

European Communities

EUROPEAN PARLIAMENT

Working Documents

198₃-198₄

4 MAY 1983

DOCUMENT 1-278/83

MOTION FOR A RESOLUTION

tabled by Sir Fred WARNER, Mr BALFOUR, Lord DOURO,
Prince SAYN-WITGENSTEIN, Mr ISRAEL,
Lord BETHELL, Mr FILIPPI, Mr LOUWES,
Mr TYRRELL, Mr ANTONIOZZI, Mr MØLLER,
Mr SEITLINGER, Mr COUSTÉ, Mrs SPAAK,
Mr d'ORMESSON, Lady ELLES,
Sir Fred CATHERWOOD, Mr BLUMENFELD,
Mr Konrad SCHON, Mr DE COURCY LING and
Mr BATTERSBY

with request for topical and urgent debate

pursuant to Rule 48 of the Rules of Procedure

on property of Community citizens in Greece

PE 84.462
Or. En.

'The European Parliament,

- A. Cognizant of the fact that on 8 April 1983, the Supreme Court of Greece in Athens delivered a judgement declaring that non-Greek nationals and foreign companies may not own property in 'certain designated frontier areas' of Greece,
 - B. noting that these frontier areas include many of the Aegean Islands and the Heptanisos, which is where most foreign property is situated,
 - C. also noting that no distinction is made between Community citizens and other non-Greek persons,
 - D. concerned that the application of this judgement is retrospective and therefore affects all existing foreign property in the frontier areas,
 - E. astonished that the judgement has been interpreted in some quarters as empowering the previous Greek owners of these properties to buy them back at the original sale price without any compensation for increased value as a result of improvements or increase in property values generally,
 - F. recognizing that the Government of Greece has a national right to safeguard its genuine defence interests,
 - G. noting that no Greek court has ever referred a case to the European Court of Justice under Article 177 of the EEC Treaty,
1. Regrets the retrospective and confiscatory nature of the law as now interpreted by the Supreme Court;
 2. Is concerned that the legal issue involving Community law was not referred to the European Court of Justice;
 3. Does not believe that legitimate defence interests require the perpetuation of a law which discriminates between Greek nationals and nationals of other Member States;
 4. Requests the Commission to consider urgently whether such discrimination between Greek and other Community citizens is contrary to Article 7 or any other Article of the Treaty of Rome and to take any appropriate action to see that Community law is observed;
 5. Asks the Greek Government to consider the urgent introduction of new legislation to remove the inequities which flow from the present state of the law;
 6. Requests the Governments of Member States whose citizens are affected to consider whether it would assist the Government of Greece to clarify the position if they were to initiate complaints to the European Court of Human Rights.'
 7. Instructs its President to forward this resolution to the Council, the Commission and to the Governments of the Member States.