



ABTTF presented its study on the “Appointed Imams Law” problem to the attention of international community

Federation of Western Thrace Turks in Europe (ABTTF) presented its study on the “Appointed Imams Law” problem to the attention of international community. Accordingly, the new law envisages appointment of 240 imams to serve under the authorities of appointed muftis in mosques as civil servants.

After the adoption of the law 3536/2007 in February 2007, the problem emerged as a committee consisting of 5 Christian members was nominated to choose all of the imams who are to serve in mosques. ABTTF clearly figured out the problem under the framework of Western Thrace Turkish minority’s freedom of religion and conscience in the study of “Appointed Imams Law”. The new law obviously violates not only the principle of Lausanne Treaty that says “the minority manages its own religious institutions”, but also the right to freedom of religion and conscience. Furthermore, during the preparation phase of the law, Greek state did not conduct any dialogue with and ask for the opinion of the minority at all.



To attract the attention of international community to the violation of freedom of religion and conscience of the Turkish minority of Western Thrace, the study prepared by ABTTF was submitted to the attention of Mirek Topolánek, Prime Minister of the Czech Republic, EU Rotating Presidency, Jose Manuel Barroso, President of the EU Commission, Hans Gert-Pöttering, President of the European Parliament, Terry Davis, Secretary General of the Council of Europe, Navanethem Pillay, United Nations High Commissioner for Human Rights and Knut Vollebaek, OSCE High Commissioner on National Minorities and all the political groups in the European Parliament. The regarding study was also submitted to the at-

tention of the religious groups, their leaders, churches and all political parties in Greece and of Vatikan and Pope Benedict XVI.

With regard to the study on the “Appointed Imams Law” problem, Halit Habipoglu stated that “ABTTF works hard to attract the attention of international community to the problems of the Turkish minority of Western Thrace, and continues its studies systematically with the aim of making the international community aware of the human rights violations in Greece, and unfair and unjust implementations against the minority. The success of ABTTF lays in the systematic and multi dimensional strategy rather than rigid and repetitious strategies”.

Study on violation of freedom of religion and conscience was submitted to the attention of international community

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Report on Greece by UN independent expert on minority issues Gay McDougall



Gay McDougall, United Nations independent expert on minority issues, who visited Greece from 8 to 16 September 2008, published a report on the minorities in Greece. Considering the stance and articulation, the report presents the ideas of the related parties in a very objective way, which strengthens its importance.

In the report, McDougall urges the Greek Government to withdraw from the dis-

pute over whether there is a Macedonian or a Turkish minority on its territory and focus on protecting the rights to self-identification, freedom of expression and freedom of association of those communities. Furthermore, it is stated in the report that minorities are constituent groups fully within the Greek society, not a foreign element, and determination of a group as minority is a matter of objective facts and exercise of the right of self-identification by persons belonging to the group.

Turkish Minority and its problems

In the report, McDougall states by using the term of "Western Thrace" that most

of the members of the Muslim minority wish to be recognized as Turks with their ethnic Turkish identity.

Regarding the freedom of association, McDougall refers to the European Council of Human Rights' judgments with regard to Xanthi Turkish Union and the Cultural Association of Turkish Women of the Region of Rodopi.

While McDougall mentions the claim of Greece that since (appointed) Muftis exercise under Sharia Law judicial functions relating to family and inheritance issues, they must be appointed by the State, she reflects in the report the statements of the minority members that they elect their own Muftis

and demand official recognition of the elected Muftis.

Regarding education, McDougall states that in bilingual kindergartens, children will be able to better improve their Turkish and Greek language skills, thus in the future having more chance to choose between minority schools and public schools.

As for the chance of minority members to become civil servants, McDougall tells that nobody could become a high rank civil servant in Western Thrace due to confidence problems between the minority and Greek authorities.

Expressing his views, Halit Habipoglu, President of the Federation of Western Thrace Turks in Europe (ABTTF), stated that "McDougall reflects to a great extent the problems of the Turkish minority in the report, except the issue of Article 19. The report obviously shows the necessity that Greece should change its minority policy towards the Turkish minority of Western Thrace."



