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**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,
INCLUDING THE RIGHT TO DEVELOPMENT**

**Written statement* submitted by the Federation of Western Thrace Turks in Europe
(ABTTF), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2009]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The Problem of Political Representation of the Turkish Minority of Western Thrace

The recognition of and full respect for cultural diversity and multiculturalism is an important tool to end discrimination on the grounds of national or ethnic origin, Federation of Western Thrace Turks in Europe (ABTTF) reiterates that discrimination on the grounds of race, colour, religion, descent, nationality or ethnic origin further hinders enjoyment of national or ethnic minorities of their basic human and minority rights including economic, social and cultural rights.

Although Greece states that the Turkish Minority of Western Thrace has the same rights and obligations based on the principle of equality before of the law and, of civil rights guaranteed by the Constitution, the Turkish Minority suffers serious problems and discrimination in expressing its identity. Although a series of specific measures has been adopted during the last years, there is, however, no real progress in rights of the Turkish Minority.

- The persons belonging to those minorities should be treated equally and enjoy human rights and fundamental freedoms without discrimination of any kind, the Turkish Minority does, however, continue to be subjected to discrimination on the ground of its ethnic origin. Former Article 19 of the Greek Nationality Code (Legislative Decree, Law No.3370/1955), which is a provision that was applied from 1955 until 1998, provided for the denationalisation of ‘citizens of different [non-Greek] descent’ ‘alloyenis’, as opposed to ‘omoyenis’, that is, ‘of the same [Greek] descent’) who left Greece ‘with no intent to return’. According to the Ministry of Interior’s reply given to the notice of question asked by İlhan Ahmet, MP for Rodopi in the Greek Parliament, in May 2005, 46,638 Turks (Muslims) in Western Thrace and the Island of Rhodes (Twelve Islands) were deprived of citizenship until 1998. Not only the persons who were deprived of citizenship but also their descendants were deprived of the Greek nationality, and they also have lost advantages of being an EU citizen. Today, persons, who were deprived of their citizenship and have remained in Greece (estimated at 200 persons) and wish to recover their Greek nationality, have had to go through the normal naturalization process applicable to aliens, a process that has been described as ‘long, expensive and uncertain as regards the outcome, and humiliating for persons who have wrongly lost their citizenship’.

- There remains a serious concern about freedom of association of the Turkish Minority of Western Thrace. Since any interference in the exercise of this freedom is claimed to be fully scrutinized by national courts under strict standards, restriction to this right must be motivated by a pressing social need with a view to protecting national security or public safety or preventing disturbances of public order. However, there is no legitimate aim in dissolution or non-registration of associations which include the word “Turkish” in their appellation. This situation has led in fact to a number of relevant applications before and of unanimous judgments against Greece by the European Court of Human Rights. Although Greece does claim that there is no general prohibition to use certain words in the denomination of an association, there is no association recently registered or already in operation which includes the word “Turkish” in their appellation. Lately, the application for registration of South Evros Minority Culture and Education Association, which does not even have the word “Turkish” in its appellation, has been rejected by the Greek civil court on the ground that the term “minority” has a vague definition. Although there is not any kind of violence and threat against democratic society, there is no measure taken by the Greek authorities on the registration of the associations which were dissolved or not registered.

- The Turkish Minority of Western Thrace does suffer problems in the field of education, although the situation has slightly improved in recent years. Although the right to education of the Minority is guaranteed and protected under the 1923 Lausanne Treaty, the autonomy of the Minority in education has been systematically violated by Greece. Although Greece claims to implement the principles of “isonomia” (equality of the law) and “isopoliteia” (equality before the law), while combating educational exclusion”, this should not necessarily imply the same treatment for all. Law 3518/2006, which extends compulsory period in education from nine to ten years starting from the school year, does not bring any regulation about ethnic and cultural differences of the children in Greece. Law 3518/2006 compels the Minority children who have completed the 5th year of their age in Western Thrace to attend majority kindergartens under the Ministry of Education and Religious Affairs. Although there may not be any textbooks in pre-school education, the language of education is Greek. In line with the status of the Minority and the legal framework in the field of education, bilingual minority kindergartens rather than the state kindergartens in which Greek language is used should be established in areas densely inhabited by the Turkish Minority, namely in Western Thrace.
- Full and effective political participation is an essential component of a peaceful and democratic society. The UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities states that “persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation”.

However, the Turkish Minority of Western Thrace in Greece is inadequately represented in society’s policy and decision making system. After the Minority elected an independent deputy in 1989, a new electoral law was introduced in Greece, which set a threshold of 3% of the nationwide vote for a party and for an independent candidate to be represented in the Parliament. Under the current electoral law of “reinforced proportionality”, political parties and independent candidates cannot enter the Parliament unless they obtain at least 3 % of the votes throughout the country, although they may have enough votes to get electoral seats in specific electoral districts. Although independent candidates are allowed, they hardly have to be elected. This provision hinders full and effective participation of the Turkish Minority in the political system. In 1993, the independent Minority candidate, who had the largest vote among all Greek and Turkish candidates in Rhodope, was unable to be elected although the candidate had exceeded the district’s electoral quota for a seat. Since then, the Minority was forced to run candidates with national parties, even though all these parties oppose the Minority’s major demands.

Since 1994, prefects are elected, but the election law merged one of the two prefectures where the Turkish Minority is densely populated, Xanthi, with neighbouring Kavala and Drama; and the other one, Rhodope, with neighbouring Evros. The European Commission against Racism and Intolerance (ECRI) stated in its first report that “the redistribution of the electoral districts had adversely influenced the chances for the election of Muslim prefects or prefectural councillors”. ABTTF, therefore, demands the modification of the electoral districts in order to increase the possibility of a member of the Turkish Minority being elected to such positions.

The electoral law, which set the threshold of 3% of the nationwide vote for a party and an independent candidate, with new electoral districts makes it almost impossible for members of the Turkish Minority to be elected to the Parliament, unless they run candidates with majority

parties. The division of local electoral districts, which is called “enlarged electoral districts”, has also had a very negative effect on the possibilities of members of the Turkish Minority to be elected at local level.

ABTTF urges the Greek authorities:

- To take steps to ensure the immediate rectification of the unfortunate consequences arising from deprivation of Greek citizenship on the basis of former Article 19 of the Citizenship Code for all persons concerned, especially ethnic Turks. In particular, ABTTF urges the authorities to genuinely facilitate these persons’ recovery of their citizenship by removing any obstacle, including the need for them to go through the naturalisation procedure. And Greece should restore immediately the nationality of those Minority members and their descendants now reside outside the Greek territory and acquired nationality of a third country.
- To adopt urgently all necessary measures in order to make possible the effective enjoyment by Minority members of their right to freedom of association, in full alignment with European and international human rights and minority protection standards and mechanisms.
- To extend compulsory education of ten years to the minority schooling system and reconstruct the minority system of education in line with the principles of multiculturalism and multilingualism. In this context, children belonging to the Turkish Minority of Western Thrace will have sufficient opportunities to learn the official language of the state and their mother tongue.
- To withdraw the 3% electoral threshold for an independent candidate to be elected and abolish the division of local districts into enlarged electoral districts which are now implemented in the prefectures of Rhodope and Xanthi.
