161/2015)

on mass graves of the missing persons of Ashia in Ornithi village in the occupied part of Cyprus

(2015/2551(RSP))

Cristian Dan Preda, Eleni Theocharous, Manolis Kefalogiannis, Elmar Brok, Lefteris Christoforou, Davor Ivo Stier, Bogdan Brunon Wenta, Giovanni La Via, Lara Comi, Tunne Kelam, Jiří Pospíšil, Dubravka Šuica, Pavel Svoboda, Stanislav Polčák, Francesc Gambús, Inese Vaidere, Jaromír Štětina, Jarosław Wałęsa, Tomáš Zdechovský, Jeroen Lenaers, Marijana Petir, Andrej Plenković, Joachim Zeller, Franck Proust, Ivan Štefanec, Seán Kelly, Michaela Šojdrová, Claude Rolin, József Nagy, Eduard Kukan, Kinga Gál, Tadeusz Zwiefka, Elisabetta Gardini, Ivana Maletić, Andrey Kovatchev, Monica Macovei

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on behalf of the PPE Group

Josef Weidenholzer, Michela Giuffrida, Kashetu Kyenge, Nikos Androulakis, Lidia Joanna Geringer de Oedenberg, Vilija Blinkevičiūtė, Demetris Papadakis, Costas Mavrides, Miroslav Poche, Victor Negrescu, Viorica Dăncilă, Luigi Morgano, Nicola Caputo, Enrico Gasbarra, Doru-Claudian Frunzulică, Juan Fernando López Aguilar, Eva Kaili, Afzal Khan, Neena Gill, Biljana Borzan

on behalf of the S&D Group

Charles Tannock, Ruža Tomašić, Valdemar Tomaševski, Branislav Škripek

on behalf of the ECR Group

Fernando Maura Barandiarán, Maite Pagazaurtundúa Ruiz, Cecilia Wikström, Ramon Tremosa i Balcells, Juan Carlos Girauta Vidal, Gérard Deprez, Beatriz Becerra Basterrechea, Ivan Jakovčić, Marielle de Sarnez, Johannes Cornelis van Baalen, Izaskun Bilbao Barandica

on behalf of the ALDE Group

Takis Hadjigeorgiou, Neoklis Sylikiotis, Marie-Christine Vergiat, Malin Björk, Javier Couso Permuy, Marina Albiol Guzmán, Lidia Senra Rodríguez, Paloma López Bermejo, Ángela Vallina, Sofia Sakorafa, Kostas Chrysogonos, Kostadinka Kuneva, Dimitrios Papadimoulis

on behalf of the GUE/NGL Group

Ska Keller, Ernest Urtasun, Davor Škrlec, Ernest Maragall

on behalf of the Verts/ALE Group

Fabio Massimo Castaldo, Laura Agea, Piernicola Pedicini, Tiziana Beghin, Dario Tamburrano, Ignazio Corrao, Rosa D'Amato, Laura Ferrara, Eleonora Evi

on behalf of the EFDD Group

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European Parliament resolution on mass graves of the missing persons of Ashia in Ornithi village in the occupied part of Cyprus (2015/2551(RSP))

The European Parliament,

- having regard to its resolution of 15 March 2007 on missing persons in Cyprus¹,
 - having regard to the relevant reports of the United Nations Secretary-General², resolutions of the United Nations Security Council³ and international initiatives taken to investigate the fate of missing persons in Cyprus⁴,
 - having regard to the judgments of the European Court of Human Rights (ECHR) of 10 May 2001⁵ and 10 January 2008⁶ concerning missing persons in Cyprus, and the 12 May 2014 Grand Chamber judgment in the case of Cyprus v. Turkey,
 - having regard to its resolution of 18 June 2008 on missing persons in Cyprus⁷,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A6-0139/2008),
 - having regard to its declaration of 9 June 2011 on the work of the Committee on Missing Persons in Cyprus,
 - having regard to the international humanitarian law, both conventional and customary, on missing persons,
 - having regard to its previous resolutions on Turkey,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas on 14 August 1974 the village of Ashia was bombarded by Turkish air forces; whereas on 21 August enforced mass evacuations were conducted by the Turkish army; whereas final expulsion of all the inhabitants of the village took place on 28 August;
- B. whereas, in total, 106 individuals from the village of Ashia, aged between 11 and 84, went missing in 1974;

¹ OJ C 301 E, 13.12.2007, p. 243.

² Notably the latest one on the United Nations Operation in Cyprus (S/2008/353), Chapter IV.

³ Notably resolution 1818 (2008) of 13 June 2008.

⁴ Committee on Missing Persons in Cyprus: <http://www.cmp-cyprus.org>

⁵ Committee on Missing Persons in Cyprus: <http://www.cmp-cyprus.org>

⁶ *Varnava and Others v. Turkey*, Nos 16064/90, 16065/90, 16066/90, 16068/90, 16069/90, 16070/90, 16071/90, 16072/90 and 16073/90; pending appeal.

