



ABTTF at Summer Session of the Parliamentary Assembly of the Council of Europe

Federation of Western Thrace Turks in Europe (ABTTF) paid a formal visit to the Parliamentary Assembly of the Council of Europe (PACE) between 22 and 24 June 2009. Under the scope of 3 day formal visit paid parallel to the 3rd Plenary Session of PACE in 2009, the Turkish Minority of Western Thrace was represented by Halit Habipoglu, President of ABTTF and K. Engin Soyylmaz, person in charge of international affairs. ABTTF presented its work on the Turkish Minority's political representation that covers the problem of 3% electoral threshold to the related people.



3% electoral threshold and the Turkish Minority's political representation problem

ABTTF met Isild Heurtin, Deputy Secretary of the PACE Committee on Legal Affairs and Human Rights and Uwe Müller, Political Adviser on Turkey, Greece and Cyprus at Directorate General of Democracy and Political Affairs of the Council of Europe. In that framework, representatives of ABTTF had also a meeting with Alain Chablais from the Division of Democratic Institutions and Fundamental Rights of the Venice Commission.

During the meetings, it was underlined that following 1990's general elections in Greece when two Minority

MPs had been elected, then a new election law had been adopted, and accordingly, in addition to the political parties, independent MPs would be object to nationwide 3% electoral threshold. Additionally, it was stated that the province of Rhodopi with Evros province, and the province of Xanthi with Kavala and Drama provinces were merged to form enlarged electoral districts which had been designed to prevent the election of Turkish origin governors and local executives.

Freedom of association and the case of Turkish Union of Xanthi

During the meeting with Uwe Müller, ABTTF delegation

detailed the case of Turkish Union of Xanthi (as might be recalled, the Union was closed due to the Turkish term in its name) and the ongoing process about the case. It was reminded that despite the European Court of Human Rights' verdict, Xanthi Court of First Instance had rejected the demand of the Union to get the pre-1983 status back in May 2009. Additionally, it was added that the Greek authorities had banned the foundation of the Minority Culture and Education Association of Southern Evros.

Common standards for the protection of minorities and ECRI's fourth country report on Greece

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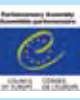
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Habipoglu: Parliamentary Assembly of the Council of Europe is of vital importance for the Turkish Minority

ABTTF spoke with Boriss Cilevics, Latvian MP and member of the Sub-Committee on Rights of Minorities Rights, about his report on the protection of minorities in Europe. Additionally, during the talks with Stephanos Stavros, new Executive Secretary of the European Commission against Racism and Intolerance (ECRI) and Aline Usanese, lawyer at ECRI Secretariat, ABTTF delegation got the information that the 4th country report of ECRI on Greece would be published in September 2009.



Halit Habipoglu, President of ABTTF stated that "ABTTF follows the works of the Council of Europe on human and minority rights very closely and so determines its own work schedule and strategy. The reports by Thomas



Hammerberg, Human Rights Commissioner of the Council of Europe and Michel Hunault, French MP, dealing with Greece underlines the importance of long lasting lobbying. The report by Hunault will come to the agenda of the fall plenary session of PACE and will be voted."

Bakoyannis: Greece respects minority rights

Ms. Dora Bakoyannis, Minister of Foreign Affairs of Greece, made a statement following the statements by Turkish Prime Minister, Mr. Recep Tayyip Erdogan on Halki (Heybeliada) Seminary. Bakoyannis stated that in Thrace, Greece implemented a policy in accordance not only with Lausanne Treaty and but also with the principles of international law and EU Law, adding that Greece aimed to deepen "equality before the law" among her citizens. Bakoyannis said that "Mutuality and reciprocation on these issues is inconceivable in this day and age", adding that Greek authorities took positive measures to strengthen status of minority. As a last comment, Bakoyannis expressed that "Muslims" in Thrace were Greek citizens and were proud of that."



Habipoglu: Statements of Ms. Bakoyannis do not reflect the reality in Western Thrace

Regarding the statements of Bakoyannis, Halit Habipoglu, President of the Federation of Western Thrace Turks in

Europe (ABTTF) stated that "Statements of Ms. Bakoyannis do not reflect the reality in Western Thrace. The reality is being distorted consciously. Ms. Bakoyannis, who defined mutuality and reciprocity principles as inconceivable, decreased the number of Turkish teachers who are sent by Turkish government to

