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**OSCE
HUMAN DIMENSION
IMPLEMENTATION MEETING
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Working Session 2,
Freedom of Religion**

VIOLATION OF RELIGIOUS RIGHTS IN WESTERN THRACE

Ms/Mr Moderator,

Thank you very much for the floor, I would like to point out some issues regarding the implementation of religious rights of the Muslim Turkish Minority of Western Thrace in Greece.

The first issue is about the new bill 3536/2008 regarding the appointment of 240 imams/Islamic (seminary) teachers. This new law is contrary to the article 43 of the Lausanne Peace Treaty of 1923 that provides religious autonomy and freedom for the Muslim-Turkish Minority. According to the provisions of the new law, these 240 imams or seminary teachers would be appointed by a committee of five people, and none of them is from the Turkish minority. Like that of 1992 UN Declaration on Minorities, other provisions of international treaties and documents that Greece signed and ratified promoted Minority's religious autonomy. This new application which is totally refused by the minority threatens the freedom of faith and undermines the religious autonomy of the Minority.

The second point that I would like emphasize is the issue of Waqfs. The waqfs constitute an essential part of Minority's cultural, historic and religious heritage. The government continues to appoint the people who currently hold positions in the Administrative Boards of the Muslim Foundations since 1970s.

Disregarding their financial immunity, the State continued to impose excessive taxes and legal sanctions on the properties owned by the Muslim Charitable Foundations for four decades. Minority's inability to govern and have access to the accounts of these Waqfs also prevents them from dispensing the revenues obtained thereof towards society's vital needs, such as the maintenance and improvement of schools and repairs or build mosques. Muslim charitable organizations also suffer from excessive taxes and accumulated debts.

The next issue is the issue of Muftis. Disregarding several bilateral and international treaties and the religious autonomy of the minority, the State authorities insist appointing the religious leaders of the minority (Muftis) with the pretext of their judicial and administrative jurisdictions.

The State continuously argues that Muftis are appointed in all Muslim countries. However, there are also many countries, where Muslims are in minority position, Muftis are indeed elected. Many Balkan countries with Christian majority allow Muslims to elect Muftis. It should also be noted here that the Islamic law practised by Muftis in the family and inheritance matters of the Muslim Turks is not obligatory. The members of the Turkish minority have the right to decide whether to choose the Sharia Law or Greek Civil Law regarding the family and inheritance issues. Moreover, Mufti's judicial decisions do not take into effect unless approved by competent Greek Courts. What is admired by the minority is firstly to elect the Mufti (religious leader) of their region according to the provisions of relevant international treaties and then to discuss the judicial competences of the Muftis.

The last point that I would like to mention is about attacks towards the sacred places. Although the sporadic acts of vandalism and desecration targeting mosques and Muslim cemeteries has become rare in recent years, last month the Mosque in village Toxotes was attacked for the third time and this indicates that the Muslim Turkish Minority still has problems on that issue.

Furthermore, Turkish – Islamic historic monuments in Western Thrace inherited from the Ottomans are systematically eradicated. Mosques, chapels of dervishes, bridges

are not restored and attempts of restoration by individuals are not given permission. The destruction begins with the inscriptions being torn down, eliminating the identity of the work. In other cases, the so-called restoration process is delayed expecting that; time itself will do the destruction. Meanwhile the Alevi-Bektashi chapels of dervishes, who were the first settlers of Western Thrace, are converted into churches. Some publications distributed by the Government refer to Ottoman mosques as “Turkish churches”.

Recommendations

We call upon the Greek State:

- To ensure the revision of the new law No: 3647/2008 regarding the pious foundations (Waqfs) passed by the Greek Parliament and entered into force on February 29, 2008, which was prepared without taking the opinion and will of Western Thrace Turkish Minority. Therefore, it cannot be accepted or applied in its current form because of excessive jurisdictions vested to the Secretary General of the Region of East Macedonia and Thrace and appointed Muftis.
- To take all necessary steps to protect and promote religious rights and freedoms of the minority, in full alignment with international human rights mechanisms and standards.

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