

STATEMENT BY THE DELEGATION OF GREECE

RIGHT OF REPLY

Working Session 4: Freedom of Assembly and Association

I would like to remind the representative from NGO Western Thrace Minority University Graduates Association, that the 1923 Treaty of Lausanne established the status of the Muslim minority in Thrace/Greece, identifying it on the basis of the only common denominator, i.e. the Muslim faith, of the three – otherwise distinct – groups (Greek citizens of Turkish, Pomak and Roma origin) that comprise it. As a result, there is no ethnic or national minority in Thrace, given that there is a collective definition of the minority and of its groups as “Muslim minority”. Each of these groups has its own language and cultural traditions / heritage.

Further to fully complying with the 1923 Lausanne Treaty relevant provisions, Greece’s policy and legislation (i.e. adoption of specific positive measures) over the last twenty years, reflect and implement contemporary human rights norms and standards, the very values of the European Union and its acquis, aimed at improving the living conditions of the members of this minority and their smooth integration into all aspects of both local and national society.

With regard to the specific issue of freedom of association (Art. 11, ECtHR) this is a human right fully enjoyed by the Muslim minority, as it is unequivocally, firmly and broadly protected by the Greek Constitution. Indeed, tens of Muslim minority associations and NGOs freely operate in Thrace under the Law. They are thriving members of the Greek civil society and actively pursuing their goal to highlight their culture, promote various relevant activities and enhance the well-being of their members.

As for the three (3) cases that had been brought before the European Court of Human Rights (ECtHR) by three minority associations regarding their non-recognition by the Greek courts, as alluded by the representative, indeed the Court found a violation of Art. 11. Since then the Committee of Ministers of the Council of Europe took note with interest that a procedure has started in Greece aiming at establishing a special structure responsible for the execution of the Court’s ruling and they decided to resume consideration of this subject at their Human Rights (DH) meeting in 2017.

The Hellenic Parliament is examining several legislative proposals in order to tackle the situation. Nevertheless, the Greek Courts in practice take into consideration the European Court of Human Rights (ECtHR) standards, so that, since the above-mentioned decisions in 2007 and 2008, tens of minority associations have submitted their application

and have been established and recognized according to the European Court of Human Rights (ECtHR) case law.

Concluding, Greece is a country well known for respecting and protecting Human Rights. The Greek society on numerous occasions has proven to be an open one and always ready to make the necessary adjustments so that it abides by international standards and its O.S.C.E. commitments.