Western Thrace unilaterally, violating the principles of the bilateral agreement signed with Turkey. Reasoning behind the decrease in the number of Turkish teachers is the fall in the population of Greek citizens living in Turkey. Greece opted to decrease the number of Turkish teachers that are sent from Turkey to Western Thrace based on reciprocity principle. Talking about Greece as a country that is respectful to principles of international and EU law is rather naïve. Despite the verdict of European Court of Human Rights convicted Greece on violating "association freedom", Greece still insists to implement the ban against the foundation of associations with Turkish names. We should ask Greece that claims to take positive steps to strengthen the status of

ABTTF submitted a written statement to the United Nations Human Rights Council

Federation of Western Thracian Turks in Europe (ABTTF) submitted a written statement to the 11th session of the United Nations Human Rights Council held from 2 to 9 June 2009. The written statement entitled "Discrimination on the Ground of Ethnicity: the Turkish Minority of Western Thrace and Hate Speech in Media" discusses the current legislation that is to prevent discrimination & hate crimes and hate speech in the media in Greece.

The written statement states that Law 927/1979 does not consider racist and/or prejudiced opinions to be taken as

"Muslim" minority, other than implementing 0.5% quota on university entrance, what other constructive steps have been taken to strengthen the social status of the Minority? There are several examples of the difficulties that the Turkish Minority faces. We are proud to be Greek citizens. Yet, we are fighting in our country, Greece, to express our Turkish identity and to live under equal conditions with other Greek citizens. Thus, Greece should understand that we are not a threat to our country, but rather a factor that contributes to the cultural wealth."

The full text of the statement of Ms. Dora Bakoyannis can be retrieved at http://www.mfa.gr/www.mfa.gr/Articles/en-US/12062009_ALK1129.htm.



aggravated conditions in determining the punishment. Law 3304/2005 provides that if the aim is legal and conditionally proportional, racial and/or ethnical based treatments can not be regarded "discriminatory". ABTTF underlines that the problem lies in the racism interpretation of the Greek judiciary authorities.

Turkish minority and hate speech in the media

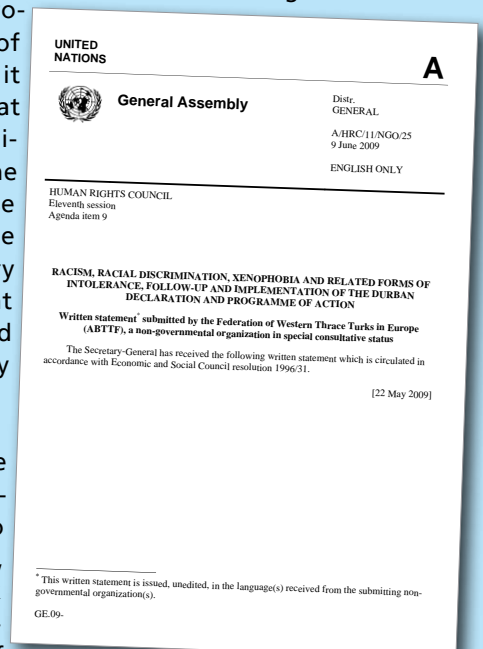
In the written statement, it is underlined that despite the Code of Professional Ethics and Social Responsibility of the Journalists' Union of Athens Daily Newspapers, the National Commission for Human Rights approved that there was an increasing tendency in creating stereotypes and prejudiced opinions in the local media.

In the written statement, it is stated that the Greek media increasingly targets the Turkish minority. As an

example; on March 4th, in *Hronos daily*, with regard to the report submitted by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, on human rights of minorities in Greece, it was commented that "Those who have given information to the Rapporteur are those who benefit from the focal points which try to make non-existent minorities exist and destroy the stability in the country".

With regard to the attacks against persons belonging to the Turkish Minority, the physical attack against Abdulhalim Dede, owner of the newspaper *Trakya'nın Sesi* and of the radio station *ISIK FM*, while he was on-air during the morning programme broadcasted by the *Antenna TV* is also referred in the written statement.

ABTTF emphasizes that increasing number of physical attacks against the Minority journalists creates serious concerns, demanding Greek authorities to define ethnicity based crimes as an aggravated factor in determining the punishment of the crime. Halit Habipoglu, President of ABTTF, stated that "In our country, groups with different ethnicity and religion are the targets of physical and verbal violence. Greek authorities should take necessary steps to prevent hate and bias-motivated crimes. Otherwise, peace among the citizens that make up the community will be in danger."



The full text of the written statement submitted by ABTTF to the 11th session of the United Nations Human Rights Council can be retrieved at http://ap.ohchr.org/documents/sdpage_e.aspx?b=10&se=92&t=7.