ABTTF carried the problem of “Appointed Imams Law” to the United Nations’ agenda



the written statement, it is mentioned that freedom of religion and conscience was guaranteed by international treaties that Greece was also a party to, by bilateral treaties between Turkey and Greece and by the Greek constitution, and it is called upon Greece to give an end to the dichotomy, not the coexistence with regard to the post of muftis in Western Thrace and to recognize the Muftis elected by the minority.

Expressing his views, Halit Habipoglu, President of the Federation of Western Thrace Turks in Europe said, “We call upon Greece to immediately suspend the implementation of the regarding law. We have mentioned many times that we are for the solution of the problem in our country Greece rather than before international bodies. Yet, due to Greece’s hesitancy to conduct dialogue with the Minority, the solution of the problems the Minority faces becomes impossible”.

Federation of Western Thrace Turks in Europe (ABTTF) submitted a written statement entitled “The Freedom of Religion and Conscience of the Turkish Minority in Western Thrace (Greece) and the Problem of the Law of ‘Appointed’ Imams” to the 10th Session of the United Nations Human Rights Council from 2 to 27 March 2009 in Geneva.

Greece clearly violates the freedom of religion and conscience of the Turkish Minority

ted Imams” problem to the agenda of the United Nations. After the adoption of the law 3536/2007 in February 2007, the problem emerged as a committee consisting of five Christians was nominated to choose all of the imams who are to serve as public servants in mosques. In the written statement, it is stated that the law violated the principle of Lausanne Treaty that says “the Minority manages its own religious institutions”.

In the written statement, ABTTF demands full guarantee for the maintenances and protection of Western Thrace Turkish minority’s rights to manage and control its

own religious institutions. Meanwhile, it is underlined in the release that although the Greek State pays the salaries of the Orthodox Church ecclesiastics, it does not have the authorization to appoint those ecclesiastics. Thus, it is an obvious violation of freedom of religion when the Greek state appoints Imams and Muftis.

ABTTF demands the immediate suspension of the regarding. In



ABTTF carried the “Appoin-

The Council of Europe Commissioner for Human Rights published a report on human rights of the minorities in Greece



Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, published on February 9th a report on human rights of the minorities in Greece. It is underlined in the report that effective protection of minority rights is a fundamental pillar of pluralist societies and Greece still needs to make more and strenuous efforts to ensure that these rights are fully respected.

Greece must respect minority rights

With regard to the characteristics of the minorities in Greece, it is stated in the report that according to the Greek authorities, the minority population numbers around 100 000 persons and consists of three distinct groups, whose members are of Turkish, Pomak or Roma origin, each representing respectively 50%, 35% and 15% of this minority population.

In the report, despite Greek authorities' statements about the right of each individual to identify him or herself, Greek authorities' visible reluctance about the establishment of association with Turkish or Macedonian names is underlined as a serious concern. Furthermore, it is stated that some Greek courts reject to register some minority associations via some over-restrictive practices.

Regarding the former Article 19 of the Greek Nationality Code, the report urges Greek authorities to restore immediately the nationality of those minority members who were denationalized under the above mentioned provision.

It is stated in the report that appointment of Muftis and application of Sharia law causes serious disappointment and reaction, adding that Greece violates religious rights. Furthermore, it is remarked that the application of the Sharia Law in family and inheritance law matters by Muftis who are appointed by the Greek state is incompatible with with Euro-



pean and international human rights standards.

With regard to the report published by Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, Halit Habipoglu, President of Federation of Western Thrace Turks in Europe (ABTTF), stated that "The report considers the minorities

that are classified as "other" in Greece as a part of European family. In 2009, three more reports on the minorities in Greece will be published by the Council of Europe. However, the Greek state continues with its unfair minority policy without taking the claims and demands of the minority into consideration".



