



**OSCE
HIGH-LEVEL CONFERENCE ON
TOLERANCE AND NON-DISCRIMINATION
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**Part I. Forms of Intolerance and Discrimination
Session I. Combating Intolerance and Racism against Muslims**

Western Thrace Turkish Minority in Greece

Introduction

- Western Thrace Turkish Minority is almost entirely Muslim.
- An estimated number of 150.000 ethnic Turks live in Western Thrace – Greece.
- The legal status of this minority was established by the Peace Treaty of Lausanne which was signed in 1923, the bilateral agreements signed between Greece and Turkey and the international instruments concerning human and minority rights which Greece has signed and ratified.
- The treatment of the Turkish minority by the Greek government has been affected by both ethnic and religious aspects.

Violation of Minority Rights (Some Examples)

- In the last years, the situation of the Turkish Minority of Western Thrace in Greece has slightly improved (in terms of citizenship rights) however; still much remains to be done for the full implementation of minority rights.
- The denial of ethnic identity of Western Thrace Turks by the Greek government has been one of the most contentious issues regarding the government's minority policy. Until the Junta regime in 1967 the identification of the Minority as Turkish was not prohibited. By the advent of Junta regime, however, the authorities started to call the Minority as "Muslim" and since then, they continued to reject the ethnic Turkish identity in Western Thrace. Today, Greece still insists on the policy of denying ethnic Turkish identity of the minority.
- The Article 19 of the Greek Citizenship Law (No: 3370 of 1955) was an obvious case of racial discrimination and a flagrant violation of the fundamental right to citizenship. It provided that: "A citizen of non-Greek origin leaving Greece without the intention of returning may be declared having lost Greek citizenship." Under Article 19 of the Citizenship Law, the Greek government "unilaterally and arbitrarily" revoked the citizenship of about 60.000 non-ethnic Greeks. This law was abolished in 1998, but except some 200 persons living in Greece up until 2010 no steps have been taken for the victims of the Article 19.



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- In the past, the Turkish/Muslim community was allowed to elect their own muftis (religious leaders). Since 1990 these have been largely appointed by the government. The European Court of Human Rights concluded on 4 instances, i.e. Serif v. Greece (14 December 1999-Case No: 38178/97), Agga v. Greece (No.2) (17 October 2002-Case No: 50776/99 & 52912/99), Agga v. Greece (No.3) (13 July 2006 – Case No: 32186/02) and Agga v. Greece (No.4) (13 July 2006 – Case No: 33331/02) that Greece has violated Article 9 of the ECHR. Given the finding that there has been a violation of Article 9, State continues to disregard minority's elected Muftis and works through a number of appointed officers who lack credibility and respect even among their own people. The authority of the individuals appointed by the State to the Offices of Mufti in Komotini, Xanthi and Didimotiho is disputable since they are not accepted and recognized by the minority population. The minority, on its part, expects the government to cease interfering in the field of divine conscience and finally recognize minority's right to elect its own religious leaders.
- Muslim Charitable Foundations (Waqfs) constitute an essential part of Minority's cultural, historic and religious heritage. On the contrary to the bilateral treaties the Greek government appoints administrators to the Waqfs of the Minority. Furthermore, the State imposes 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.

Recommendations

As a representative of the Western Thrace Minority University Graduates Association on behalf of the Turkish Minority of Western Thrace I would like to make the following recommendations.

- Recalling that tolerance and non-discrimination rank high among the priorities of the OSCE and participating States have repeatedly expressed concerns about manifestations of racism, xenophobia, and other forms of intolerance,
- Recalling that the protection of minorities is inherent in the protection of human rights and fundamental freedoms,
- Recalling that the Copenhagen Document constitutes a breakthrough in international standard-setting on national minority issues. It was the first negotiated multilateral document, which brought about an extensive list of minority standards,

We call upon the Greek State to:

1. Respect the collective usage of individual right and recognise the existence of the Turkish Minority in Greece.



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2. Take steps to ensure the immediate rectification of the unfortunate consequences arising from deprivation of Greek citizenship on the basis of former Article 19 of the Citizenship Code for all persons concerned, especially ethnic Turks. In particular, we urge the authorities to genuinely facilitate these persons' recovery of their citizenship by removing any obstacle, including the need for them to go through the naturalisation procedure.
3. Take necessary steps to recognize and appoint popularly elected muftis, and abolish the practice of state appointed imams (law no: 3536/2007) that is against the religious autonomy of the Turkish-Muslim minority that was enshrined in the 1913 Athens, 1920 Sevres and 1923 Lausanne Treaties.
4. Ensure the revision of the new law No: 3647/2008 regarding the pious foundations (Wakfs) 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 and recognise that it cannot be accepted or implemented in its current form.
5. Ensure immediately that freedom of association which is guaranteed by the Greek Constitution for all persons concerned and demand that the Greek authorities abolish all restrictions on the freedom of association of the Turkish minority. Remembering that it is prohibited using the denomination "Turkish" and "Minority" in some cases in names for associations by the Supreme Court which dissolved in 1987 the Turkish Union of Xanthi that was founded in 1927 and ruled out the foundation of the Cultural Association of Turkish Women of the Region of Rodopi, Western Thrace Minority Southern Evros Education and Culture Association, and Evros Minority Youth Association.
6. We urge the Greek State to immediately end the abuse of the right of freedom of association so that civil and political rights of minorities are guaranteed for all persons concerned. We further urge Greece to respect and act according to the recent written notifications of European Court of Human Rights on the cases of *Tourkiki Enosi Xanthis and Others v. Greece* (no. 26698/05), *Emin and Others v. Greece* (no. 34144/05), and *Bekir-Ousta and Others v. Greece* (no. 35151/05) which resulted in favour of the said associations and indicated the violation of the freedom of association.
7. Ensure the equal opportunity for the instruction in mother tongue and the state language. Greece should also take immediate steps to ensure that the right to education for the Turkish minority is guaranteed so that children in Western Thrace have a bilingual (Greek and Turkish) preschool education. Remembering that the Turkish minority has the right to take education in its native language according to the Treaty of Lausanne, as well as other bilateral agreements between Greece and Turkey, we in particular urge the Greek State to abolish the discriminatory clauses of the new Preschool law (3518/2006) that anticipates the Greek language as a must in preschool education.



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8. Ensure the full implementation of the provisions of the 1990 CSCE/OSCE Copenhagen Document that Greece has signed and ratified.
9. Establish an objective and productive dialogue mechanism with the minority in order to understand and find satisfactory solutions to the problems of the Turkish Minority of Western Thrace.

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