ABTTF at the OSCE Supplementary Human Dimension Meeting

Federation of Western Thrace Turks in Europe (ABTTF) participated between 4 and 5 May 2009 in Vienna in the Supplementary Human Dimension Meeting: hate crimes - effective implementation of legislation organized by the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization of Security and Cooperation for Europe (OSCE). At the meeting held at Hofburg Convention Center, the Turkish Minority of Western Thrace was represented by Fatma Resit, member of ABTTF International Affairs Department and Sinan Kavaz, Executive Board member of the Western Thrace Minority University Graduates Association and Pervin Hayrullah, ex-member of the Executive Board of the Association.



Greece is incompetent at fighting against hate crimes

At the round table discussion, non-governmental organizations (NGOs) shared their ideas regarding the structural

and systematic barriers against the definition of hate crimes and ways to combat the defined barriers. Representatives of the NGOs underlined the need not only to formulate special laws to guarantee the human rights of the minorities but also to assure their implementation.

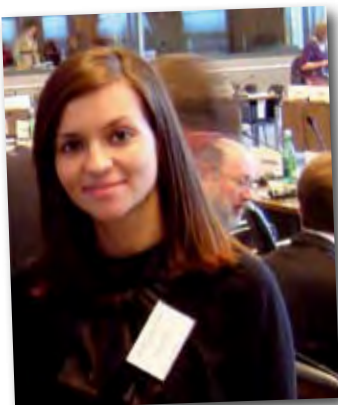
"Greek Nation" expression in the Code of Police Ethics is a discriminatory expression

Fatma Resit from ABTTF underlined at the second session held on 5 May 2009 with the title "Improving the Policing

and Prosecution of Hate Crimes" that hate crimes did not target one individual but rather exercised against a community. Accordingly, Resit underlined the importance of a well-educated, objective and detached police force, adding that Greece was incompetent at fighting hate crimes. Furthermore Resit said that "Article 1 of the Code of Police Ethics Law no: 254 dated 2004 states the duty of the police to serve Greek nation and act in accordance with the Constitutional Law and other laws". Thus, Resit stated that instead of Greek citizens, usage of Greek nation was an implicit discrimination on ethnical basis.

Additionally, ABTTF presented the written statement that focused on the regulations regarding hate crimes in Greece and hate speeches and the increasing number of physical attacks targeting the Turkish Minority of Western Thrace.

Halit Hapipoglu, President of ABTTF, stated that "ABTTF with its presentation at the meeting reiterated the problems stemming from the discrimination on ethnic bases in Greece to the attention of international community. The Greek Delegation did not make any objection to the presentation of ABTTF which clearly shows the justness of ABTTF arguments".



ABTTF at the 2nd meeting of the Fundamental Rights Platform



and Discrimination Survey (EU-MIDIS)" published by the European Union Agency for Fundamental Rights (FRA). Second base was the discussion of the NGOs' proposals regarding the 2011 Work Programme of the FRA.

Advisory Panel will form a corporate link between the Agency and the Platform

Main highlight from 2nd meeting of the Fundamental Rights Platform is the election of the members of the "Advisory Panel" that will form a corporate link between the Fundamental Rights Agency and the Fundamental Rights Platform. For one year, nine members of the Advisory Panel will represent the Platform instead of representing their own organizations.

"The Fundamental Rights Platform was established by the EU Agency for Fundamental Rights for the purpose of forming dialog and cooperation with the civil society. Thus, it is a great opportunity for ABTTF to be a part and contribute to the process." stated Melek Kirmaci.

Halit Habipoglu, President of ABTTF said, "ABTTF as a member of

the Fundamental Rights Platform has the opportunity to get a part and contribute to the improvements in the area of the fundamental rights in the EU. Any step taken by the Platform due to its mission to form cooperation with civil society will directly affect the future of minorities and migrant groups living in Europe. Furthermore, ABTTF is member of the European Dialogue Forum that established a formal cooperation and dialogue between the minorities living in Europe and the European Parliament. Thus, on two bases, ABTTF participates at EU level all the activities regarding basic rights and minority rights.

16. Term A B T T F Executive Board continues its work. The meeting of the Youth of European Nationalities (YEN), Durban Review Conference, 2nd Ordinary Session of the Parliamentary Assembly of the Council of Europe, OSCE Supplementary Human Dimension Meeting and now the 2nd meeting of the Fundamental Rights Platform...ABTTF continues to work with its young and dynamic team and management understanding".



Federation of Western Thracians in Europe (ABTTF) represented by Melek Kirmaci, member of International Affairs Department, participated in the second meeting of the European Fundamental Rights Platform (FRP) that was held in Vienna between 5 and 6 May 2009. Meanwhile, the meeting brought the representatives of non-governmental organizations (NGOs) operating in various European countries together, thus was a significant event for presenting the problems of the Turkish Minority to the attention of the international community.

