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SESSION I: Legal mechanisms for bridge building across States

Persons belonging to national minorities could act as a model for integration as bridge-builders between their resident and kin state. The Schleswig case of the 20th century is a true model of cross-border integration and co-operation in Europe. As true Europeans bilingual and bicultural national minorities in border regions could be the very link between two neighbouring states. The important question is that are minorities perceived as an important factor in cross border integration or are they treated as a barrier to cross-border cooperation because of the fear of hidden agenda?

The Turkish Muslim population living in Greece (with the exception of the Turkish population in Western Thrace) and the Greek Orthodox population living in Turkey (with the exception of those in Istanbul, Gökçeada and Bozcaada) were subject to a population exchange, in line with the Convention Concerning the Exchange of Greek and Turkish Populations in 1923. The population in Western Thrace constitutes the Turkish Minority of Western Thrace whose status was established by the Lausanne Peace Treaty of 1923 and whose rights were guaranteed by several bilateral and multilateral agreements.

Under the 1923 Lausanne Peace Treaty, Turkish minority in Western Thrace has an equal right with the non-Muslim minority in Turkey to establish, manage and control at their own expense, any charitable, religious and social institution, any school and other establishment for instruction and education, with the right to use their own language and to exercise their own religion freely therein. Based on Article 45 in Section III of the Lausanne Peace Treaty, "The rights conferred by the provision of the present Section on the non-Moslem minorities of Turkey will be similarly conferred by Greece on the Moslem minority in her territory" in Turkey and Greece, the issue of minorities between Greece and Turkey is generally assessed within the scope of the principle of reciprocity. This is a parallel obligation that Greece and Turkey have undertaken to reciprocally grant each other's minorities certain rights; not to violate the rights of each other's minorities.

Greece does not confer official status on any indigenous ethnic group nor recognize "ethnic minority" or "linguistic minority" as legal terms, it affirms an individual's right of self-identification, not right of collective self-identification by members of an ethnic or linguistic group. Greece defines the Turkish Minority of Western Thrace by its religious identity, namely as the "Muslim Minority in Thrace", and denies the existence of an ethnic Turkish minority in the country on its territory. "Etabli Documents" which were the documents given to the people of Greek and Turkish origin who were left out of the exchange procedure in accordance with the provisions of the Agreement on the

Exchange of Turkish and Greek Populations on 30 January 1923 mentioned the ethnic origin of Muslim minority in Western Thrace as Turkish.

Under former Article 19 of the Greek Citizenship Law (No. 3370), which mentioned, "A person of non-Greek ethnic origin leaving Greece without the intention of returning may be declared as having lost Greek nationality", approximately 60.000 individuals were deprived of their citizenship under Article 19 between 1955 and 1998. Greece used Article 19 as a reprisal to the decline of the population of the Greek-Orthodox minority in İstanbul. Those who remain stateless within Greece (about 200 today), and those who adopted the nationality of another country after losing their Greek citizenship and having left Greece (in this case mostly the Turkish nationality) have no right under Greek law to recover their Greek citizenship.

Furthermore, Greece does not recognize any minority rights of the Turkish minority in Rhodes and Kos on the ground that the islands were under the rule of Italy at the time the Lausanne Peace Treaty was signed, which determined the status and the rights of the Turkish Muslim minority in Western Thrace in 1923. The rights of the Turkish minority in Rhodes and Kos to learn their native language was abrogated with the closure of the schools providing bilingual education in 1972, as a reaction to the closure of the Halki Seminary in İstanbul. Today there are no Turkish schools on the islands of Rhodes and Kos and the Turkish children do not have the chance to develop their Turkish language skills in state schools.

The minorities were the ones paying the price when the relations of Turkey and Greece were strained. The confrontation of Turkey and Greece over the Aegean Sea and Cyprus in the 1970s continued the implementation of the principle of reciprocity as retaliation by Greece. The suppression and assimilation policies, started against the Western Thrace Turks in 1960s and grew in intensity through 1970s, brought out a mass emigration wave from the region. The policies put in place by Greek authorities with motivations of intimidation of the minority eventually led the decline of the population in the region due to migration to other countries.

A new era has begun in the relationship between Turkey and Greece as of 1999, marked with the establishment of a variety of dialogue mechanisms streamlining the relations such as regular political consultations, exploratory contacts on Aegean Issues, confidence-building measures, high-level cooperation council meetings as well as high-level visits and contacts.

