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14 October 2008

Discriminatory laws against Macedonian political refugees from Greece

Motion for a resolution

tabled by Mr Geert LAMBERT and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

During the civil war in Greece (1946-1949) thousands of Greek citizens fled Greece. Regardless of their ethnicity, many of those who left Greece during this period were stripped of their Greek citizenship and property by laws enacted by Greece.

In 1982, Greece passed an amnesty law (Law No. 106841) which declared that political exiles who fled during the civil war and were stripped of their citizenship were allowed to return, providing they were "Greeks by genus", that is, ethnic Greeks. Thus, ethnic Macedonians and other non-Greeks were excluded.

In 1985, Law No. 1540 was passed in which political exiles who fled during the civil war were allowed to reclaim confiscated property, provided they were "Greeks by genus", that is, ethnic Greeks. Again, ethnic Macedonian exiles born in Greece were excluded.

Most of the ethnic Macedonians affected by the above-mentioned discriminatory laws are over the age of 70 and now reside in various European countries, Australia, Canada and the United States of America. The discrimination suffered by this group of people has caused and continues to cause great distress among persons in the above-mentioned category, who wish nothing more than to be allowed the right to return to their birthplace.

The European Commission Against Racism and Intolerance (ECRI) noted this discrimination in its third report on Greece, noting that "... in 1982, a regulation permitted the return to Greece of people having fled the country during the 1946-49 civil war, together with their families. However, this regulation applied solely to persons 'of Greek origin', thus excluding persons of non-Greek, and particularly Macedonian, origin, who had none the less left Greece under the same conditions".

In its report, the ECRI strongly recommended to the Greek authorities "to reconsider the foundations and the implications of their policy in this respect. It must be ensured that non-citizens who are not of Greek origin can receive the same advantages as non-citizens who are of Greek origin". Regrettably, however, Greece has continuously refused to remove the discriminatory term "Greeks by genus" from the two laws which would restore citizenship and property rights to the above-mentioned category of people.

It should be noted that Greece, being a party to the European Convention on Human Rights and to the International Covenant on the Elimination of All Forms of Racial Discrimination, has a legal obligation not to discriminate on the grounds of ethnicity.

Therefore, the Parliamentary Assembly:

1. recommends that its relevant committee investigate this matter and engage with the Greek authorities with a view to ending the aforementioned discrimination;



Doc. 11754 Motion for a resolution

2. strongly urges the Greek Government, without delay, to review the above-mentioned laws and end the discrimination resulting from them so that ethnic Macedonian political refugees from Greece can reclaim their Greek citizenship and property.

Signed (see overleaf)

*Signed*¹:

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EDG: European Democrat Group
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SOC: Socialist Group
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