

## PRESS RELEASE

30 March 2002

### TOPIC: “SOUNDS OF SILENCE”: THE MACEDONIAN MINORITY IN GREECE IN 2001 AND EARLY 2002<sup>i</sup>

#### Overview

Greek authorities continued their efforts to deny the existence of the Macedonian minority and to demonize Macedonian activists, amidst a continuing climate of almost complete silence if not outright hostility about that minority in Greek politics, media and society. Characteristic was the statement of the Greek delegation during the March 2001 session of the U.N. Committee on the Elimination of Racial Discrimination (CERD), when the latter reviewed Greece’s compliance with the UN Convention on the Elimination of all Forms of Racial Discrimination:<sup>ii</sup>

*“Reference was made by some distinguished members of the Committee on the existence of a Macedonian minority in Greece, and how these provisions apply to this minority. I would like to remind the Committee that there is no such a minority officially recognized in Greece. And I would like to mention that it is really embarrassing that certain circles outside Greece, or within Greece, certain activists try to convince the international community that we have such a national minority on the Greek territory. I would like to mention that the only element that these circles have about the existence of such a minority is that, in the northern Greece areas, people speak a second dialect, the Slavic dialect. However, Mr. Chairman, nobody has asked these people if they are willing to self-identify themselves as belonging to a different ethnic nation. They never have expressed themselves in favor of not being Greeks. They never expressed themselves as having a distinct ethnic identity. And I believe this does not do justice to this population that, because of the geographical area where they live, simply speaks a different dialect. So if we agree that a very important determinant factor for the realization, for the recognition of the existence of a national minority is the will of the people to self-identify themselves, I think that we have to respect at least the wish of this particular people, who live in these areas and who have never expressed themselves in favor of them belonging in such a national, a different from the Greek nation, minority. This is the reason why Greece consistently denies the existence of such a group.”<sup>iii</sup>*

In an October 2000 statement to the OSCE, the Greek delegation said about Macedonian activists:

*“most, but not –I stress: not — all of them pursue a policy of secession of a sizeable part of Greek territory,”<sup>iv</sup>*

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**Internet Addresses:** Balkan Human Rights Web Pages: <http://www.greekhelsinki.gr>

The Balkan Human Rights List: <http://groups.yahoo.com/group/balkanhr>

The Greek Human Rights List: <http://groups.yahoo.com/group/greekhr>

Center of Documentation and Information on Minorities in Europe – Southeast Europe: <http://www.cedime.net>

**GHM Board:** Panayote Dimitras, Orestis Georgiadis, Dimitrina Petrova, Alan Phillips, Gregory Vallianatos.

**MRG-G Spokesperson:** Nafsika Papanikolatos.

**International Advisory Committee:** Savvas Agouridis, Teuta Arifi, Ivo Banac, Vladimir Bilandzic, Marcel Courthiade, Loring Danforth, Fernand de Varennes, Victor-Yves Ghebali, Henri Giordan, Krassimir Kanev, Will Kymlicka, Magda Opalski, Theodore S. Orlin, Dimitrina Petrova, Alan Phillips, Aaron Rhodes, Vladimir Solonari, Patrick Thornberry, Stefan Troebst, Boris Tsilevich, Tibor Varady, Marc Weller.

**Affiliation to International Organizations:** Consortium of Minority Resources (COMIR), Euro-Mediterranean Human Rights Network (EMHRN), European Roma Rights Center (ERRC), International Freedom of Expression Exchange (IFEX), International Helsinki Federation for Human Rights (IHF), Minority Rights Group International (MRGI), One World Net, South East Europe Media Organisation (SEEMO), World Organization Against Torture (OMCT).

although no activist in Greece has ever been quoted (or even misquoted) having made such claim. On the contrary, following their 8 October 1999 meeting with the OSCE HCNM Max van der Stoep, the leading Macedonian and Turkish activists stated clearly and publicly that

*“Rainbow, as an organization of the Macedonian national minority, ... always declared (and behaved in the same way) that it respects the territorial integrity of the Greek state and condemns all kinds of autonomist and separatist solutions”<sup>v</sup>*

and

*“we [the two Turkish minority deputies Birol Akifoglu and Galip Galip] reiterated the minority’s long-standing firm position that... there has never been any claim for autonomy, self-determination or secession and we will be opposed to similar claims if they ever arise; minorities should not be used as a pretext to raise claims for border changes.”<sup>vi</sup>*

Consequently, Greece’s decision to brand any Macedonian activists as “separatists” is an intentional defamatory distortion of truth and a desperate but futile effort to discredit human rights defenders, in violation of all international norms. Greece “arrogantly” refuses to deal with the Macedonians’ demands, which have been acknowledged in a supportive way even in the European Commission against Racism and Intolerance (ECRI)’s *Second Report of Greece*, released on 27 June 2000:<sup>vii</sup>

*“5. Article 20 of the Citizenship Code allows the government to strip citizenship from those citizens living abroad who “commit acts contrary to the interests of Greece for the benefit of a foreign state”. Although this Article is applicable equally to all Greek citizens regardless of ethnic background, so far it has been applied mostly to persons who identify themselves as Macedonians. The authorities have stated that in the period 1994-1998, Article 20 has been applied only in very few cases. ECRI considers that more transparency as concerns the application of Article 20 is desirable.....*

**- Macedonians**

*24. As regards Greek citizens wishing to express and promote their ethnic Macedonian identity, ECRI notes that, in July 1998, the European Court of Human Rights found Greece in violation of the right to freedom of association, based on her refusal to register an association aimed essentially at promoting Macedonian culture [See Case of Sidiropoulos and others Vs Greece, (57/1997/841/1047)]. ECRI also notes reports of cases where the right to freedom of expression of this group has not been respected. ECRI encourages the authorities to ensure that all groups in Greece effectively enjoy the right to freedom of association and to freedom of expression, in accordance with international legal standards.”*

To this ECRI criticism -based mainly on information gathered from NGO reports and meetings with minority representatives- the Greek government’s rebuttal, incorporated in the report, was a categorical rejection.

