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Mr. Chair,
Distinguished representatives
And esteemed NGO Delegates,

The OSCE participating States confirmed that they will recognize and respect the freedom of the individual to profess and practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience. The OSCE participating States in Copenhagen 1990 reaffirmed that persons belonging to national minorities have the right freely to profess and practice their religion, including acquisition, possession and use of religious materials, and to conduct religious educational activities in their mother tongue.

Though the participating States reaffirmed that “greater efforts must be made to promote freedom of religion or belief” (The Astana Commemorative Declaration, 2010), many individuals, religious or belief communities still face problems in practising their religion or belief throughout the OSCE region due to the lack of implementation of commitments related to freedom of religion or belief undertaken by participating States, in particular by Greece. Although the Greek Constitution ensures the right to freedom of religion or belief, Turkish Minority of Western Thrace- which is recognized by the Greek State as a religious minority, the Muslim minority in Thrace- is challenged by prohibitions to its right to elect its own religious leaders (muftis). In stark contradiction with the OSCE commitments related to freedom of religion of belief, Greece rather appoints the muftis on the ground that the muftis are granted with judicial powers in certain matters of family and inheritance law.

The religious freedom of the Muslim Turkish minority of Western Thrace is protected by the Treaty of Lausanne signed in 1923, which determined the status and the rights of the Turkish Minority of Western Thrace. The Treaty of Lausanne reaffirmed and acknowledged 1830 Protocol and 1881 Treaties and 1913 Athens Treaty and Its Third Protocol, and anticipated that “minorities administer their own religion and institutions”. The Athens Treaty (1913) noted that “each Mufti will be elected by those Muslim voters who find themselves under the authority realm of the related Mufti”. The treaty further elaborated that “the Chief Mufti will be elected by an election council composed of all Muftis in Greece, and will be appointed among three candidates determined by the King of Greece.”

Law 2345/1920 adopted in accordance with provisions of Athens Treaty envisaged that muftis were to be elected by Muslims who were entitled to vote. However, this provision along with that the provision for the establishment of the position of Chief Mufti did never be implemented. Rather, Greece adopted the election of the Patriarch as a model, and appointed muftis by a special decree issued by the King. Two of three muftis one in Komotini(Gümülcine), one in Xanthi(İskeçe) were appointed by a special decree issued by the King, while mufti in Alexandropolis(Dedeğaç) was never appointed.

After problems in regard to the appointment of mufti with the Greek government in 1985, the Government repealed the Law 2345/1920 and adopted a Presidential Decree (24 December 1990) without any consultation with minority members or even asking their opinion. Since then the muftis have been appointed by Government on nominations from the Ministry of Education and Religious Affairs. In reaction to the Government's decision to appoint muftis, the Turkish Muslim Minority elected its own muftis, although public authorities did not recognise them. Even elected muftis were prosecuted and sentenced to prison for the illegal use of religious symbols.

Today, Greece doesn't still recognize the right of the Turkish Minority of Western Thrace to elect its own religious leaders. The Presidential Decree published in Official Gazette on 17 December 2010 extended the terms of office of Cemali Meço, the son of Mufti(appointed) of Komotini Hafuzidris, by 24 December 2010, upon the request of Minister of Education and Religious Affairs. And, lately, on 5 August 2011, the terms of office of Mehmet Emin Şinikoğlu, the Mufti (appointed) of Xanthi was extended for ten year, till August 2021. Though Prime Minister George Papandreou stated that the effort is still long and difficult, in the areas of respect for minority rights and religious freedom, which Greece attaches paramount importance because of the Ecumenical Patriarchate and the Greek minority at the 3rd Turkish Ambassadors' Conference in Erzurum, the extension of the terms of the muftis (appointed) of Komotini and Xanthi caused a disappointment among the members of the Turkish Minority.

A further problem is that the Turkish community in Rhodes(Rodos) and Kos(İstanköy) are also challenged by restrictions in practicing their religion. The seat of the Mufti has remained vacant since 1972. The minority rights laid by the Lausanne Treaty do not apply to the persons of Turkish origin on the islands of Rhodes (Rodos) and Kos (İstanköy). However, the fact that Rhodes and Kos were not part of Greece when the Lausanne Peace Treaty was signed should not be a reason to deprive the Turkish Minority on the islands of their minority rights.

Although situation of appointed and elected muftis seem to tolerate each other, it does not mean that the current situation is accepted by the member of the Minority. Besides, it is the role of authorities in these circumstances is to act in accordance with its obligations arising from bilateral treaties. Therefore, this is the responsibility of the Greek State to end this dichotomy, not coexistence. In particular to Greece, we urge the Greek authorities not to diminish by no means autonomous establishment of the Turkish Minority of Western Thrace in accordance with Athens Treaty of 1913 and Its Third Protocol and to recognize the right of the Turkish Minority to elect its own religious leaders. In this regard, we recommend the Government to establish a dialogue mechanism based on mutual tolerance and understanding with the Turkish Minority in Western Thrace in order to find a long lasting and satisfactory solution to the problem of mufti.

We would like to the OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion or Belief to ensure that the participating States respect the right of the religious minorities and communities to select, appoint and replace their personnel in accordance with their respective requirements and standards in accordance with Vienna 1989, Questions Relating to Security in Europe. In this regard, we urge Greece and all participating States to act in accordance with the OSCE Commitments related to the freedom of religion or belief. We request the OSCE/ODIHR Advisory Panel on Freedom of Religion or Belief to have a greater role in the work of the OSCE on further implementation of the freedom of religion or belief in all participating States.