



Recommendation 569 (1969)¹

Recent developments in Greece in the juridical fields

Parliamentary Assembly

The Assembly,

1. Recalling its [Resolution 386](#) expressing grave concern about the dismissal of senior judges in Greece in May 1968 ;
2. Recalling furthermore that twenty-one of these judges have appealed to the Greek Council of State and that on 24 June 1969 this Council has decided that their dismissal was illegal ;
3. Dismayed by the subsequent decisions of the Greek Government purporting to terminate the appointment of the President of the Council of State and arresting three lawyers who had represented some of the judges before the Council ;
4. Taking account of the explanations of the Greek Government, but nevertheless believing on the evidence available to the Assembly that by acting in this way the Greek Government is in violation not only of the legal Constitution of Greece which existed when it took over power but even of the provisions of Articles 97 and 107 of the Constitution which it has itself put forward ;
5. Condemning the disregard which the Greek Government has consistently shown and now again demonstrated for the principles of the rule of law which, according to Article 3 of the Statute of the Council of Europe, it is bound to respect ;
6. Stating its view that even if the actions of the Greek Government could be regarded as lawful within the provisions of the new Constitution, this would only serve to illustrate and emphasise that the Constitution itself either is not of a democratic nature (as held by the experts consulted by the Legal Affairs Committee and the committee itself, cf. Document 2467) or provides entirely ineffective safeguards against the likelihood of action by the Greek Government in violation of the rule of law, and in either case fails to comply with the Statute of the Council of Europe,
7. Recommends that the Committee of Ministers take account of these new instances of disregard for the rule of law and democracy when it takes its decision on [Recommendation 547](#) of the Assembly during its next meeting.

1. Assembly debate on 2 October 1969 (13th and 14th Sitings) (see [Doc. 2638](#), report of the Legal Affairs Committee). Text adopted by the Assembly on 2 October 1969 (14th Sitting).