*“In para 24, the wording used to indicate a certain group of Greek citizens [i.e. Macedonians], both in the title and in the main body, betrays a certain parti pris on the part of the drafters in a matter of known controversy. A more neutral language is used in para, 5 and could be used here as well: “Greek citizens who identify themselves as Macedonians”.*

Greece’s elaborate efforts to avoid international references to a Macedonian minority can fail, as in the case of the ECRI report, or succeed, at least partially, as in the case of the 2001 UN CERD concluding observations and recommendations. In their first draft, an extensive and comprehensive document drafted by the rapporteur on Greece and Vice-President of CERD Yuri Reshetov (Russia) distributed to CERD experts after the 16 and 19 March debate on Greece, the following were included:

*“14. The Committee notes that the State party subscribes to, but is not yet bound by, article 3 of the European Framework Convention for the Protection of National Minorities concerning the right of self-identification, and that the right to identify oneself as a member of a minority group must arise from personal conviction, free will and choice. The Committee encourages the State party to take note of its General Recommendation VIII (38) in this regard.*

*15. On the question of official recognition of minority status, some members of the Committee expressed concern at the State party’s characterisation of the ‘Muslim minority of Western Thrace,’ notwithstanding its historical and legal origins within the 1923 Treaty of Lausanne, on the grounds of inconsistency with the Convention. The Committee affirms that the question of recognition of minorities must take into account objective as well as subjective factors, in the context of a wide range of relevant contemporary international standards, including those set out in the Convention. The Committee recalls its General Recommendation XXIV (55) in this regard, and encourages the State party to incorporate its terms within its laws and policies concerning minority populations. (...)*

*18. The Committee notes with concern the limitations on the freedom of association found by the European Court of Human Rights in Sidiropoulos v. Greece, 10 July 1998, and urges that this decision be widely disseminated within and beyond legal and judicial circles and its implications fully taken into account in legal and policy developments affecting people of Macedonian origin, and that information on follow-up measures be specifically included in the State party’s next periodic report. The Committee also recommends that article 107 of the Introductory Law to the Civil Code, to the extent that it arbitrarily limits the right of aliens to manage associations, be amended or repealed, rather than relying upon case-by-case adjudication in the courts. (...)*

*28. The Committee expresses its concern at the lack of sufficient data to enable a detailed consideration of the specific human rights situations of the Roma, Pomaks, and people of Turkish, Macedonian and Albanian origin, and requests that the next periodic report provide comprehensive demographic data to facilitate such an evaluation, disaggregated by race, colour, descent, national or ethnic origin different from the majority or from other groups in the population, and by gender.”<sup>viii</sup>*

The draft was edited into a second version before the 22 March CERD session, to incorporate comments given to the rapporteur by other CERD experts that were reportedly all in favor of watering it down. During the session itself, the text was further watered down so that in the end the above initial 384-word four recommendations were reduced to the following 89-word two recommendations:

*“12. While noting that the report of the State party refers to the “Muslim minority of Western Thrace”, and within this to Turkish, Pomak and Roma groups, and not to other ethnic groups in the country, the Committee draws the attention of the State party to its General Recommendations VIII (38) on the right of each person to self-identification and XXIV (55) concerning article 1 of the Convention in this regard. (...)*

*16. The Committee recommends that the next periodic report provide information on the demographic composition of the population.”<sup>ix</sup>*

All references to a Macedonian minority were removed, just as all explicit recommendations on minorities in Greece that were contrary to official Greek policy. The need for Greece to respect the self-identification of minorities was only implicitly mentioned in the final version. During the debate, CERD proceeded even to a rather rare vote on second draft paragraph 17 on Sidiropoulos et al v. Greece, an already weakened version of first draft recommendation 18 above, no longer mentioning the Macedonian minority by name. While, during the related debate, CERD experts Patrick

Thornberry (UK) and Mario Jorge Yutzis (Argentina) asked the reintroduction of the reference to the “Macedonian community,” expert Regis de Gouttes (France) asked for the removal of the paragraph, as he claimed it was “confusing.” By a show of hands, the paragraph was removed. In the end of the debate, three CERD members (Thornberry, Yutzis and Agha Shahi from Pakistan) felt the need to register their disapproval, another rare occurrence in CERD meetings:<sup>x</sup>

*“72. Mr. Shahi regrets that, following the removal of paragraph 17, there is no reference in any section of the project of conclusions that communities must be able to freely manage their associations, namely their charitable associations.*

*73. Mr. Thornberry regrets in turn that, as a consequence of the removal of paragraph 17 and of the fact that his proposal to amend that paragraph was not adopted, the entire text of the conclusions makes no mention of the Macedonian community, which, nevertheless and in all fairness does exist.*

*74. Mr. Yutzis subscribes to the view expressed by Mr. Thornberry.”*

While reviewing Greece’s record, on this and on many other topics (Roma, Turks, migrants, etc.) where the final recommendations were very weak compared to the first draft, UN CERD behaved more like a diplomatic institution, rather than an experts body that it is supposed to be, unlike the attitude of other experts bodies like the Council of Europe’s ECRI and ECHR (the latter’s decision is generally consider as an implicit recognition of the Macedonian minority too).

