

**GREEK HELSINKI MONITOR (GHM)
MINORITY RIGHTS GROUP - GREECE (MRG-G)
HUMANIST UNION OF GREECE (HUG)
COORDINATED ORGANIZATIONS AND COMMUNITIES
FOR ROMA HUMAN RIGHTS IN GREECE (SOKADRE)**

Address: P.O. Box 60820, GR-15304 Glyka Nera **Tel.:** (+30) 2103472259 **Fax:** (+30) 2106018760
e-mail: helsinki@otenet.gr **website:** <http://www.greekhelsinki.wordpress.com>

**2015 OSCE Human Dimension Implementation Meeting (Warsaw)
Statement for Working Session 17 on national minorities
(1 October 2015)**

Greece: Non-recognition of Macedonian & Turkish minorities despite ECtHR rulings

Greece, in defiance of all international treaties, as well as several **ECtHR** judgments and **UN Treaty Bodies and Special Procedures'** and **Council of Europe institutions'** recommendations, refuses to even acknowledge any minority other than what it calls "Muslim minority in Thrace." Ethnic Turks and ethnic Macedonians cannot enjoy their rights when their associations are banned. Such impediments on the contrary do not exist for ethnic Roma, ethnic Pomaks (and migrants).

Greece explains the ban of minority Turkish associations also with the argument that "*the components of the Muslim minority cannot be subsumed to a single, "ethnic", identity.*" However, the members of those banned associations only claim a Turkish identity for themselves and not for all other "Muslims" who are Pomaks or Roma and who have their worn legal (usually state-sponsored) associations.

Moreover, in its recent submission to the **UN HRC** and **CESCR**, Greece claims that it "*fully respects the right of individuals to freely self-identify themselves and no disadvantage results from such a self-identification*" yet also adds that "*Greece does not recognize the use of the term "Macedonian" to qualify the small group of persons living in the Greek region of Macedonia, who, apart from Greek, speak a Slav dialect [sic – they speak a language and not a dialect and that language is called Macedonian even in UN sites¹]*"

In effect, Greece denies the right of ethnic Macedonians and ethnic Turks to identify themselves as such and to name their associations accordingly, as the right to the mere self-identification for Greek authorities is recognized only to persons who can call themselves (and their associations) only with names acceptable to the Greek authorities!

However, on 9 July 2015, the **ECtHR** found, for the second time, a violation of freedom of association by Greece for the refusal since 1990 to register the **Home of Macedonian Civilization**:² the first **ECtHR** judgment in July 1998 has been blatantly ignored by Greece. Moreover, on 18 December 2014, the **ECtHR** communicated to Greece the second applications of the **Department of Evros Minority Youth Association**, the **Cultural Association of Turkish Women of the Region of Rodopi** and the **Turkish Association of Xanthi** which continue to be banned despite three **ECtHR** judgments in October 2007 and March 2008 finding Greece in violation of their freedom of association, which again Greece chose to blatantly ignore.³

Additionally, in Greece there is a discrimination against Turkish ('Muslim') minority teachers. With Law 4310/2014 a discriminatory ban was introduced on teachers from the officially called Muslim minority, even if they have the formal qualifications, to teach in the Greek language

¹ <http://www.ohchr.org/EN/UDHR/Pages/Language.aspx?LangID=mkj>

² <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-155822>

³ <http://hudoc.echr.coe.int/eng?i=001-150344>

program of the minority schools. Between 2011-2015, minority teachers aspiring to teach in the Turkish-language program of minority schools have been attending a special four-year program in the **Teachers' Academy in the University of Thessaloniki** that qualified them to teach in both Greek and Turkish language classes. Now with these new legal provisions, a new three-semester long **Minority Program Teachers' Academy** was created in the **University of Thrace** which all aspiring minority language teachers, after having graduated from any regular Teachers' Academy in Greece (but not in any other country!), must attend before they are qualified to teach Turkish language classes in minority schools.

