



ABTTF at the 3rd Meeting of the Fundamental Rights Platform



From 15-16 April 2010, the Federation of Western Thrace Turks in Europe (ABTTF) attended the 3rd meeting of the Fundamental Rights Platform. Representing the Turkish Minority of Western Thrace, Fatma Reşit and Melek Kirmacı, members of ABTTF International Affairs and Lobbying Group, participated in the meeting, which was held at the International Centre in Vienna.

162 civil society organizations out of 300 member organizations of the Fundamental Rights Platform participated in the meeting. The conference started with the opening remarks of Ilze Brands, Chairman of the European Union Agency for Fundamental Rights (FRA), and Morten Kjaerum, FRA Director. Afterwards, the issues of poverty and social exclusion were discussed from the perspective of fundamental rights. It was also expressed that the fight against poverty did not mean assistance, and thus poverty presents a human rights violation. In addition, it was noted that persons living in poverty and

deprived of social, economic, cultural and political rights, faced multiple discrimination. Therefore, minimum criteria and standards needed to be established to ensure basic protection.

At the meeting, which included a presentation of the FRA Annual Work Programme 2012, it was noted that the Fundamental Rights Agency was going to follow a four-stage process, including evaluation, analysis, observation and planning. Moreover, Kasin Jurczak from the Department of Equality and Citizen's Rights of FRA, informed about the working groups with the two topics of FRA Annual Work Programme 2012 and the FRA Multi-annual Framework 2012-2017. At the working session, ABTTF International Affairs and Lobbying Group member Fatma Resit worked as a rapporteur. While priorities about the Annual Work Programme 2012 and the Multi-annual Framework 2012-2017 were discussed, Melek Kirmacı emphasized that one of the priorities for the Multi-annual Framework needed to

be the issue of discrimination based on gender, race, ethnic origin, religion, disability, age or sexual orientation, and discrimination against persons belonging to minorities. In addition, Kirmacı noted that the EU-MIDIS survey did not include the Turkish Minority of Western Thrace, which was the only officially recognized minority in Greece. Kirmacı, who drew attention on difficulties in collecting data in some EU countries, also noted towards the Agency that data research needed to be improved. After the working groups submitted their reports, candidates for the Advisory Panel of the Fundamental Rights Platform shortly presented

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themselves. On the second day of the meeting, the issue whether the Lisbon Treaty is a new potential in the field of Fundamental Rights for the European Union was discussed. Furthermore, the reports of the Advisory Panel with regard to the co-operation between the Agency and the Fundamental Rights Platform were presented. Massimo Toschi, FRP Networking and Civil Society Coordinator, made a presentation about the strategy of the Agency for the Fundamental Rights Platform and about members of the FRP and rules for e-FRP. In his presentation, Toschi emphasized with regard to future work of the FRP that national, sub-regional and thematic sub-groups needed to be established within the FRP, proposing to bring together members of the Platform. After Toschi's presentation, elections were held and the new members of the Advisory Panel were announced. The meeting ended with the closing speeches of Mortan Kjaerum, FRA Director, and Ilze Brands Kehris, Chairman of the European Union Agency for Fundamental Rights.

With regard to the subject matter, Halit Habipoğlu, President of the Federation of the Western Thrace Turks in Europe (ABTTF) stated the following: "The Fundamental Rights Platform, created by the European Union Agency for Fundamental Rights with the aim to co-operate with civil society, realized its third meeting in Vienna. The importance of the meeting is presented due to the fact that the number of member organizations has been doubled. It is of high importance that representing the Turkish Minority of Western Thrace, ABTTF is member of the Platform. It is very important to be a member of the Fundamental Rights Platform, of which powers have expanded and gained more weight as a result of the Lisbon Treaty."

ABTTF reported the offences against the Turkish Minority of Western Thrace to the OSCE

On 18 March 2010, with regard to the 2009 Hate Crimes Report of the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE), ABTTF submitted a report on hate crimes and offences directed against the Turkish Minority of Western Thrace, its properties and mosques in Greece in 2009.