Xanthi Civil Court of First Instance handled the case of Xanthi Turkish Union



The Xanthi Civil Court of First Instance handled the file claimed by the Xanthi Turkish Union on 19th February 2009 to retrieve the previous legal status of the Union as of before 1983. Ozan Ahmetoglu, Chairman of the Xanthi Turkish Union, members of the Union's executive board and Western Thrace Turkish minority members participated the hearing. Attorney Orhan Hacıibram represented the Xanthi Turkish Union while Attorney Anastasia Vasiliu, member of the Greek State Legal Consultancy represented the Greek side. The Xanthi Turkish Union demands the annulment of the Xanthi Civil Court of First Instance verdict abolishing the Union and to restore its previous legal status.

The Association, which was founded in 1927 under the name of "House of the Turkish Youth of Xanthi", was renamed as "Xanthi Turkish Union" in 1936. The Union was closed down in 1983 after Xanthi Governorship had filed a petition to the Xanthi Civil Court of First Instance to suspend the activities of the Union on the grounds that there were no Turks in Wes-

tern Thrace, thus the Union was redundant and should be disestablished. After resorting to all the domestic legal means, the Union applied to the European Court of Human Rights (ECHR) in July 2005. In March 2008, the ECHR convicted the Greek state for violating the Article 11 regulating the freedom of association of the European Convention on Human Rights. Subsequently, the Greek government declared that it would appeal to the ECHR Grand Chamber following the three month deadline of objection in July 2008. The ECHR Preliminary Commission consisting of 5 judges concluded unanimously that verdict of ECHR dated 27 March 2008 in favor of Xanthi Turkish Union legitimate and just.

Thrace Associations Federation intervened the case

The Thrace Associations Federation (Omospondia Traikikon Silogon) based in Selanik intervened in the case against the Xanthi Turkish Union. Yet, Union's attorney

Orhan Hacıibram stated that the Thrace Association Federation did not exist at the time of Xanthi Civil Court of First Instance's verdict on the Xanthi Turkish Union, and hence the Thrace Associations Federation did not have any right to intervene in the case. Hacıibram reiterated that the Greek state should restore the previous legal status of the Union.

Regarding the case of Xanthi Turkish Union that is still open at Xanthi Civil Court of First Instance, Halit Habipoglu, President of the Federation of Western Thrace Turks in Europe (ABTTF), stated that "ECHR convicted Greece for violating the right to freedom of association on March 27th 2008, yet the Union has not regained its legal status as of before 1983 although a considerable amount of time has passed. Similar to the Xanthi Turkish Union case, in the report published by Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, it is underlined that Home of Macedonian Civilization Association founded by the Macedonians living in Florina region of Greece has not been registered yet despite the verdict



of ECHR in 1998. Note that the mentioned cases are taking place in an EU member country, Greece, the cradle of civilization. Thus, we can say without hesitation that our country Greece is being monitored closely by other European countries. In the report of Hammarberg, Greece is explicitly criticized with regard to right to freedom of association, adding that Greece has a lot to achieve regarding human rights. Yet, we think the solution is crystal clear; the Xanthi Turkish Union will be opened with its Turkish name and neither in Thessaloniki based Thrace Associations Federation nor any other interference will be to able to prevent it."



Comments of Yannis Valinakis, Vice-Minister of Foreign Affairs of Greece, about Western Thrace Turkish minority



Yannis Valinakis, Vice-Minister of Foreign Affairs of Greece, responded to the motion of Andreas Loverdos, PASOK's person in charge for Foreign Affairs, about the activities of the Turkish Consulate in Thrace. Valinakis stated that Greece strictly implemented "equal rights" and "equality before law" principles for all of her citizens in Western Thrace, adding that that policy was being implemented in accordance with Lausanne Treaty's related conditions. Thus, Valinakis underlined that rights of Western Thrace Muslim minority were under the guarantee of Greek state. In addition, Valinakis told that Greece laws involved special executions in accordance with European Convention on Human Rights and values of European Union which were in favor of Western Thrace Muslim minority.

At his first response, Valikanis stated that Muslim minority members had the opportunity to participate national and local politics, speak their mother language, and exercise their religious duties. Furthermore Valikanis added that

Greece had a proved intention to put the development of Thrace region on top of the priorities list, adding that development should be achieved

regardless of cultural and ethnic differences. Modern European minority policy which was purified from political intentions and some radical elements was supported and implemented by the Greek government without hesitation.