⁷ OJ C 286 E, 27.11.2009, p. 13.

- C. whereas in the spring of 2009, the Committee on Missing Persons in Cyprus (CMP) conducted a search in the Ornithi area, a village situated 4 km west of the village of Ashia; whereas four burial sites were disinterred, two of which were water wells and the sites of mass graves; whereas it has been confirmed that the remains, identified by DNA testing, belong to the list of 71 civilians who went missing in Ashia on 21 August 1974, as stated above;
- D. whereas evidence suggests that that the two mass graves had been previously exhumed; whereas the remains were intentionally removed and transferred to unknown locations;
- E. whereas the great agony and suffering of the families of the missing persons, who have remained ignorant of the fate of their beloved relatives for decades, still continues, and whereas all efforts must therefore be made to expedite the investigations by the CMP;
- F. whereas the European Court of Human Rights held that there had been, with regard to Greek-Cypriot missing persons and their relatives: a continuing violation of Article 2 (right to life) of the Convention concerning the failure of the Turkish authorities to conduct an effective investigation into the whereabouts and fate of Greek-Cypriot missing persons who disappeared in life-threatening circumstances; a continuing violation of Article 5 (right to liberty and security) concerning the failure of Turkey to conduct an effective investigation into the whereabouts and fate of the Greek-Cypriot missing persons in respect of whom there was an arguable claim that they were in Turkish custody at the time of their disappearance; and a continuing violation of Article 3 (prohibition of inhuman or degrading treatment) in that the silence of the Turkish authorities in the face of the real concerns of the relatives attained a level of severity which could only be categorised as inhuman treatment;
- G. whereas the cases, where only partial skeletal remains of persons can be handed over for burial, cannot be considered as closed until all the identifiable remains of all the missing persons have been discovered;
- H. whereas the European Court of Human Rights has ruled on the responsibility of Turkey, as the de facto occupying force in the northern part of Cyprus, to investigate the whereabouts and fates of those missing and facilitate the work of the CMP;
- I. whereas the problem of missing persons is a humanitarian one deriving from the right of the relatives of missing persons to know their fate;
- J. whereas the ordeal of missing persons in Cyprus began in 1964, with a limited number of missing persons from both communities, and reached its peak with nearly 2 000 missing persons following the military invasion by Turkey in 1974, which still keeps the island divided;
- K. whereas a total of 2 001 Cypriots have remained missing for several decades now, of whom 1 508 are Greek Cypriots and 493 Turkish Cypriots;

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1. Condemns the relocation that took place in Ornithi, and similar actions, as a great disrespect to the missing persons and a gross violation of the rights of their families to finally know the real conditions of the deaths of their loved ones; expresses its sympathy with the families of all missing people who are still living in uncertainty;
2. Underlines that relocation of remains and similar acts could represent a major disruption and complication for the challenging and difficult process of investigating the fate of all missing persons in Cyprus;
3. Highlights the urgency of the matter as regards the families of the missing persons, 41 years after their disappearances, and stresses that time is running out to find them as witnesses and relatives are passing away; calls for the immediate and complete verification of the fate of the missing persons;
4. Commends the work of the CMP and highlights the importance of intensifying its activities, as half of all the missing persons have yet to be located and more than two-thirds have yet to be identified;
5. Stresses that the work of the CMP depends on the full support and cooperation of all the parties involved and welcomes, in this regard, the funds provided by the EU and calls for their continued provision;
6. Notes that the CMP has made an urgent call for anyone with information on possible burial sites to contact CMP investigators; calls on Turkey and its government to immediately cease removal of the remains from the mass graves and to comply with international law, international humanitarian law and the ECHR judgments, and facilitate to that effect the efforts of the three-part Committee on Missing Persons by giving full access to military archives and military zones for exhumation; calls on Turkey to fully implement its obligation following the decision of the ECHR to compensate the families of the missing persons;
7. Calls on Turkey to allow without deliberate delay access to zones that have been defined as military and there is information that burial sites of missing persons are located within them; underlines that the Turkish military should supply and share old military maps and give full access to its archives in order to facilitate the search for still undisclosed burial grounds;
8. Urges all EU Member States to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, as a matter of priority, and calls on the European External Action Service (EEAS) and the Member States to support the work of the UN Committee on Enforced Disappearances, established under this Convention;
9. Reminds all parties concerned and all those who have, or are in a position to have, any information or evidence emanating from personal knowledge, archives, battlefield reports or records of detention places, to pass it on to the CMP without further delay;
10. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and

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Security Policy and the Government and Parliament of Turkey, and recalls the unconditional obligation of every state, under the European Convention on Human Rights, to abide by final judgments in cases to which it has been a party.

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