



# General Assembly

Distr.: General  
23 February 2010

English only

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## Human Rights Council

Thirteenth session

Agenda item 3

**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.

[15 February 2010]

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

## **The Problem of Freedom of Expression and Media in Greece**

Freedom of expression and media is a basic human right and an essential foundation of democracy which should be protected and promoted. United Nations has always been a strong supporter of free and independent media which is a fundamental freedom and one of the cornerstones of democracy. Article 19 of the Universal Declaration of Human Rights states, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers". Federation of Western Thrace Turks in Europe (ABTTF) reiterates that the United Nations and its Member States should advocate and promote full compliance with international principles and commitments in respect of freedom of expression and free media.

Law 3592/2007 on the "Concentration and Licensing of Media Enterprises and Other Provisions" adopted on 16 July 2007 in Greece contains some provisions which the authorities should review, including Article 8 13) (a) which provides that the main broadcasting language for radio programs should be Greek. A number of other requirements on the minimum human and financial resources required to obtain a license risk endangering smaller regional and minority media: 1) the minimum disbursed capital for radio owners has been established at 100,000 EUR for radio stations broadcasting news and 60,000 EUR for those broadcasting music; 2) radios are required to broadcast for 24 hours regardless of their programming. Moreover, according to the Greek authorities, Article 8 paragraph 14b (vi) provides that radio stations operating in regions with less than 100,000 inhabitants are obliged to employ at least 5 staff members, if they broadcast news, while radio stations broadcasting music, in the same regions, are obliged to employ at least 3 staff members.

The requirement for minimum disbursed capital for radio owners applies to regions with at least 100,000 inhabitants and no more than 150,000 inhabitants, although they are some of the poorest in Greece. It is unlikely to be met by local radio stations, in particular Turkish local radio stations broadcasting in the region of Western Thrace, where an estimated population of 150.000 Turkish people lives in. When considering that Western Thrace is the poorest region in Greece, the minimum disbursed capital for radio stations is disproportionate and it is almost impossible for radio owners in the region and other smaller local media organizations to obtain a license. With regard to the requirement for broadcasting which is that radio station must provide a 24 hour programming regardless of whether the station does broadcast news and information or music, this will burden a hardship on smaller media organizations and radio stations owned by the Turkish Minority. The Law further states that the main transmission language must be Greek.

In clear violation of the International Covenant on Civil and Political Rights (Article 27), the provision hinders the freedom of the Turkish Minority of Western Thrace to expression and media. Besides, the requirement that radio stations must employ a certain number of full time employment burdens an additional economic barrier which most of radio station owners belonging to the Turkish Minority cannot stand with.

Have restricted diverse and plural media environment Law 3592/2007 has already had a negative impact on local and smaller media organizations, on minority media organizations in particular. ABTTF notes with concern that the law does threaten maintenance of the existence of radio stations owners belonging to the Turkish Minority of Western Thrace and undermines its freedom of expression and media and the free flow of information.

On 30 November 2009 National Council for Radio and Television (ESR) recommended that Tele Radio 104. 2 FM which broadcasts in Turkish language from Xanthi, Western Thrace must broadcast for 25 percent in Greek language. The Committee (Dec. 473- 19.10. 2009) issued a recommendation decision of warning that the Committee could even impose more harsh sanctions if the Tele Radio FM which only broadcasts in Turkish language does not broadcast 25 percent of qualifying time for works produced in Greek language. However, ABTTF has had information that radio stations which broadcast in English or Russian languages are not subjected to the requirement that they must also broadcast in Greek language. This clearly shows that National Council's decision is discriminatory in its nature, which is in clear violation of Article 14 of Greek Constitution on freedom of media.

Law 3592/2007 contains a number of provisions regarding language, employment and finances that hinder potential local and regional media from obtaining licenses for news and music radio stations. This further minimizes any opportunity for the Minority to express its opinion through media instruments and excludes the members belonging to the Minority from access to information. European Commission against Racism and Intolerance (ECRI) stated its criticism about the law in its report on Greece (fourth monitoring cycle). In July 2007, Miklos Haraszti, the OSCE Representative on Freedom of the Media expressed his concern about the law, and stated "OSCE commitments regarding pluralism of views require that all communities have access to the flow of information and can contribute to it. Every government has a responsibility to facilitate respect and inclusiveness".

South East Europe Media Organization and International Press Institute (SEEMO-IPI) have also raised their objection to Law on the Concentration and Licensing of Media Enterprises and Other Provisions and they sent a letter to the President of Greece, Karolos Papoulias in which they stated that law that was designed solely to maintain the present restrictive media environment and further shranked any opportunity for the expression of minority points of view.

On 7 January 2007, ABTTF has sent a letter to international organizations and institutions and persons, competent for the matter, including the UN Independent Expert on Minority Issues, Ms. Gay McDougall, and it has raised its concern with regard to some provisions of above-mentioned law. In his reply letter on 22 January 2010, Executive Secretary to European Commission against Intolerance and Racism (ECRI) Stephanos Stavros has stated that he has taken good note of the concerns raised in ABTTF's letter with regard to some provisions of the above mentioned law and its impact on smaller regional and minority media. He has also added that ABTTF's letter would be taken into consideration in part of ECRI's permanent monitoring of the situation regarding racism and racial discrimination in Greece, including the extent to which ECRI's recommendations are implemented.

In light of the information mentioned above, ABTTF urges the Greek Government;

- To review Law 3592/2007 in accordance with international standards on media pluralism and the free flow of information
- To take immediate steps to ensure that the freedom of expression, media and free flow of information and a diverse and pluralistic media environment is guaranteed in Greece.