At his second response, Valikanis affirmed that Greece treated and supported Muslim minority in Thrace in equal terms with other citizens. "Nobody can take advantage of problems and concerns of Muslim minority. They live with other Greek citizens in peace and under equal conditions. The Muslim minority benefits from prosperity and democratic values of European Union similar to other EU citizens" concluded Valikanis.

**Habipoğlu:
Talking about a
modern EU minority
policy is not
possible...**

In response to statements of Valikanis, Halit Habipoglu,

President of Federation of Western Thrace Turks in Europe, said that "Statements of Valikanis about the activities of the Turkish Consulate of Komotini do not reflect the truth. Contrary to the claims of Valikanis, neither the Lausanne Treaty nor any other policy that is in accordance with international standards is being implemented in Thrace. Greek authorities do not allow the ethnically rejected Turkish minority, to establish its own associations with "Turkish" name. Remember that in March 2008, European Court of Human Rights convicted Greece in the case of Turkish Union of Xanthi. Yet, suit filed by the Turkish Union of Xanthi to gain its legitimacy will be discussed on February 19th. Similar to the case of the Turkish Union of Xanthi, the Cultural Association of Turkish Women of the Region of Rodopi is not in the registered associations list despite the verdict of European Court of Human Rights that convicted Greece."



Habipoglu also told that minority members had the right to participate politics on national and local levels, yet 3% election threshold made it impossible for the minority members to represent their rights at the national level. "Turkish Minority members also have problems in exercising their religious rights. New Foundation Law that regulates minority foundations' management and "Promoted Imams Law" that was adopted without counseling the minority members constitute the main problematic areas. As for the minority education, Turkish minority members still do not have their own kindergartens despite the law that makes pre-school education obligatory. Thus, insisting on the existence of a modern European type minority policy will be naïve. Reports prepared by Greek-Helsinki Monitor and European Council clearly approve the human rights violations against Western Thrace Turkish minority." stated Habipoglu.

Turkish Minority and Greece in the U.S. 2008 Country Reports on Human Rights Practices



U.S. Department of State released 2008 Country Reports on Human Rights Practices on 25 February 2009. In Greece's country report, it is stated that although Greece "generally" respects the human rights of its citizens, many problems in several areas including limits on the ability of ethnic minority groups to self identify, discrimination and social exclusion of ethnic minorities are mentioned.

Freedom of Association

It is mentioned in the report that the Greek government prohibited associations that used the term "Turkish" in their names. Yet, the European Court of Human Rights (ECHR) ruled in March 2008 that Greece was violating the freedom of association of the Muslim Turkish minority by banning the Xanthi Turkish Union founded in 1927. On top of that ECHR also ruled against the government's refusal to register the Cultural Association of Turkish Women of Rodopi.

Freedom of Religion

As for the problem of Muftis, it is stated in the report that the government selects three "official" Muslim

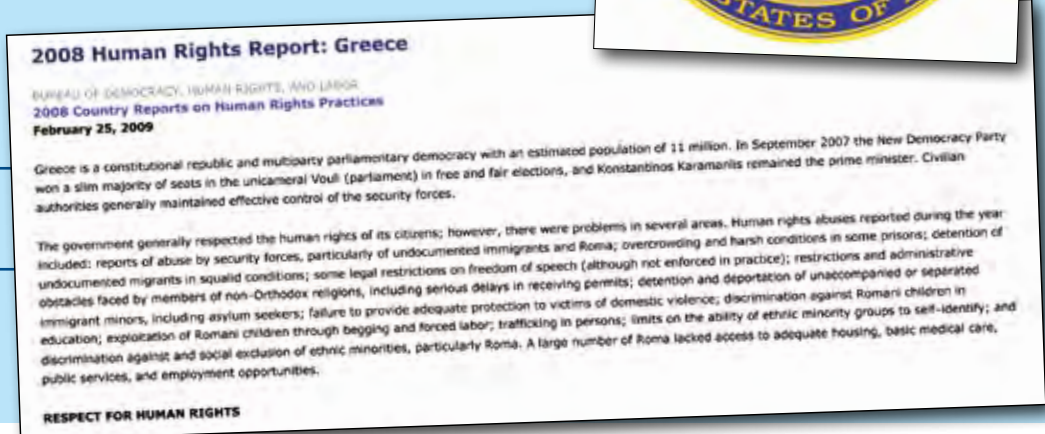
religious leaders (muftis), and while a part of the community accepts the officially "appointed muftis", some Muslims recognize two "elected" muftis, one in Xanthi and one in Rodopi. Moreover, it is stated that the government announced in February 2007 that it would hire 240 imams as public employees in Thrace. Yet, views of the minority about the issue are not unveiled in the report.

