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NGO in Special Consultative Status with the Economic and Social Council of the United Nations  
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Member of the Federal Union of European Nationalities (FUEN)

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### Working session 10: Tolerance and non-discrimination II

Dear President,  
Distinguished Representatives  
And esteemed NGO Delegates,

Federation of Western Thrace Turks in Europe (ABTTF) primarily would like to recall the Helsinki Final Act of 1975 which declares that “The participating States on whose territory national minorities exist will respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere”.

Although Greece affirms that members of the Turkish Minority in Western Thrace enjoy the same rights and obligations based on the principle of equality before the law, and of civil rights guaranteed by the Constitution, the Turkish Minority still faces serious problems and discrimination in expressing its identity. Article 5(2) of the Greek Constitution states that “All persons living within the Greek territory shall enjoy full protection of their life, honour and liberty irrespective of nationality, race or language and of religious or political beliefs”. There is, however, no direct provision in the Greek Constitution which prohibits discrimination on the grounds of ethnicity, nationality, religion or language.

According to Article 16 (1) of Law 3304/2005 “whoever violates the prohibition of discriminatory treatment on the grounds of ethnic or racial origin or religious or other beliefs, disability, age or sexual orientation, with respect to the supply of goods or the offer of services to the public is punished with six months’ imprisonment and a fine of 1.000 –5000 euros”. However, until today Greek police has not presented any serious endeavour to find the perpetrators of the actions of

2<sup>nd</sup> September in the village of Okçular, and the persons could neither be identified, nor punished yet.

Law 927/1979 on punishing acts or activities aiming at racial discrimination with regard to the incitement to hatred and dissemination of racist ideas penalizes “to wilfully and publicly, either orally or by the press or by written texts or through pictures or any other means, incite to acts or activities which may result in discrimination, hatred or violence against individuals or groups of individuals on the sole grounds of the latter’s racial or national origin and, “to express publicly, either orally or by the press or by written texts or through pictures or any other means offensive ideas against any individual or group of individuals on the grounds of the latter’s racial or national origin or religion”. Nevertheless, on 12<sup>th</sup> September 2009 Georgios Karatzaferis, President of the Popular Orthodox Rally (LAOS), announced his candidacy for the province of Rhodope at a press conference during his visit to the city of Tripoli in Peloponnese on 12 September 2009 and stated with regard to his candidacy for the province of Rhodope that “Thus it will not seem like only the Turkish consulate is serving in this area”. After Karatzaferis’ speech a placard with the statement “Close the Consulate General of the Republic of Turkey” was put up in Komotini. Although Article 1c of the Code of Police Ethics states that Greek police “shall always act with a view to securing public order and safety, serving public interest and guaranteeing citizens’ legitimate interests“, Greek police remained as spectator when the banners were hung up by a group of about eight people.

The Federation of Western Thrace Turks in Europe has presented its concerns about the increasing number of Hate Crimes in the Western Thrace area, during the Supplementary Human Dimension Meeting on Hate Crimes- Effective Implementation of Legislation, held from 4- 5 May 2009 in Vienna. ABTTF emphasized the importance of Police Ethical Codes, as it exists in Greece, for the OSCE region, but clearly pointed out its worries about the statements in the Hellenic Police Codex. The Greek police declares that (they) have the great honour to serve the Greek people by exercising police power trusted upon (them) according to the Constitution and law”. The expression “Greek peoples” presents a clear division of ethnic groups within the country, followed by inequitable actions of crime. On 5<sup>th</sup> September 2009, Ali Karaosman, the Ramadan drummer of Koyunköy, a province of Xanthi, was attacked by an armed Greek while he was waiting for the drum playing time. Karaosman, who went to the police for appeal, was accused by the Greek perpetrator and detained by the Greek police for six hours.

Unjust actions of the Greek police, targeted against members of the Turkish minority are not an exception in Western Thrace. Thus, ABTTF agrees with the recommendations made during the Supplementary Human Dimension Meeting on Hate Crimes- Effective Implementation of Legislation in Vienna and emphasizes the significance of “OSCE participating States (creating) Codes of Ethics for the Police which should make clear that the police must serve the entire community”. In addition, we would like to remind that Greece and all “OSCE participating States should provide training for law enforcement to combat racial prejudices amongst the police”.

In conclusion, ABTTF notes with concern this increasing trend of assaults against members of the Turkish minority in the entire region. We ask all OSCE Participating States to pay more attention to the hate or bias-motivated crimes and hate speech and to take action immediately. We, hereby, urge Greek authorities;

- To make express provision in the law for racist motivation to be considered as an aggravating circumstance in the case of all common offences.
- To introduce a provision into criminal law expressly stipulating that for all ordinary offences, racist motivation constitutes an aggravating circumstance. In addition, we would like to draw attention of the Greek authorities to ECRI’s General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination, indicating the provisions that should be included in criminal legislation.

- To take every step to prosecute and punish the culprits, in cases where racist actions have been taken.
- To ratify as soon as possible the Framework Convention for the Protection of National Minorities.