### **The role of other Greek Human Rights Non-Governmental Organizations**

The Greek authorities’ policy to prevent as many actors as possible from effectively defending the minority’s rights becomes more evident when one looks at the attitude of some other Greek NGOs. First, the oldest one, the Hellenic League of Human Rights, founded in the 1950s, and member of the International Federation of Human Rights (FIDH), presented an alternative report to the UN CERD before the latter’s 2001 review of Greece. However, the HLHR refused to take part in the traditional NGO briefing of CERD members before the session on Greece, attended by all other NGOs present there –including Macedonian ones-, but arranged separate meetings with individual members. The report presented by the HLHR, was in principle a surprise in general as this NGO was not known to have dealt with similar issues in Greece. A careful examination showed that more than half the report was in fact copied, word-by-word, from the 2000 ECRI, the 2001 US Department of State, and –in a few cases- the 2000 IHF/GHM/MRG-G to the OSCE reports on Greece; however, the texts copied were not in quotes, nor were the sources mentioned (!). Disregarding the latter, it was positive that the HLHR finally started subscribing to the positions of these organizations. Specifically, on minorities, almost all references were copied from these sources, but with a few but characteristic editorial changes or choices. The HLHR followed the State Department’s diplomatic practice of mentioning “Macedonians” in quotes (unlike ECRI that mentioned Macedonians without quotes), but called their language “Macedo-bulgare” (*sic*), rather than opting for ECRI’s (and all respectable NGOs) use of Macedonian. Also, HLHR aligned itself with the State Department’s totally unfounded claim that harassment had ceased in 2000, the very year two Macedonian associations had failed to register (see below): the State Department has since blamed the mistake on inadequate research and is expected to correct it in the 2002 report. Genuine Greek NGOs are however expected to do better than US diplomacy... Follow the HLHR text on Macedonians with the related texts from the ECRI and the State Department reports for comparison.

Excerpts from The Hellenic League of Human Rights (a member of the International Federation of Human Rights – FIDH) *Alternative Report of the HLHR on the implementation of CERD in Greece* submitted to CERD March 2001.

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*“A number of Greek citizens identify themselves as Turks, Pomaks, Vlachs, Roma, Arvanites..., “Macedonians” or “Slavomacedonians.” (...)*

**-Slav-speaking Macedonians**

*1. An indeterminate number (estimated in tens of thousands) of citizens living in Greece, speak Macedo-bulgare. A bilingual number of them identify themselves as belonging to a distinct ethnic group and assert their right to “Macedonian” identity. The Government do not recognise the Slavic dialect as a “Macedonian” language distinct from Bulgarian. Members of the minority assert that the Government pursues a policy designed to discourage use of their dialect. Government’s sensitivity on this issue is related to the concern that they may have separatist aspirations. Greece’s dispute with the Former Yugoslav Republic of Macedonia over that country’s name heightened this sensitivity.*

*2. In July 1998, the European Court of Human Rights in the case of Sidiropoulos and others Vs Greece found Greece in violation of the right to freedom of association, based on her refusal to register an association aimed essentially at promoting Macedonian culture. There are also reports of cases where the right to freedom of expression of this group has not been respected.*

*3. State authorities reaffirm an individual but not a collective right of self determination. It is only very recently, that state authorities abandoned locally the policy of harassment against the use of the language. Complaints of government harassment and intimidation directed against these persons decreased significantly since 1998 and ceased in 2000. Especially after 1996, the Greek policy concerning the issue has changed considerably, abandoning previous restrictions to their right of expression.”*

Excerpts from 2001 State Department Report on Greece (SD) and 2000 ECRI Report on Greece (ECRI)

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*“Significant numbers of Greek citizens identify themselves as Turks, Pomaks, Vlachs, Roma, Arvanites (Orthodox Christians who speak a dialect of Albanian), or “Macedonians” or “Slavomacedonians.” (...) Northwestern Greece is home to an indeterminate number (estimates range widely, from under 10,000 to 50,000 or more) of citizens who still speak at home a Slavic dialect, particularly in Florina province. A small number of them identify themselves as belonging to a distinct ethnic group and assert their right to “Macedonian” minority status... The Government will not recognize the Slavic dialect as a “Macedonian” language distinct from Bulgarian. Members of the minority assert that the Government pursues a policy designed to discourage use of their dialect. Government sensitivity on this issue stems from concern that members of the “Macedonian” minority may have separatist aspirations. Greece’s dispute with the former Yugoslav Republic of Macedonia over that country’s name heightened this sensitivity. [SD]*

**-Macedonians**

*As regards Greek citizens wishing to express and promote their ethnic Macedonian identity, ECRI notes that, in July 1998, the European Court of Human Rights found Greece in violation of the right to freedom of association, based on her refusal to register an association aimed essentially at promoting Macedonian culture (See Case of Sidiropoulos and others Vs Greece, (57/1997/841/1047). ECRI also notes reports of cases where the right to freedom of expression of this group has not been respected. ECRI encourages the authorities to ensure that all groups in Greece effectively enjoy the right to freedom of association and to freedom of expression, in accordance with international legal standards.[ECRI]*

*Complaints of government harassment and intimidation directed against these persons decreased significantly since 1998 and ceased in 2000.[SD].*

In 2001, the Minority Groups Research Center (KEMO) published the volume *Language and Otherness in Greece* (Alexandria publisher), with the transcripts of four closed seminars KEMO organized in 1998, with EU funds (DG XXII), on minority languages in Greece. However, while all but one of these languages were referred to as languages and with their names (Turkish, Pomak, Vlach, Arvanite) the fourth section of the book was on “the Slavic dialects of Macedonia.” When a summary of the debate in the seminar on “the Slavic idioms [*sic*] of Macedonia” first appeared in *Synchrona Themata* (issue of July 1998-March 1999, pp. 11-13), the seminar’s coordinator (KEMO member, advisor to the Greek Ministry of Foreign Affairs and Slavologist) Alexandra Ioannidou used her own preferred terms (on how to call the language or rather the idiom) to report what the various speakers had said, as she explained in a footnote, rather than the terms used by the speakers...