Discrimination is a part of life in the European Union

2nd meeting of the Fundamental Rights Platform was formed on 2 bases. First base; the Platform made a study on the current and prospective impacts of economic crisis on human rights. Second headline in the first base was the detailed presentation of the results of the "European Union Minorities



Michel Hunault, rapporteur of PACE, released his report on Western Thrace



Parliamentary Assembly of the Council of Europe (PACE) published on 21 April 2009 the report entitled "Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)". Highlights from the report can be summarized as follows:

- Both Greece and Turkey should treat all

their citizens belonging to religious minorities in accordance with the provisions of the European Convention on Human Rights – rather than invoking "reciprocity" principle stated by the 1923 Treaty of Lausanne.

- In Thrace, Muslim minority has a population of around 80,000-120,000 while it is stated that Muslim minority constituted of 3 ethnic & linguistic groups. Meanwhile, the percentage of Turkish origin & Turkish speaking Muslim minority in the total minority population is around 40%-50%.

- Hunault gives considerable importance to the criticisms regarding the application of Sharia law by the Muftis on family and inheritance law – which raises serious questions of compatibility with the European Convention on Human Rights. Meanwhile, reactions of the Minority members to the appointment of 240 Imams by the Law No: 3536/2007 is also discussed in the report.

- In the report, it is underlined that Vakfs Law No: 3647/2008 was prepared without taking the opinion of the Minority. Furthermore, it is stated that the amendments that were requested by the Minority were not taken into consideration. Apart from that problem, the report notes that the verdict that foresees exemption of the vakfs from income tax and wiping out the debt of the vakfs has not been in force as of yet.

- As for the educational problems of the Turkish minority, problems regarding the number of minority

schools and teachers are discussed. In addition to the paragraphs on the programme entitled "Education of Muslim Children" and the book in Turkish language, request of the Minority for the status change of the Special Teacher Training Academy of Thessaloniki (EPATH) is also dealt in the report..

- Apart from the bilingual kindergarten problem, comments of the Turkish and Greek delegations on the election of members of the boards of minority schools and related problems are also noted in the report.

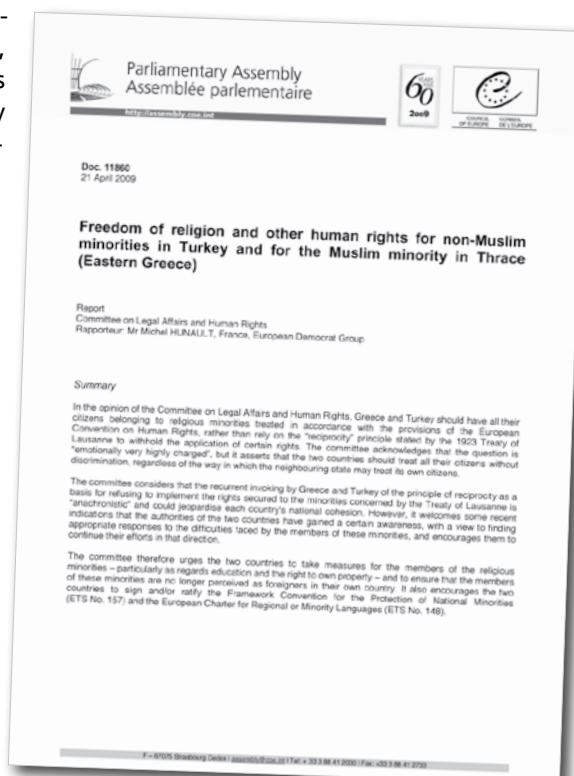
- Rapporteur also discusses that there are some initiatives to force the citizens who define themselves as Pomak or Roman to integrate with the Turkish minority.

- As for freedom of association, it is noted that contrary to Pomak or Roman minorities, Turkish minority faces serious problems if it wants to exercise its right to use its ethnic name in the titles of its associations.



- Regarding the Article 19 problem, citing the report prepared by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, the report calls the Greek authorities to take more initiatives.

- Halit Habipoglu, President of the Federation of Western Thrace Turks in Europe (ABTTF), stated that "Report does not fully satisfy the Turkish minority although it presents the problems of the Turkish minority. It is clearly seen that claim of the Greek authorities on the population of Turkish minority affected the content of the report. Ignoring the autonomous religious structure of the Minority, the report supports the thesis of Greece about the Muftis problem. Accordingly, the Minority could elect Muftis under the condition that Muftis could serve only in religious matters".



