



Western Thrace Minority  
University Graduates Association

**OSCE  
Human Dimension Sessions  
Of The 2010 Review Conference  
30 September – 8 October 2010  
Warsaw – Poland**

RC.NGO/14/10  
1 October 2010

ENGLISH only

## **Working Session 2**

Name of Contact Person(s): Ms. Pervin Chairoula  
E-mail(s): [chairoulap@yahoo.com](mailto:chairoulap@yahoo.com)

### **FREEDOM OF RELIGION IN WESTERN THRACE GREECE**

Thank you very much Mr./Ms. Moderator,

My name is Pervin Chairoula, and I am representing the Turkish Minority of Western Thrace in Greece. I would like to point out some issues regarding the religious rights of the Turkish Minority of Western Thrace in Greece.

The members of the minority have currently been facing serious obstacles regarding the religious rights and fundamental freedoms.

The first and an important issue is the election of religious leaders/Muftis. The election of Muftis is explicitly stipulated in the 1913 Athens Treaty, and it was later incorporated to the Greek legislation with the Law No: 2345 in 1920. Since the state authorities decided to replace the Law 2345/1920 with the Law No: 1920/1991 and impose the appointment of the Muftis, the minority reacted and conducted elections in the mosques of Rodopi and Xanthi Prefectures to elect their religious leaders freely. The first and foremost request of the minority is the recognition of the elected Muftis by the state authorities. European Court of Human Rights have adjudged on four different occasions that the freedom of conscience and religion of the elected Muftis were violated (Agga vs. Greece, No: 2, 3,4 and Sheriff vs. Greece, No: 38178/97)

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 practiced by Muftis in the family and inheritance matters of the Muslim Turks is not obligatory. The Members of the Turkish minority of Western Thrace have the right to decide whether to choose the Sharia Law or Greek Civil Law regarding the family and inheritance issues. Mufti's judicial decisions do not take into effect unless approved by competent Greek Courts.



Western Thrace Minority  
University Graduates Association

The second issue is the permits for the construction and/or renovation of mosques and/or minarets in some villages. The current legislation requires the permission to be issued by the Ministry of Education, Lifelong Learning and Religious Affairs, and the constructions and renovations in several villages could not be completed due to the absence of necessary permits despite many applications. For example, the villagers in Venna, Kallintirion and Lefkopetra have been waiting for an official permit since 2007, whereas the ones in Tichiro, Filia and Poa have been waiting respectively since 2008 and 2009. Similarly, the construction of a mosque in Sminthi was stopped on 13 February 2009 and the villagers were issued with a fine of 385.917 Euro since they violated the permission for by constructing an additional unit to be used as a depot.

The next issue is about the bill of 3536/2007 regarding the appointment of 240 imams/Islamic (seminary) teachers. Both the religious staff and the members of the minority in Western Thrace have rejected the provisions of the Law No: 3536/2007 regarding the appointment of the 240 imams/seminary teachers. Direct interference by the state authorities to the religious life of the minority is in clear contravention to the religious autonomy and freedom enshrined in the Article 40 of the Lausanne Peace Treaty. Minority people are against the selection of their religious staff by the committee of Christian officials and the control of the "appointed" muftis who are not recognized by the minority. The members of the "Association of the Religious Officials of Western Thrace Mosques" have initiated a petition campaign in January 2010 against the provisions of the Law, where they declared that none of them have signed any agreement of recruitment with the state authorities and they won't accept such interference by the state.

Finally, I would like to emphasize 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.

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.

Although the provisions of the law passed in 2007 (No: 3554) erased the existing debts of waqfs, the fines and income taxes imposed on them remained intact. The new law (Law no: 3647/2008) on the administration of waqfs passed on 7<sup>th</sup> February 2008 was prepared without taking into consideration Minority's opinions and proposals. Although the new law foresees the appointment of board members with elections, the minority does not endorse the provisions of the law that give excessive jurisdictions to the Secretary General of Eastern Macedonia and Thrace region as well as the tutelage powers vested in the office of the "appointed" Muftis. It should also be noted that, before the passing of the said law, the Minority had communicated its opinion and remarks regarding the draft bill to the Government, which proved a futile effort since the Administration once again disregarded the Minority's will.



Western Thrace Minority  
University Graduates Association

In this respect we call upon the Greek State to:

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

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.

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.