Greece misleadingly claims in its reports to the UN *“that Law 4310/2014 has been adopted after prior consultation with the Minority Teachers' Associations.”* On 16 April 2015, the **Xanthi Minority Schools Teachers' Association**, sent a public letter to the **Minister of Education** asking him inter alia to *“abolish the Minority Program Teachers' Academy in the University of Thrace, instead continuing, strengthening and expanding the program in the Teachers' Academy in the University of Thessaloniki attended currently by 54 students;... abolish the unconstitutional ban for Muslim teachers to teach in the Greek-language program on minority schools.”*⁴ More recently, on 25 July 2015, the **Western Thrace Minority University Graduates' Association (WTMUGA)** issued an extremely detailed and comprehensive critique of the new law and its effort to implement it from September 2015 onwards, supported by the **Associations of Special Pedagogical Academy of Thessaloniki Graduates Teachers of Rodopi, Evros and Xanthi.**⁵ They oppose the discriminatory character of the training of teachers for the Turkish-language program for 5,5 years where all other teachers in Greece (and “Muslim” minority teachers until now) are trained for four years. They oppose the discriminatory exclusion of graduates of teachers' academies in Turkey from registering in that three-semester program and thus from teaching in minority schools in Greece, even though they have been trained in Turkish-language university programs! They underline that in the new **Minority Program Teachers' Academy** courses that give emphasis to Turkish language like Language & literature Teaching with Emphasis in Turkish Language, First Reading and Writing Teaching in Turkish Language are elective and not compulsory even though Greek Teacher Academies' graduates have no training in those fields: in effect, as it now stands, graduates of a four-year undergraduate Greek teachers' academy program and then of a three-semester post-graduate **Minority Program Teachers' Academy** may have never taken courses on and in Turkish language and literature. **WTMUGA** advocates instead the establishment of a comprehensive academy for the four-year training of Turkish-language teachers with the consultation and the participation of minority teachers and representatives and in cooperation with the teachers' academies in universities in Turkey.

Finally, it should be mentioned that the **Friendship Equality and Peace (FEP) Party**, the largest single party in the two minority-populated districts of Rodopi (42% of the votes) and Xanthi (26% of the votes) in the 2014 European elections supported by more than 40,000 minority voters, first opposed the new legislation on 14 November 2014.⁶ It advocated a four-year teachers' academy for Turkish minority teachers and stressed that new legislation had been introduced *“without enough discussion with the minority... with no concrete and detailed dialogue. Therefore we believe it is mandatory, that legislative changes should be reformed subsequent to concrete dialogue with minority institutions in context of the minority's just and democratic expectations.”*

All what has been presented until here does not concern the almost completely ignored Turkish minority in **Rhodes** and **Kos**, whose size is estimated at 4-5,000 persons. *“Most seem to think of themselves as Muslims and ethnic Turks, and also as members of a specific Muslim community,”* writes **Kira Kaurinkoski** in *“The Muslim Communities in Kos and Rhodes: Reflections on Social Organization and*

⁴ <http://www.gundemgazetesi.com/trakyahaber/detay/352>

⁵ <http://btaytd.com/en/default.asp?P=Read&ID=84>

⁶ <http://debpartisi.org/indexENG1.php?s=detailsENG&id=3294>

Collective Identities in Contemporary Greece” (in “**Slavica Helsingiensia**” 2012).⁷ The Muslims of Rhodes and Kos are denied the minority status of the Muslims of Thrace: Greek authorities claim that only the Muslims covered by the **Treaty of Lausanne** (1923) may be recognized as a minority.

An authoritative report on “*The situation of the inhabitants of Rhodes and Kos with a Turkish cultural background*” was published on 23 February 2011 by the **Parliamentary Assembly of the Council of Europe (PACE)**’s **Committee on Legal Affairs and Human Rights**, with **Andreas Gross** as rapporteur.⁸ It was followed by a 9 March 2012 **PACE Resolution** on “*The situation of the Greek citizens of Turkish descent in Rhodes and Kos.*”⁹ The main points:

Report on the inhabitants of Rhodes and Kos with a Turkish cultural background

5. Given that the islands did not belong to Greece in 1923, their ethnic Turkish inhabitants did not fall under the “exchange of population” agreed between Greece and Turkey in the Treaty of Lausanne, during which all Muslims from Greece (with the exception of those living in Western Thrace) and all Greeks from Turkey (with the exception of those living in Istanbul and on the islands of Imbros and Tenedos, later to become Gökçeada and Bozcaada) were expelled to their “kin states”. For the same reason, the Muslims on Rhodes and Kos do not fall under the special regime of minority protection under the Lausanne Treaty which was established in favour of those minority populations which were exempted from the “population exchange”. But the treaty with Italy under which the islands were brought under Greek sovereignty specified that all legal inhabitants were entitled to Greek citizenship and that their religious and property rights would be respected.