Xanthi Civil Court rejected the case of **İskeçe (Xanthi) Turkish Union**



İskeçe (Xanthi) Civil Court of First Instance rejected the case of İskeçe (Xanthi) Turkish Union (İTB) regarding the restoration demand of pre-1983 legal status. Following the verdict of European Court of Human Rights (ECHR) that convicted Greece on March 27th 2008, İTB filed a suit for the restoration of its pre-1983 legal status and the first trial was exercised in Dec 2008.

Xanthi Civil Court accepted the written defense of both



parties, yet postponed the announcement of the verdict. Now, rejection of the Court disappointed the Turkish minority seriously, hampering their belief that democracy still exists in Greece.

The association which was founded in 1927 under the name of "Xanthi Turkish Youth Home" changed its name to "Xanthi Turkish Union" in 1936. In 1983, name plate of the association was unraveled and the Union was shut down in 1986 after the Xanthi Governorship won the suit which was filed on the claim that "there is no Turkish minority in Western Thrace". Xanthi Turkish Union applied to European Court of Human Rights (ECHR) on February 7th 2005 following the Greek Supreme Court's verdict. In 2008, ECHR convicted Greece due to violation of Article 11 of the European Human Rights Convention. After three months of objection period, Greek state declared

to appeal the decision to High Court of ECHR in June 2008. Yet, the ECHR unanimously voted in favor of Xanthi Turkish Union and rejected the demand of Greece.

Greece insists on not implementing the verdict of ECHR

In his interview with daily *Gündem*, Orhan Hacıbram, Attorney of İTB, stated that they could not make a detailed explanation as they do not yet have the verdict of the Xanthi Civil Court as of yet, adding that fight does still continue. Hacıbram expressed their disappointment against the verdict of the Court since they had thought that the Court would decide in favor of İTB.

Halit Habıpoğlu, chairman of Federation of Western Thrace Turks in Europe (ABTTF), stated that "Despite the fact that on March 27th 2008 ECHR convicted Greece, approving its violation of "freedom of association", Greece insists on not implementing the verdict of ECHR. We see that Ministry of Foreign Affairs' declaration of respect to the verdict of the Court, and its promise to implement the verdict, clearly does

not reflect the truth. Greece continues to violate Turkish minority's freedom of association. Recently, in Meriç Province, Dedeagaç Court rejected the foundation application of "South Meriç Minority Culture and Education Association", claiming that "minority" term has an ambiguous meaning.

We think all these are very ironic in a country that is proud of being the "cradle of democracy". Reports on Greece clearly reflect its bad record regarding human rights and freedom of association. Despite the fact that Mr. Hammarberg, European Council Commissioner for Human Rights, obviously criticized Greece, and unfortunately it does not still take any measure to improve the situation. Yet, Turkish minority will not give up. We, as ABTTF, will continue to present the problems of the Western Thrace Turkish Minority on the international platforms and tell the truth to international community".





Reply of the Greek Government to the written statement of ABTTF on “Appointed Imam Law”

The Greek Government replied on 20 March 2009 to the written statement on “Appointed Imams Law” submitted by the Federation of Western Thrace Turks in Europe (ABTTF) to the 10th Session of the United Nations Human Rights Council.

In its answer, the Greek Government stated that extending the financial and social rights of a group of Greek citizens was an example of modern state, adding that such an implementation would only disturb the ones that wanted Muslim minority in Western Thrace to stay isolated from the rest of the population.



The Greek Government declared that Law 536/2007 did not include imams necessarily as they were elected by minority members, yet adding that imams could benefit from the law. The Greek Government also claimed that “appointed imams” term was a clear distortion. Regarding the Christian Committee, the Greek Government stated that the Committee investigated only the judicial records, military service and primary school diplomas.

The Greek Government asserted that Lausanne Treaty (Section II) did not refer to the Treaty of Athens and public opinion poll method for electing imams. Thus, the Greek Government claimed that Muftis were never elected by Muslim minority and Law 2345/1920 was never implemented.



The Greek Government stated that after the abolition of Law 2345/1920 in 1991, Law 1920/1991 regulated the status of Muftis. In its written answer, the Greek State

asserted that leading Muslim figures contributed to the appointment process of Muftis while Muftis had judicial authority in matters of family and inheritance law.

With regard to the reply of the Greek Government, Halit Habipoglu, President of ABTTF stated: “Reply of the Greek government is significantly far away from reflecting the truth. Without solving Muftis problem, the Greek Government tries to extend the competence area of “appointed” Muftis, which is to be regarded as an attempt to limit religious autonomy of the Turkish minority. The regarding law was prepared without taking the opinion of the minority into consideration. Is this a modern state implementation?”

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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Föderation der West-Thrakien Türken in Europa
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