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OSCE

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Working Session 1: Fundamental Freedoms

Freedom of expression, free media and information

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Thank you Mr. Chairman,

Distinguished Delegates, Ladies and Gentlemen,

Western Thrace is located in the northeast part of Greece. The Muslim Turkish Minority whose legal status was established by the Peace Treaty of Lausanne signed in 1923 lives in the cities of Xanthi, Rodophi and Evros with total population of the Western Thrace region 362.038. The total population of the Muslim Turkish Minority of Western Thrace is estimated 150.000.

Since 1923 members of this Minority have been publishing local, weekly newspapers in Turkish language in Western Thrace.

Since then Minority newspapers had been subjected to various bureaucratic obstacles by the Greek state. Since 1974, the freedom of expression and the media in Western Thrace has relatively been improved and Minority newspapers today can be published and circulated among the Minority members in Western Thrace.

Today only three minority newspapers are published weekly and one every fifteen days. Four private radio stations are broadcasting in minority language in the region and there are several internet sites and also three monthly magazines are published.

The two weekly newspapers Gundem and Millet now face high amount of compensations on the grounds that they published unsubstantiated news articles about a Greek teacher working in a Minority school in Western Thrace.

The teacher applied to the First Instance Court of Rodopi against Gundem and Millet newspapers asking for 1 million Euro compensation per newspaper, claiming that their news related to the homework 'drawing the picture of Allah' that she gave to the students were fake.

According to the first instance court decision, both Gundem and Millet were recently sentenced to pay 150.000 Euro (one hundred fifty thousand Euros) and 120.000 Euro (one hundred twenty thousand Euros) compensations respectively as a result of civil law suit, on the grounds that they published unsubstantiated news articles about the Greek teacher, Hara Nikopoulou.



Journalists Tzemil Kapza of Gundem and Cengiz Omer of Millet newspaper were sentenced to 10 month imprisonment if they do not pay the amount indicated. The bank accounts of the owners of the newspapers and the journalists have been blocked.

Both cases which were scheduled to be heard on 24th February 2012 before the Court of Appeals of Komotini were postponed due to solicitors general strike.

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Both hearings will be held in 22 March 2013 at the same court.

Furthermore, both newspapers and the minority Radio Station Kral FM of Xanthi now face other high threats for compensation on the grounds that they published and broadcasted unsubstantiated news articles about Müfit Ramadanoğlu, the former secretary and media adviser to the appointed mufti of Xanthi, Mehmet Emin Şinikoğlu. He sued minority newspapers GÜNDEM, MİLLET and the minority Radio Station Kral FM (Broadcasting from Xanthi). Ramadanoğlu, applied to the First Instance Court of Xanthi claiming that the news article published and broadcasted 5 years ago (published on 6th April 2007 in GÜNDEM and 12th April 2007 in MİLLET) with the headlines “14 months of imprisonment to Şinikoğlu” was false and was a violation of his private life. He asked for 200 hundred thousand Euros compensation from GÜNDEM, MİLLET and Kral FM, respectively. The hearing date is 7th November 2012 before the First Instance Court of Xanthi.

OSCE Representative on Freedom of Media, the South East Europe Media Organization (SEEMO), the Federal Union of European Nationalities (FUEN) as well as other institutions have shown interest to these cases, and have announced that they will continue their support and keep tab on the issue.

It should be a grave concern for all that journalists are repressed and intimidated by excessive compensation judgments passed by civil-law courts in a member state of the EU.

New media law (No: 3592/2007) brought upon numerous restrictive provisions which endanger freedom of press, expression and dissemination of information. Small minority radio stations (and other radio stations across the country) broadcasting in the prefectures of Rhodopi and Xanthi have serious difficulties in meeting those restrictive provisions. By limiting the usage of the Turkish language, the new law also endangers pluralism and minority rights. (You can find more information on the document distributed).

Majority of the member states of OSCE took steps towards reviewing their legislations for the protection and broadening of freedom of expression, providing easy access to media, creating viable conditions to accommodate diverse voices in the society, including the minorities.

However, as in many other OSCE Member States, today minority media in Greece is still subject to discrimination, selective restrictions and exclusion.

#### Recommendations

We call upon the Greek State,



- To respect the right to freedom of expression and the press freedom, in particular smaller and minority press in order to protect and enrich diversity of opinion in the media,
- To put an end to selective penalization of media institutions and press by ethnic, sectarian, and political motives,
- To uphold the principle of fair and proportional punishment in judicial process,
- To guarantee that the legal amount of compensation should not enrich the claimant in an unjust way, but compensate the moral loss of the claimant,
- To reconsider and revise the relevant legislation and ensure that the principle of equality is guaranteed for each element in society, including the Turkish minority of Western Thrace,

Finally Mr. Moderator I would like to invite all of you to follow and observe the trials of these newspapers on 7th November 2012 and 23th March 2013 in Xanthi and Komotini-Greece.

Thank you very much for your attention.