6. During the various Greek-Turkish crises, in particular in 1955 (expulsion of most of the Greek community in Istanbul) and in 1974 (Cyprus conflict), some measures were taken by the Greek authorities which negatively affected the Turkish-origin inhabitants of the two islands, but they stopped short of large-scale expulsion and expropriation. Under a law of 1959, “abandoned” plots owned by Muslims who left Greece for more than five years were expropriated, and Turks who fled the islands at the time of the Turkish invasion of Cyprus were forced to sell their properties in a hurry, and many of them were deprived of their citizenship. (...)

9. The two main issues that were raised during my visit concerned Turkish-language education and the lack of transparency in the administration of the religious foundations (“vakoufs” or “vakfs”) on the islands. Other issues include the upkeep of cultural monuments and the organisation of Muslim worship.

Resolution on the inhabitants of Rhodes and Kos with a Turkish cultural background

7. The Assembly therefore invites the Greek authorities to:

7.1. conduct an information campaign among parents of all schoolchildren on the two islands to inform them of the possibility of offering classes in the Turkish language organised by the educational authorities in consultation with Turkish-speaking citizens;

7.2. ensure full transparency and accountability regarding the administration of the two public Muslim wakfs in Rhodes and Kos, which are legal persons of public law both before the Greek State and before the members of the local Muslim communities, including by renewing, in an open and transparent way, their councils by elections at regular intervals

⁷ <http://www.helsinki.fi/slavicahelsingiensia/preview/sh41/pdf/3.pdf>

⁸ <http://assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileID=12646&Language=en>

⁹ <http://assembly.coe.int/ASP/Xref/X2H-DW-XSL.asp?fileid=18075&lang=EN>

and securing to every member of the said communities the right to have full access to their public accounts;

7.3. ensure that the Muslim citizens in Rhodes and Kos are free to choose their religious preachers and leaders, whose rights and duties should be clarified;

7.4. continue the restoration program of Islamic and Ottoman monuments, which are an integral part of the cultural heritage of the two islands, in co-operation with Muslim associations and with all necessary respect for the integrity of the historic monuments;

7.5. intensify their dialogue with the representatives of the islands' Greek citizens of Turkish descent, in order to resolve the above, and any other, issues of concern (namely, property rights and citizenship problems) in the spirit of mutual respect and understanding that characterises the unique cosmopolitan nature of the islands of Rhodes and Kos.

8. The Assembly reiterates its invitation to the Greek authorities to ratify the Framework Convention for the Protection of National Minorities (ETS No. 157).

Recommendations to Greece on national minorities

- **Greece must acknowledge all groups that aspire to a minority status, and respect the names they choose to define their identity, as well as register all minority associations with names reflecting those identities, including “Macedonian” and “Turkish”, so as to implement repeated ECtHR judgments.**
- **Greece should implement the UN Independent Expert on Minorities’ recommendation *“to reconsider its position with regard to the recognition of other ethnic, religious or linguistic minorities which may exist within its territory in accordance with recognized international standards, and ... to ratify the 1995 Council of Europe Framework Convention for the Protection of National Minorities;”***
- **Greece must additionally grant to the Muslims of Rhodes and Kos the special minority protection regime enjoyed by the Muslims of Thrace; and promptly implement the recommendations of PACE on the rights of Muslims of Rhodes and Kos including the right to be offered classes in their mother Turkish language.**
- **Greece should grant both Muslim communities of Thrace and of Rhodes and Kos the right to freely choose their religious leaders and administer their religious foundations, while Muslims religious leaders should be restricted to religious duties.**
- **Greece should abolish the new discriminatory provisions against Turkish language minority teachers and continue instead the implementation of the current provisions which also have the approval of the minority and of minority teachers or alternatively establish a comprehensive Turkish-language teachers’ academy in consultation with the minority and its teachers.**