Moreover, following the conviction by a Greek court, on 2 February 2001, of Aromanian activist Sotiris Bletsas for “dissemination of false information” for he had distributed in 1995 a publication of the European Bureau of Less Used Languages which mentioned all minority languages in Greece (and the other EU countries),<sup>xi</sup> the Network for Civil and Political Rights issued a statement of protest that made reference to the Pomak, Vlach and Arvanite languages but omitted the Macedonian one. Likewise for the journalist who covered the trial and reported, outraged, the outcome: she mentioned that the EBLUL leaflet referred to these three plus Turkish...<sup>xii</sup>

Even the Greek Section of Amnesty International has had problems with the texts published by the organization’s International Secretariat (AI IS). When mentioning in the October-December 1997 issue (p. 14) and the April-June 1998 issue (p. 7) of its quarterly *Martyries* the 10 October 1997 and 18 March 1998 AI IS appeals against the trials of leaders of the ethnic Macedonian party “Rainbow,” the original reference to the Macedonian language was translated into Greek as “slavomacedonian idiom,” while the “ethnic Macedonian” character of the party was omitted in the Greek summaries. The Rainbow’s acquittal, on 15 September 1998, was very briefly mentioned in the July-September 1998 issue (p. 7), without any reference to the ethnic Macedonian character of the party or the language, nor any reference to the two new related AI IS releases of 11 and 17 September 1998. Similar problems had appeared with the translation into Greek of the AI IS annual report’s chapter on Greece in 1998.

Finally, in March 2001, the Greek Section of Amnesty International invited a number of organizations to submit a joint parallel report to the UN Committee for the Rights of the Child, which was reviewing Greece’s compliance to the respective UN Convention. The group of ten draftees of what was called a “NGO Report” included some governmental organizations but not one minority organization, nor any NGO working on minority rights (the latter submitted a separate report). Naturally, in that “NGO Report” there was absolutely no reference to any aspect of the rights of the child related to minorities, let alone to Macedonians, despite the known UN CRC’s emphasis on the subject.

### **Freedom of Association: the case of the “Home of Macedonian Civilization”**

The “Home of Macedonian Civilization” (*Stegi Makedonikou Politismou*) was originally denied registration as an organization by the Greek courts, between 1990-1994. Its appeal to the European Court of Human Rights (ECHR) was successful as, on 10 July 1998, Greece was cited for the violation of article 11 on freedom of association.<sup>xiii</sup> However, the “Home of Macedonian Civilization” has not been able to register for over three years. All lawyers of Florina (where the “Stegi” has its seat) have repeatedly refused to take up the case. While courts have twice refused the association’s request to appoint a lawyer, despite Greece’s report to the Committee of Ministers of the Council of Europe indicating that courts had been instructed to execute the judgment, and the Ombudsman’s written opinion that there is “*enough evidence that ‘no lawyer is found’*”.<sup>xiv</sup> Only following the sustained pressure by the Greek Ombudsman, did things appear to change in early 2002.

The chronicle of the related events is enlightening (all 2001-2002 activities were carried out on the

initiative of and in cooperation with GHM and MRG-G):<sup>xv</sup>

- Between March 1998 and April 2000, the “Stegi” contacted various lawyers of the Florina Bar Association so as to find someone willing to process the registration of the association in the Florina First Instance Court. The lawyers contacted included Mihalis Tsostkos, the lawyer who had processed the initial registration in the early 1990s. No lawyer accepted to take up the case.
- On 19 April 2000, the “Stegi,” through its Bursar, wrote to the Florina Bar Association (DSF) stating the problem and requesting that the Association appointed a member to process the registration.
- On 24 April 2000, the DSF rejected the request on the grounds that it was not signed by at least the President and the Secretary General of the “Stegi,” that the ECHR decision was not appended (!) and that no evidence of the refusal of its members was provided.
- On 10 June 2000, the “Stegi,” through its President and the Secretary General, reiterated the request, supplying the ECHR decision and stating that the refusals were in oral form and hence no evidence could be provided for them.
- On 26 September 2000, the DSF replied that, following an investigation, it could assert that the refusal was not general among its members, and that, anyway, according to Article 47 paragraph 3 (*sic*) of the Code of Lawyers, the responsibility to appoint a lawyer –when no one can be found– with the President of the First Instance Court of Florina.
- On 19 February 2001, the “Stegi” made the necessary application to the President of the First Instance Court of Florina, attaching the related correspondence with the DSF.
- On 28 February 2001, the President of the First Instance Court of Florina rejected the request, on the basis of the 26/9/2000 DSF letter that mentioned that there was no general refusal among lawyers to take up the case.
- On 23 March 2001, the “Stegi” mailed to each of the 39 DSF members a letter asking whether that s/he would be willing to take up the case.
- On 24 April 2001, following the absence of any reply to the letter, the “Stegi” filed a related complaint to the Greek Ombudsman.
- On 24 May 2001, the Ombudsman sent a letter to the DSF, with copies to the Minister of Justice Professor Mihalis Stathopoulos and to the President of the First Instance Court of Florina. Therein, the Ombudsman recalled all pertinent facts, implicitly accepting the “Stegi”’s allegation that no lawyer was found and asked DSF to:

*“please examine the possibility that, in reality, none of your members is willing to take on the case. In the event that you persist on your claim that there exists no general refusal of your members, please inform me, as soon as possible, about the names of the members of your Association who are willing or who at least do not refuse to take on the case. Please also include information necessary for contacting them.”*

- On 1 June 2001, the DSF replied to the Ombudsman. They first claimed that:

*“we trust that that letter (which in all honesty startled us with the direct or indirect severity of some of your statements) is the product of your having been misinformed by the complainants.”*

They went on unabashedly claiming that the “Stegi”’s problem:

*“as far as we can now conclude, was created by them and for no good reason”*

and that:

*“the survey we conducted with most of the members of the Association clearly shows that they never received the letter dated 23 March 2001 “standing for an invitation for the expression of interest” and our Association of course never received such a letter.”*

They then concluded as follows:

*“Therefore, we ask that you draw your conclusions in view of all the above, and we also ask that, as you address the complainants mentioned above (who obviously are not bound by the principle of good faith), you suggest to them that they notify us BY NAME the members of our Association whom they approached and received negative answers, so that we can finally know precisely how things really are and can take the appropriate measures and so that some would stop creating issues where none exist.*

*Finally, we consider completely unfortunate your expression which superficially refers to “matters of legality of the actions of our Association” and we express our great sadness that you resorted to such expressions and conclusions in relation to the constitution of our country which we devoutly (because of our capacity and because of our individual sensitivities) uphold.”*