Within the framework of the OSCE commitments, the annual report prepared by the ODIHR reviews hate crimes and racist, xenophobic, anti-Semitic crimes that are targeted against groups of victims, and in addition crimes against Roma, Muslims, Christians, and against persons belonging to other religious groups. During the report preparation process, ODIHR cooperates with civil society organizations, and includes evaluations about hate crimes reported by civil society organizations into the reports. In this context, ABTTF contributed to the report by reporting hate crimes in 2009 against members of the Turkish Minority of Western Thrace and against properties, Wakf lands and mosques belonging to the Turkish Minority.

ABTTF reported the Molotov cocktail attack on the one-way road of Grigoriou Marasli in Komotini, which took place on 29 January 2009. In its report prepared in a chronological order, ABTTF reported in detail the attacks on Abdulhalim Dede (February 2009) and Ibrahim Baltali (November 2009). In addition ABTTF emphasized with regard to the armed attack on the Ramadan drummer of Koyunköy (September 2009), that it was not the attacker, but the drummer put in detention. With regard to hate crimes against properties belonging to the Turkish



Minority of Western Thrace, the three attacks on the Mehmet Hilmi Fountain, which took place on different times, were reported separately. Regarding attacks on mosques, the attacks on Okcular, Hürriyet, and on the Sunni neighbourhood mosque were reported in historical order and submitted to the ODIHR.

With regard to the subject matter, Halit Habipoğlu, President of the Federation of Western Thrace Turks in Europe (ABTTF), made a statement as follows: "ABTTF regularly attends the OSCE/ODIHR Human Dimension and Implementation meetings and carries, in conjunction with the topic of meeting, problems of the Turkish Minority of Western Thrace on the agenda. Again in May 2010, ABTTF will attend the Supplementary Human Dimension Meeting about the promotion of gender balance and will continue to bring issues of the Turkish Minority of Western Thrace onto the agenda. Moreover, by contributing in the preparation process of the ODIHR annual hate crimes report, ABTTF has reported hate crimes against the Turkish Minority of Western Thrace that took place in 2009. Thus, we hope that hate crimes against the Turkish Minority of Western Thrace will also be included in the section on Greece of the report, which is expected to be released in November 2010."



Western Thrace Turks at the expert meeting on hate crimes on the Internet



At the end of the meeting, prosecutor Yorgo Voulgaris presented his disturbance of the hold speeches by stating the following: "If the issue of minorities is spoken at this meeting, I will also call a few minorities to the next one. Because you know what I mean." After his speech, the Permanent Mission of Greece to OSCE asked ABTTF and BTAYTD to leave the meeting by expressing the disturbance it felt through the attendance of the two organizations.

With regard to the meeting, Halit Habipoğlu, President of the Federation of Western Thrace Turks in Europe (ABTTF), stated the following: "ABTTF was founded in 1988 in accordance with the laws of the Federal Republic of Germany and is independent from political parties, government authorities and any government. ABTTF is a non-governmental organization in Special Consultative Status of the Economic and Social Council of the United Nations. And until yesterday, BTAYTD has been the only legal non-governmental organization in Western Thrace, representing the Turkish minority in the region. Our country Greece needs to create a policy, befitting to the honour of the country, guaranteeing an honest and principled, effective and full use of the rights, according to a multicultural society."

On 22 March 2010, the Federation of Western Thrace Turks in Europe (ABTTF) attended the Expert Meeting entitled "Incitement to Hatred vs. Freedom of Expression: Challenges of combating hate crimes motivated by hate on the Internet", which was organized by the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE). Representing the Turkish Minority of Western Thrace, Fatma Reşit and Ercüment Mustafaoğlu, members of the ABTTF International Affairs and Lobbying Group, and Pervin Hayrullah, member of the Western Thrace Minority University Graduates Association (BTAYTD), participated in the meeting.

moderator explained that he should just feel free to do if he wanted to. With regard to the session, ABTTF emphasized that the Law 927/1979 was specifically against discriminatory remarks on the basis of race, ethnic and origin. However, the regarding law had been amended three times, still concerning was the fact that despite its speciality, it had not been applied until today. In addition, ABTTF also noted that the question whether there were laws in Greek legal system, which might be relevant for hate communication to protect human dignity, was negative. Moreover, with regard to the spread of hate crimes through the Internet, BTAYTD gave the example of the internet newspaper www.stohos.gr, which published hate speech targeting the Turkish Minority of Western Thrace. At the end of the meeting, ABTTF underlined the importance of data collection, and reaffirmed that OSCE Member States should investigate and full prosecute any act and/or threat of violence motivated by hate on the Internet, while ensuring that the Internet remained an open and public forum for freedom of opinion and expression for all individuals and groups, including minority and/or youth organizations.

