



Avrupa Batı Trakya Türk Federasyonu Föderation der West-Thrakien Türken in Europa Federation of Western Thrace Turks in Europe Ευρωπαϊκή Ομοσπονδία Τούρκων Δυτικής Θράκης

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Member of the Fundamental Rights Platform (FRP) of the European Union Agency for Fundamental Rights
Member of the Federal Union of European Nationalities (FUEN)

ABTTF • Wemerstr. 2, D-58454 Witten • Tel.: +49.2302.913291 • Fax: +49.2302.913293 • E-mail: info@abtff.org • www.abtff.org

Contact details of (main) NGO:

NGO Name: Federation of Western Thrace Turks in Europe (ABTTF)

Name of main contact person(s): Ms. Melek Kırmacı

Phone number(s): +49 (0) 2302 91 32 91, +49 (0) 2302 172 83 78

E-mail(s): melek.kirmaci@abtff.org; info@abtff.org,

Language(s): ENGLISH ONLY

RC.NGO/70/10

5 October 2010

Working Session VII: Tolerance and Non-Discrimination I

ENGLISH only

Human Dimension Sessions of the 2010 Review Conference

30 September-8 October 2010
Warsaw, Poland

Dear President,
Distinguished Representatives
And NGO Representatives,

While the OSCE participating States have committed in Copenhagen that they will endeavour to ensure that persons belonging to national minorities, notwithstanding the need to learn the official language or languages of the State concerned, have adequate opportunities for instruction of their mother tongue or in their mother tongue, it is increasingly clear that the OSCE participating States may not/ cannot/ do not fully meet the need to provide for an equal access to quality education for persons belonging to minority groups, which prevents a broader inclusion of minorities.

The right to education in mother tongue is not enjoyed equally by all in some OSCE participating States, including Greece. Minorities in some OSCE participating States do not have equal access to quality education due to restricted access and/or inappropriate education strategies. This lack of equal access to quality education leads to denial of civil and political rights of the persons belonging to minorities and segregation in society due to the marginalization of these minority groups, including the Turkish Minority of Western Thrace.

This marginalization of these minority groups and their economic, social and political exclusion is often resulted with discrimination against these marginalized groups in general society. And, existing institutional practices and legal standards cannot guarantee equal access of persons

belonging to national minorities. The Supplementary Human Dimension Meeting on 22-23 July 2010 clearly indicated that the role of education as a tool for integration is being disregarded, which in turn hinders the development of a cohesive society.

The OSCE participating States should develop institutional arrangements and mechanisms that will ensure full and effective participation of persons belonging to national minorities in the societies where they live, while they, at the same time, ensure that these minorities receive education in their mother tongue. This may seem contradictory by many of OSCE participating States, but it is clearly the responsibility of the participating States to take measures to ensure that the right to development of persons belonging to national minorities.

On the Recommendation of the Forum on Minority Issues* (15 and 16 December 2008), the UN Independent Expert on Minority Issues, Gay McDougall, states that education should serve the dual function of supporting the effort of communities to self-development in economic, social and cultural terms while opening pathways by which they can function in the wider society and promote social harmony. The expert notes in her report that States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue. The expert underlines that these measures are most critical in preschool and primary schools, but may extend to subsequent stages of education.

Federation of Western Thrace Turks in Europe (ABTTF) would like to highlight the discrimination with respect to the right to education in mother tongue at the preschool level on the children of the Turkish Minority in Western Thrace, northern region of Greece where the minority children who completed the 5th year of their age has to attend in majority kindergartens under the Ministry of Education, although the minority is granted the right to establish, maintain and manage its own educational institutions which give education on the mother tongue of the minority, namely Turkish with the 1923 Treaty of Lausanne signed between Greece and Turkey.

The Turkish Minority in Western Thrace is granted with the right to education in its mother language and autonomy in the management of its educational institutions with the Treaty of Lausanne which determined the status and the basic rights of the Minority in general. The Cultural Protocol signed between Turkey and Greece on 20 April 1951 (which was abolished and replaced by the Bilateral Agreement on Cultural Cooperation in 2000), the Exchange of Notes in 1952 regarding the issue of exchange teachers who would be assigned in Minority Schools and the Protocol of the Turkish-Greek Cultural Commission, signed in 1968 are the relevant documents which maintain the autonomous status of the minority in the field of education. Furthermore, the right to education is provided by Article 16 of the Greek Constitution which defines the scope and aim of education for the development of an ethnic and religious consciousness. The right of the Turkish Minority of Western Thrace to education in mother tongue in its own educational institutions is regulated with laws in domestic law which provide the basic structure of the minority education.