- On 19 June 2001, the “Stegi” sent again the letter first mailed on 23 March 2001 to the 39 DSF members and the DSF office, in a registered form this time. In the following days, 12 letters were returned unopened as unacceptable, while two more were returned as unclaimed by the addresses. While there was not one answer, negative or positive, sent to the “Stegi.”<sup>xvi</sup>
- On 20 June 2001, the Ombudsman wrote again to the DSF, mentioning that the Ombudsman’s office recommended to the “Stegi” the posting of registered letters (see above). In this letter, again copied to the Minister of Justice Professor Mihalis Stathopoulos and to the President of the First Instance Court of Florina, the Ombudsman’s office also made its opinion clear on the substance, criticizing both the DSF and the President of the First Instance Court of Florina’s inaction:

*“I must point out that, according to the Ombudsman’s opinion, the repeated steps taken by the members of HMC towards your Association and its individual members to date have not been effective. This fact, in principle, is sufficient enough to lead to the conclusion that, in this case “no lawyer is found”, as is meant in Article 47 par. 1 of the Lawyers’ Code. Thus, though unnecessary, once again, there is a search for the ascertainment of the reluctance of your members to take on this case. Moreover, the implementation of the aforementioned provision does not presuppose that the interested citizen (who is guaranteed effective judicial protection by the Constitution) must provide proof that there exists a situation of more or less “general refusal”, as implied in both your reply to the complainants (ref. # 60/26-9-2000) and the decision of the President of the relevant Court of the First Instance, in her decision rejecting their application for appointment of a lawyer.*

*Contrarily, in accordance with the Constitutional meaning of the provision, the appointment of a lawyer is compelled when the interested party is unable to find proper legal support on his own. The law does not require that he provide indisputable verification, through written materials or accurate dating, that he has approached each individual lawyer of your Association. Nevertheless, the Greek Ombudsman, in the end, accepted your suggestion to recommend that they reformulate their request through registered mail.*

*In view of the above, and particularly of the crucial significance of this case in terms of the sincerity of the declarations made by Greece to devotedly observe the European Convention on Human Rights, I think you could contribute positively towards a resolution of the whole matter. This could be achieved by informing, in writing, all your members of the request made by the complainants and by simultaneously requesting that they respond to you in writing, within a specified date, declaring their intentions in assuming the relevant order.”*

- On 30 June 2001, the “Stegi” informed the Ombudsman that the 23 March 2001 letters were indeed duly distributed by the Florina Post Office, as the latter’s director assured them, though, since they were not registered, his office could not provide a written confirmation of this. The “Stegi” also mentioned Mihalis Tsostkos as the first of the lawyers they had contacted between 1998 and 2000, while informing the Ombudsman that, if necessary, they could provide his office with the name of the two other lawyers they had contacted. The “Stegi” added that in each case the lawyers did not outright refuse the case but were keeping the file for months without providing any answer. Finally, the Ombudsman was formally informed of the mailing of the registered letters on 19 June 2001, and of the return as unacceptable of 12 unopened letters, which made perfectly clear that there was a general refusal by Florina lawyers and that the DSF was not sincere in its arguments to the Ombudsman.
- On 18 September 2001, the “Stegi” appealed once again to the President of the First Instance Court of Florina (protocol number 258), submitting all the relevant material.
- On 3 December 2001, the Ombudsman, whose office had not heard from the DSF since June 2001, was formally informed on behalf of the “Stegi” of all (non-)developments since its last letter.
- On 14 December 2001, the President of the First Instance Court of Florina rejected the request, on the basis of the 21/11/2000 DSF letter that claimed –unabashedly- that the registered letters sent on 19 June 2001 had not reached all lawyers of Florina.
- On 19 February 2002, the Ombudsman issued a report on the case, concluding that

*“Consequently, the Greek Ombudsman is forced to conclude that the administrative organ of the Florina Bar Association is not inclined to voluntarily alter its position towards the members of the aforementioned union of persons, even though it is fully aware of the consequences this stand will yield in regards to the protection of the constitutional rights of Greek citizens and to the reputation of our country abroad.”*

- On 20 February 2002, the Ombudsman sent the report to the Minister of Justice:

*“I therefore request that you please examine, within the framework of your disciplinary jurisdiction as the overseer Minister, whether the stand of the Florina Bar Association raises issues of legality and please proceed with the necessary actions in accordance with the law.”*

- On 28 February 2002, the Home of Macedonian Civilization applies again to the Florian Bar Association which appoints a lawyer on the same day.

From all the above, it is evident that the Florina Bar Association and the President of the First Instance Court of Florina defied the law and Greece’s international obligations by effectively denying the Macedonians their right to freedom of association. While the Greek state, in the person of the Minister of Justice, although informed even by its own Ombudsman, took a long time to take some action to rectify the situation, hence becoming an accomplice to this human rights violation.

While one would have expected the Greek state to behave differently, honoring its obligations and its written assurances that it will implement the ECHR decision, the attitude of the DSF was certainly not surprising. Its extremely hostile statement, issued in September 1995 after the Macedonian political party “Vinozhito” (Rainbow) had put up a sign in its Florina office with inscription also in the Macedonian language, showed that the Florina lawyers have, collectively, a negative attitude to minority rights, and hence to democracy and to the constitutional and international human rights obligations of Greece:

*“The members of the Bar Association of Florina,*

*On the occasion of the action carried out by very few persons, hirelings of foreign aims and interests, to hang up a sign written in a foreign language at a central point of our town, convened at a general meeting and unanimously decide the following:*

*A: They castigate and condemn the action carried out by the members of the Local Committee of the RAINBOW party to hang up at the offices of their party a sign written in the language of FYROM which is non-existent for us and giving our town a Slavic name and not Florina, as it is known since the dawn of its history, as a successor of Heraclea Lynghistic.*

*B: They declare towards all directions, that the inhabitants of this land where, through a process of tens of centuries, a style of life and an ethos of persons have been formed which are only Greek, are not going to tolerate similar actions on the part of anybody.*