Nevertheless, the rapprochement and good relations between Greece and Turkey could not resolve the problems of the minorities. The autonomy in education and religious affairs in Western Thrace was not restored after the return to democracy in Greece since 1974. This autonomy has been undermined and diminished by governmental practices over years through legislations without prior consultation or opinion sharing with the representatives of the Turkish Minority. Today, Turkish minority is confronted with prejudices, discrimination, intolerance and social exclusion in its everyday life.

During his visit to Komotini on the occasion of Independence of Komotini on 14 May 2016, Greek President Karolos Papoulias mentioned in his speech at Komotini Chamber of Commerce and Industry that the Minority, of which rights are guaranteed by the Lausanne Treaty has a religious status, it is a Muslim minority, while minorities in Turkey are ethnic, which proves that there is a Greek minority there. The President continued that "Every person has a right to self-identify, but the situation is different in Western Thrace. Since it is a "religious minority" according to the Treaty of Lausanne, they cannot legally express themselves with another identity different from the one mentioned in the Treaty"¹. On 25 May 2016 Greek Minister of Foreign Affairs Nikos Kotzias stated in his speech during presentation of a book titled "Thrace: The Next Step" by former minister and former deputy Evripidis Stilyanidis that "the minority in Thrace is Greek". Kotzias noted that

¹ <http://www.azinlikca.net/bati-trakya-haber/pavlopulos-tan-azinlikkonusunda-aciklama-5162016.html>

Greece respects the rights of all special groups and it will not allow the Minority to be an instrument for motherlands and an instrument of foreign policy².

For the first time in the history, the Turkish Minority's political party, Friendship, Equality, Peace (FEP) Party, run for the EP elections in 2014, with 38 candidates from Rhodope, Xanthi and Evros. The FEP Party announced they participated in the EP elections to give the necessary message to the mindset which does not take into consideration the demands of the Turkish Minority of Western Thrace. Following the results of the EP elections in Greece, the FEP Party was the first party in Rhodope and Xanthi, where the Turkish Minority of Western Thrace lives. The Minority party won 41.68% in Rhodope and 25.89% in Xanthi. The FEP Party became the third party and received 42,533 votes with 12.25% share of the vote in Eastern Macedonia-Thrace Prefecture. Since the FEP party received 46,620 votes and won 0.76% of at the nationwide. In the EP elections, 90% voters from the Turkish minority in Western Thrace have voted for the Friendship, Equality and Peace (DEB) party, led by Mustafa Ali Çavuş and the FEP Party has been the first party in Rhodope and Xanthi, where the Turkish Minority of Western Thrace lives. The FEP Party's success in the EP elections delivered a shock in the Greek media. Here are striking headlines:

“Greece has lost Western Thrace in the elections. The “ostensible victory” of the politicians suffered national defeat... Thrace has been abandoned for a handful of votes.”(http://www.freepen.gr/2014/05/blog-post_50.html?m=1)

“Athens is dead on its feet: The Turkish lovers are celebrating the success of the Turkish party. No one is dealing with our national issues... They are busy with the increase of Golden Dawn”(http://www.stoxos.gr/2014/05/blog-post_4746.html)

“Thrace wants new Kosovo: Grey Wolfes(FEP Party) runs for the EP elections and Athens is sleeping”(http://ellas.me/aenaos_ellhnismos.php?action=detail&id=1397133219)

Since Greece does not recognize ethnic identity of the Turkish minority, there is no formal relationship and/or dialogue mechanism between minority civil society and governmental bodies. Therefore there is no participation from the minority or any special programme for minority members in Greece. This inadequate representation of the minority in decision making system ensue impediments to the full enjoyment of many civic, cultural, economic, political and social rights, which also hinders free expression and maintenance of identities of the minority.

A mechanism for dialogue between governmental authorities and national minorities should be established in the form of advisory or consultative bodies that would be the channel for national minorities to raise their own voices. Such bodies might also include special purpose committees for addressing such issues as youth, housing, land, education, language, and culture. The composition of such bodies should reflect their purpose and contribute to more effective communication and advancement of minority interests.

² <http://www.gundemgazetesi.com/haber/detay/1745>