Law 3518/2006 envisages the extension of the compulsory period in education from nine to ten years starting from the school year 2007-2008. Under Law 3518/2006 the condition of pupils' admission in pre-school education has been revised and Article 73 has envisaged a two year attendance in kindergartens for pupils who have completed the 4th year of their age. Because the law does not bring any regulation about ethnic and cultural difference of the children in Greece, all pupils who have completed the 5th year of their age is obliged to attend state kindergartens where the language of education is only in Greek. The right not to be discriminated is violated

* See <http://www2.ohchr.org/english/bodies/hrcouncil/docs/10session/A.HRC.10.11.Add.1.pdf>

because Greece without an objective and reasonable justification fails to treat differently minority children who speak a different language other than Greek.

The Representative of the Hellenic Government Deputy Permanent Representative of Greece, Ambassador M. Diamessis on the thematic focus on minorities and the right to education on 15-16 December 2008 at the First UN Forum on Minority Issues stated that children at kindergartens did not have Greek textbooks, because they did not have any textbooks or any specific curriculum.[†] The Representative underlined that activities and games were the only means used in kindergartens which served as a smooth introduction to primary education and helped to avoid segregation of the Muslim minority from the rest of the Greek society. However, it has to be pointed out that the UN Independent Expert on Minority Issues stress in her report that the principle of equality does not imply uniform treatment in the field of education regardless of circumstances, but rather that differential treatment of individuals and groups is justified when specified circumstances warrant it, so that the right to equal treatment is also violated when States, without permissible justification, fail to treat differently persons whose situations are significantly different.

The UN Independent Expert on Minority Issues, Gay McDougall, has noted in her country visit report on Greece[‡] that a commonly stated problem is the absence of bilingual kindergartens for the minority. The expert has stated that bilingual kindergartens would allow better knowledge of both Turkish and Greek from an early stage therefore providing benefits in terms of integration, and enabling greater choice of whether to go minority of Greek public primary school.

The Turkish Minority of Western Thrace should have a right to participate in the life of the State and in decisions affecting them. Greece should provide adequate opportunities to persons belonging to the Turkish minority to learn its mother tongue or to learn through the medium of the mother tongue, alternatives which should not be understood as mutually exclusive. Specific forms of such opportunities should be chosen in consultation with persons belonging to minorities and taking into account their freely expressed wishes. In the particular context of pre-school education, delivery of educational services with the established bilingual minority kindergartens is a right stemming from their right to establish, maintain and manage its own educational institutions. Though, the Representative of the Hellenic Government Deputy Permanent Representative of Greece, Ambassador M. Diamessis stated that they encouraged kindergarten teachers coming from the Muslim minority to work at public kindergartens in areas where there were many Muslims, not bilingual minority kindergartens established in accordance with the provisions of bilateral treaties in the region of Western Thrace.

In line with the status of the Turkish Minority of Western Thrace and international norms and values in the field of education, the Turkish Minority of Western Thrace and the Turks of Rhodes and Kos should have the right to education in its mother language. Greece should act in a positive spirit in accordance with the requirements of modern education understanding with regard to the minority schooling system, and acclaim that the minority system of education should be reconstructed according to the principles of multiculturalism and multilingualism. However, it should first create necessary conditions and establish a dialogue with the Turkish Minority and its educational institutions, thus enabling them to participate in the development and implementation of policies relevant to the minority education. Afterwards, Greece and the Turkish Minority of Western Thrace should work together to find solution to the problem of bilingual education in minority kindergartens, taking fully account into the opinion of the Minority itself.

[†] See http://www2.ohchr.org/english/bodies/hrcouncil/minority/oral_statements_forum_minority_2008.htm

[‡] See <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G09/111/98/PDF/G0911198.pdf?OpenElement>