*C: Finally, they call upon those imprudent persons who renounce their own country, to pull themselves together and stop provoking; otherwise they will find themselves up against the entirety of the Florina People.*

*The members of the Bar Association of Florina”<sup>xvii</sup>*

### **Freedom of Association: the case of the “Rousalii” association**

Judge Theodora Sakellariou of the Single-Member Court of First Instance of Salonica, on 31 March 2000 (decision 8332/2000), refused to register the Macedonian cultural association “Rousalii” from Koufalia, Greater Salonica, whose aim was the “highlighting and the promotion of traditional values of the local culture” (as mentioned in their statutes submitted to the court for approval on 14 October 1999, protocol number 36976). According to the court transcript obtained in 2001 by GHM and MRG-G, the reasoning that the court gave for the rejection was that: <sup>xviii</sup>

*“it is not possible to say with certainty whether this purpose is compatible with the laws of the moral and public order, something which is examined in all cases of union recognitions.”*

The “Rousalii” members were disheartened by the decision and did not file any appeal.

### **Preventing the use of Macedonian names**

Macedonian first names are discouraged even today, while the recovery of Macedonian and Bulgarian last names forcefully converted into Greek ones in the 1920s and 1930s is made impossible by Greek authorities, which deliberately harass individuals who make such demands.

In the first attempt to recover a Bulgarian name, the request was rejected and the individual was harassed. This was the case of Nicholas Stoidis, who on 5 July 1996 filed to change his name back to Stojanov, his grandfather’s name, which had been forcefully “Hellenized” in 1913. In the application he argued, inter alia, that his current name (Stoidis) reflects “a Pontic origin” –an accurate claim-

which “is not desired” given his “indigenous Bulgaromacedonian” origin. The prefect of Pella, on 16 August 1996, rejected his request, based on citizens’ and associations’ objections which were never given to Stoidis. Subsequent appeals to the Secretary General of the Region of Central Macedonia, the Ministry of the Interior and ultimately the Council of State (supreme administrative court) were rejected in 1996-1998, with the latter stating that:

*“the issue of the indigenous Bulgaromacedonians has definitely closed with the Treaty of Neuilly in 1919.”<sup>xxix</sup>*

Soon after its initial submission, Stoidis’ request was leaked to the media, after which those objecting his request harassed him.<sup>xx</sup> In addition, Stoidis discovered that in the file with the rejected application there was a letter that he had addressed to the president of a neighboring country. He asked that this letter be removed from the whole file and be given back to him, and he also asked for clarification as to why this letter had been included in his application file in the first place. The prefecture told him that this letter was sent to them anonymously,

*“but it constitutes an indispensable part of the whole process and should not be removed.”*

Stoidis asked the Ombudsman to examine the circumstances of the illegal way this letter had been obtained in the first place (implying mail fraud and involvement of the National Intelligence Service), and to intervene for the removal of the letter from the file. The existing legislation that prohibits the use of evidence that has been illegally obtained, means consequently that possession of this evidence by the authority in question is also prohibited, stated the Ombudsman.<sup>xxi</sup>

At the same time, in the rare occasions that, despite the prevailing hostility towards such actions, parents want to christen their children giving them Macedonian names, the (civil servants) Orthodox priests refuse to do so and often end up arbitrarily giving Greek equivalent names. In 2001, GHM and MRG-G were informed of two such recent cases. On 23 April 1998, in the Meliti (Florina, Western Macedonia) St. George church, the priest imposed the name of Domna to the infant girl of Evangelos and Elizabeth Anastasiadis who wanted to name her after her grandmother Donka. In 2000, in a church in the Eordaia (Western Macedonia) area, A. H. and A. M. wanted to name their daughter Sultana. The priest objected saying that

*“it is high time we stop using these Turkish, Slavic and other names village people tend to prefer.”*

Only following a protracted argument and the intervention of other priests, did he proceed naming the child Sultana. The vagueness of the latter information is due to the fact that parents are reluctant to report such incidents out of fear: in this case, they agreed to the use of what is reported above, while in other cases they refused to be quoted even that vaguely.<sup>xxii</sup>

### **Non-recognition and hostility towards the Macedonian language**

Greece usually does not consider Macedonian as a language. For example, in a letter of the Greek Liaison Office in Skopje to the G4 Directorate of the Greek Ministry of Foreign Affairs (protocol number ΑΣ687/11 May 2000), concerning allegations about the harassment of an Albanian journalist citizen of Macedonia who had applied for a visa, the Macedonian language spoken in the Republic of Macedonia is referred to as “*local idiom.*”

Consequently, the newly formed –in Florina- Department of Balkan Studies of the Aristotle University of Thessaloniki, teaches as “Balkan languages” Albanian, Bulgarian, Romanian, Russian [*sic*], Serbian, and Turkish, but not Macedonian.<sup>xxiii</sup> Likewise, courses on Albanian, Bulgarian, Romanian, Russian, Serbian, and Turkish, but not Macedonian poetry, prose and theater are in the program.<sup>xxiv</sup> A notorious nationalist historian heads the department, while its staff include researchers

of state institutions with published work hostile to the Macedonian minority in Greece, if not the existence of the Macedonian nation.