Stateless People

In the report, it is stated that as of 2007 year-end, there are 108 stateless persons in the country, and delays in processing applications for recovering citizenship are "excessive and unjustified".

Ethnic Minorities

It is stated in the report that while associations can not use the term "Turkish" in their names due to State's prohibition, the minority members can identify themselves as "Turk". One interesting point mentioned in the report is that to most ethnic Greeks, the words "Turk" or "Turkish" connote the Turkish identity or loyalties, and many ethnic Greeks object to their use by Greek citizens of Turkish origin.





Aris Spiliotopoulos, Minister of Education and Religious Affairs, called for “dialog for education”



Aris Spiliotopoulos, who was appointed as “Minister for Education and Religious Affairs” in January 2009, announced the Ministry’s initiation for “dialog for education”. According to the news of Cemil Kabza from daily Gündem, Spiliotopoulos stated that he was open the dialog and any proposals aimed at solving education problems. According to the survey related with the new initiation of the Ministry, 77.3% of the participants stated that they were in favor of radical chan-

ges in primary school education while 85% of the participants believed that high school education needed serious transformations. Yet, any statements regarding the educational problems of the Western Thrace Minority existed in the survey.

Mr. Spiliotopoulos who was the Minister of Tourism before his post as the Minister of Education and Religious Affairs, had stated at a press conference that Turkey and Greece should forget the old bad memories and give up the fear fanaticism. “Turkey and Greece should take our roles together in the global world. Some circles want to use hate as a political tool and we should not allow this to happen. Our citizens want to live in peace.” affirmed Spiliotopoulos, signaling that he was a

representative of a new paradigm for the Greek-Turkey relations. Yet, it was a source of concern for the Western Thrace Turkish minority that any statements regarding the educational problems of the Western Thrace Minority existed in the survey.

Education is one of the most problematic areas for the Western Thrace Turkish minority. Minority with a population of 150 thousand people in the Western Thrace has an autonomous structure that was maintained by the Lausanne Treaty and bilateral agreements between Greek State and Turkey.

Despite the recent improvements in the educational system of the Western Thrace, system has some acute problems. For example, schedule

problem of *Selanik Özel Pedagoji Akademi (Selanik Private Pedagogy Academy)* has not been solved for years. On top of that, a new law was adopted recently which compels 1 year pre-school education without any special treatment to minority children. Thus, it is a discriminatory act as it does not take into account the cultural differences of the minorities.

Western Thrace Turkish minority wants to solve the minority’s educational problems with the Greek State and Ministry of Education in accordance with mutual respect and tolerance principles. ABTTF invites Mr. Spiliotopoulos, to conduct dialog with the minority to solve the problems under the framework of new initiative of the Ministry “Dialog for Education”.

ABTTF Newsletter

The News Bulletins published by ABTTF in four languages, namely in Turkish, English, German and Greek will start its fourth incoming year.

ABTTF News Bulletins, in which the current issues with regard to the Western Thrace Turkish minority, the latest occurrences in Western Thrace and in Greece, in particular with regard to the minority issues and policies, international activities and lobbying of ABTTF aimed at finding solutions for the problems of the Turkish minority and information on the activities of the Western Thrace Turkish associations throughout Europe and the world are dealt with, are being followed with great interest by Western Thrace Turks and by large parts of the public.

To get more information on subscription to ABTTF News Bulletin, please contact us.

ABTTF

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