Given that the use of the Macedonian language is viewed with suspicion, many Macedonian children living in Greece are reluctant to speak Macedonian in public, out of fear of acknowledging that they are Macedonian. In addition, children are discouraged from speaking Macedonian at home by Greek teachers in schools. This fear to acknowledge their identity can only serve to impede Macedonian children's development. Anthropologist Maria Yiannisopoulou, of the state National Center for Social Research (EKKE), did her fieldwork in the area of Almopia (Pella District, Central Macedonia). She reported:

*“Generally the children under the age of 15 do not want to use the local [language] in public and even in private family places. They have connected this language with specific discriminations based on their descent. At school even the teachers are censoring the students because their accent betrays them. The accent is really something hard to hide. And this is the reason why the school puts pressure on them not to speak ‘the local’ at home: it causes problems when trying to learn the Greek language. Some of the teachers ask from the Ministry of Education to handle this matter.... Officially this language is no longer forbidden since the 1980’s. For many though, it carries with it memories of the fear of oppression. As for the rest, the refugee population, they rarely tolerate it. They identify it with the word ‘Bulgarian’ and with any danger they perceive as coming from the other side of the borders.”<sup>xxv</sup>*

GHM/MRG-G regional monitors, in August 2001, have recorded statements that, during the school year 2000-2001, in the Variko Primary School (Florina, Western Macedonia), reportedly:

*“teachers told pupils not to speak their mother tongue and tell their family at home to do likewise as they hinder the pupils’ further education;”<sup>xxvi</sup>*

A kindergarten teacher told the children that Macedonian songs:

*“were remnants of Second World War occupation by Bulgarians, and since they did so much harm to us, we should forget these songs;”<sup>xxvii</sup>*

In Koufalia, near Thessaloniki:

*“some schoolteachers reproach to pupils their heavy foreign accent in Greek and blame it on the elderly who teach children this ‘Bulgarian idiom.’”<sup>xxviii</sup>*

Moreover, the Greek government has persistently refused to allow the teaching of the Macedonian language in schools, even in villages where the majority of inhabitants speak Macedonian. The Greek government, via its Spokesperson Minister for the Press and the Mass Media Dimitris Reppas, refused an appeal by the European Parliament's “Green and European Free Alliance” group to Prime Minister Costas Simitis, in May 2000, for the recognition of the Macedonian language and its introduction in the education system.<sup>xxix</sup>

Finally, charges pressed in 1995 by “Rainbow” leaders against suspected perpetrators, accomplices and instigators (which included the local mayor and bishop) of the sacking of the offices were quashed on 27 October 1999 by the Council of Misdemeanor Judges of Florina, which saw no reason to even set a trial date. Explaining their decision, the judges argued, *inter alia*, that the reactions of individuals and groups in Florina were justified by the fact that the sign was provoking concern to them. So inflammatory and defamatory statements (e.g. “anti-Greeks!,” “traitors!,” “you will die!”) and incitement to violence by priests, local authorities etc. were considered in this case “objectively necessary to express their disapproval of the raising of the so-called minority issue.” On 5 April

2000, the Council of Appeals Judges of Kozani reiterated the quashing of the charges. The “Rainbow” leaders appealed to the Supreme Court on 4 May 2000: no date for the hearing is known to be set through the end of 2001.

### **Refusal of visas to a Macedonian theater company invited to perform in Xyno Nero, Florina**

The Home of Macedonian Civilization (the “Stegi”) invited the theater company *Skrb i Uteha* based in Skopje (Macedonia) to perform in a festival in Xyno Nero, Florina, on 21 September 2001. The filing of applications for Greek visas with the Greek Consulate in Skopje by the company members was refused. In the words of the theater’s arts director Tihomir Stojanovski, in a letter to Greek foreign minister George Papandreou:

*“When on 10 September 2001 we presented the documents for a Greek visa, the Greek consular official did not want to receive them with the explanation that in that part of Greece, the Ministry of Culture of Greece does not allow theatrical groups to present a theatrical performance. Moreover, I am not very happy to wait in front of the Greek Consulate office in Skopje and some official, perhaps because of some personal anger, to throw my documents and to demean me.”*

Following the latter, the theater company was kindly received at the Greek Consulate, and was requested the list of participants for the performances. They were told that the list will be sent to the Ministry of Culture of Greece in Athens, but were never issued the visas, nor given any written explanation. Two additional invitations for a November 2001 and a December 2001 performance had the same inconclusive result. On 25 November 2001, GHM filed a related complaint to the Ombudsman on behalf of the “Stegi.”

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<sup>i</sup> GHM and MRG-G would like to gratefully acknowledge the support of the Macedonian Human Rights Movement of Canada to their monitoring of Greece’s Macedonian minority in 2001. A special webpage on Macedonians in Greece is available at: [http://www.greekhelsinki.gr/bhr/english/special\\_issues/macedonians\\_in\\_greece.html](http://www.greekhelsinki.gr/bhr/english/special_issues/macedonians_in_greece.html)

<sup>ii</sup> All relevant documents (state and NGO reports, press releases, summary records and concluding recommendations) can be found at: [http://www.greekhelsinki.gr/bhr/english/special\\_issues/cerd.html](http://www.greekhelsinki.gr/bhr/english/special_issues/cerd.html)

<sup>iii</sup> Debate on Greece at UN CERD 16 & 19 March 2001 (transcription by GHM/MRG-G), p. 49.

<sup>iv</sup> Statement by the Greek Delegation, Warsaw, 25 October 2000 (<http://www.greekhelsinki.gr/english/pressrelease/GD-25-10-2000-osce2000.html>).

<sup>v</sup> Press Release of Rainbow on the Meeting with the OSCE HCNM, 11/10/1999, available at: <http://www.greekhelsinki.gr/english/pressrelease/rainbow-11-10-1999.html>

<sup>vi</sup> Statement of the Minority Deputies Birol Akifoglu and Galip Galip on the Meeting with the OSCE HCNM, 11/10/1999, available at: <http://www.greekhelsinki.gr/english/pressrelease/min-dep-11-10-1999.html>

<sup>vii</sup> European Commission against Racism and Intolerance (ECRI), *Second Report on Greece*, released on 27 June 2000, <http://www.ecri.coe.int/en/08/01/14/CBC2%20Greece.pdf>

<sup>viii</sup> “Greece: Draft Concluding Observations by the Country Rapporteur” [no specific day mentioned] March 2001.

<sup>ix</sup> *Concluding Observations of the Committee on the Elimination of Racial Discrimination: Greece*, 22/03/2001. CERD/C/58/Misc.24/Rev.3, available at: [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/d3fcc3818953c1c0c1256a18005a1218?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/d3fcc3818953c1c0c1256a18005a1218?Opendocument)

<sup>x</sup> Translated from French into English by GHM and MRG-G from: *Compte rendu analytique de la 1462ème séance : Georgia, Bangladesh, Greece*, 22/05/2001. CERD/C/SR.1462. (Summary Record) [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/bcd5aa7d9b51e5c8c1256a6400347157?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/bcd5aa7d9b51e5c8c1256a6400347157?Opendocument)

<sup>xi</sup> For the Bletsas case see a series of documents in [http://www.greekhelsinki.gr/bhr/greek/special\\_issues/vlachs.html](http://www.greekhelsinki.gr/bhr/greek/special_issues/vlachs.html)

<sup>xii</sup> I. Lazaridou “15-month jail sentence for minority languages” *Avghi* 3 February 2001, at: [http://193.218.80.70/cgi-bin/hwebpressrem.exe?-A=243033&-w=ΜΠΑΕΤΣΑΣ &-V=hpress\\_int&-P](http://193.218.80.70/cgi-bin/hwebpressrem.exe?-A=243033&-w=ΜΠΑΕΤΣΑΣ &-V=hpress_int&-P)

<sup>xiii</sup> *Case of Sidiropoulos and Others v. Greece* (57/1997/841/1047) available at: <http://hudoc.echr.coe.int/Hudoc1doc2/HEJUD/199902/sidiropoulos%20and%20others.jud%20batj.doc>

<sup>xiv</sup> Letter to the Greek Ombudsman by the “Home of Macedonian Civilization,” 24 April 2001; and letter by the Ombudsman to the Florina Bar Association, copied to the Minister of Justice and the President of the Florina Court of the First Instance, 20 June 2001.

<sup>xv</sup> All related correspondence, in its original Greek version, is available at: [http://www.greekhelsinki.gr/bhr/greek/special\\_issues/stegi\\_makedonikou\\_politismou.html](http://www.greekhelsinki.gr/bhr/greek/special_issues/stegi_makedonikou_politismou.html); while the exchange between the Ombudsman and the DSF is also available in English in: [http://www.greekhelsinki.gr/bhr/english/special\\_issues/home\\_of\\_macedonian\\_civilization.html](http://www.greekhelsinki.gr/bhr/english/special_issues/home_of_macedonian_civilization.html)

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- <sup>xvi</sup> The 12 lawyers who returned the letters unopened and with a postmark of unacceptable were: Platon Hatzipavlidis, Sotirios Perkas, Diomidis Panagiotidis, Athanasios Paraschis, Ioannis Kosmatos, Elisavet Savvidou, Vasiliki Ditura, Efthimia Rizidou, Dimitra Dimitriou, Evangelos Harisis, Ilias Kanelopoulos, and Mihalis Tsotskos –the lawyer who had represented the “Stegi” in its first 1990 application, and who is also a former Secretary of the Florina Prefecture Committee of the governing party PASOK and former PASOK candidate in parliamentary elections. The two lawyers who did not collect from the Post Office the registered letters addresses to them were Vasiliki Boulbou and Dimitrios Stefanidis. There was actually one reply by Anastasios Hatzihristos indicating that he was no longer a lawyer, as he had become a notary.
- <sup>xvii</sup> No date mentioned in the original, published in the local media in September 1995; text reprinted from GHM and MRG-G *Greece Against its Macedonian Minority: The “Rainbow” Trial* (ETEPE, Athens 1998), available at: <http://www.greekhelsinki.gr/pdf/rainbow-english.pdf>
- <sup>xviii</sup> The “Rousalii” statutes and the court transcript are available, in Greek, at: [http://www.greekhelsinki.gr/bhr/greek/special\\_issues/rousalii.html](http://www.greekhelsinki.gr/bhr/greek/special_issues/rousalii.html);
- <sup>xix</sup> <http://www.perseas.gr/2001/08/stoidis.htm>
- <sup>xx</sup> GHM and MRG-G, “*Report about Compliance with the Principles of the Framework Convention for the Protection of National Minorities*,” 18 September 1999, p. 44, [http://www.greekhelsinki.gr/bhr/english/countries/greece/fcnm\\_report.doc](http://www.greekhelsinki.gr/bhr/english/countries/greece/fcnm_report.doc).
- <sup>xxi</sup> The Greek Ombudsman, *Ετήσια Έκθεση 2000* (Annual Report 2000), p. 66, at: <http://www.synigoros.gr/annual00/E1.pdf>
- <sup>xxii</sup> Information collected by GHM/MRG-G regional monitors during interviews with the parents on 1 and 6 August 2001 respectively.
- <sup>xxiii</sup> [http://www.auth.gr/balkan/en\\_S-PgmSemAll.htm](http://www.auth.gr/balkan/en_S-PgmSemAll.htm)
- <sup>xxiv</sup> (in Greek) <http://www.auth.gr/balkan/S-CoursesPerSem.htm>
- <sup>xxv</sup> Maria Yiannisopoulou, “*Η Ανθρωπολογική Προσέγγιση. Αλμωπία: Παρελθόν, Παρόν και Μέλλον*,” (The Anthropological Approach. Almopia: Past, Present and Future) in National Center for Social Research, *Μακεδονία και Βαλκάνια, Ξενοφοβία και Ανάπτυξη*, (Macedonia and Balkans, Xenophobia and Development), Alexandria, 1998, pp. 330-426.
- <sup>xxvi</sup> GHM/MRG-G interview with Nikolaos Vasiliou and Dimitrios Denas, 3 August 2001.
- <sup>xxvii</sup> GHM/MRG-G interview with A.M., 4 August 2001.
- <sup>xxviii</sup> GHM/MRG-G interview with Dimitrios Hatzarlis, 5 August 2001.
- <sup>xxix</sup> *Avgli*, 26 May 2000 [http://193.218.80.70/cgi-bin/hwebpressrem.exe?-V=hpress\\_int&-A=217022&-P](http://193.218.80.70/cgi-bin/hwebpressrem.exe?-V=hpress_int&-A=217022&-P)