During the session on legal framework and practical challenges in investigating and prosecuting Internet inspired hate crimes, Yorgo Voulgaris, who serves as prosecutor at the Greek Ministry of Justice, claimed with regard to the Western Thrace Minority University Graduates Association that neither such a university nor such an association did exist. As a response to the Voulgaris' threat to leave the meeting, the



ABTTF submitted a written statement on the problem of freedom of expression and media in Greece



On 23 February 2010, the Federation of Western Thrace Turks in Europe (ABTTF) submitted a written statement entitled “The Problem of Freedom of Expression and Media in Greece” to the 13th session of the United Nations Human Rights Council. The written statement, which has been published on the official web site of the Council, expresses that the decision of the National Council for Radio and Television (ESR) on Tele Radio FM, citing Law Nr. 3592/2007 on “Concentration and Licensing of Media Enterprises and Other Provisions” is a clear violation on freedom of expression and media.

The decision of the National Council for Radio and Television is contrary to freedom of expression and media

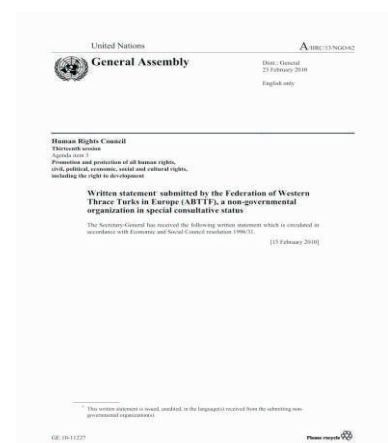
The written statement submitted to the 13th session of the United Nations Human Rights Council, which was held in Geneva, notes that the mentioned

law requires radio owners to fulfill a number of requirements on the minimum human and financial resources. Thus, the law burdens a hardship on smaller media organizations and radio stations owned by the Turkish Minority. 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. In addition, it is also expressed in the written statement that the provision, regulating that the main broadcasting language for radio programmes should be Greek, clearly violates the right to freedom of expression and media.

Declaring that Law Nr. 3592/2007 has a negative impact on local and small-sized media organizations, as an example for this, the written statement presents the National Council for Radio and Television (ESR)'s recommendation decision of warning (from 19 October 2009) towards the Tele Radio 104.2 FM. Moreover, the

written statement notes that radio stations, which broadcast in English or Russian languages, are not subjected to the requirement that they must also broadcast in Greek language, which clearly shows that National Council's decision is discriminatory in its nature.

In addition, it is emphasized that the European Commission against Racism and Intolerance (ECRI) stated its criticism about the law in its report on Greece (fourth monitoring cycle), and moreover, that in 2007 the OSCE Representative on Freedom of the Media expressed his concern about the law. In light of the information mentioned in the written statement, ABTTF urges Greek Government to review Law 3592/2007 in accordance with international standards on media pluralism and the free flow of information and 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.



The full text of the written statement is available at:
http://ap.ohchr.org/documents/sdpage_e.aspx?b=10&se=104&t=7

U.S. Department of State released the 2009 Human Rights Report on Greece



On 11 March 2010, the U.S. Department of State released the 2009 Country Reports on Human Rights Practices, thereunder the report on Greece.

Under the title of freedom of speech and press, the report presents that members of the Muslim minority in Thrace stated that the Greek media law discriminated against smaller, independent, Turkish-language stations. It is also notes that the Western Thrace Minority University Graduates Association reported that one Turkish-language radio station had received a violation notice. Emphasizing that government continues to implement legal restrictions, with regard to freedom of association, the report also states that in September the Court of Appeals of Thrace rejected the application of the Xanthi Turkish Union for legal recognition.

In addition, the report also notes that however government appoints three official Muslim religious leaders (muftis) in Thrace, the Minority has elected its own two Muftis. Moreover, it

is presented that in 2007 the government announced a law to hire 240 imams in Thrace as public employees. But while the hiring process in the prefectures of Xanthi and Evros progressed during the year, the mufti overseeing the prefecture of Rodopi refused to approve the hiring of imams



in his district unless the mufti were given more authority in the hiring committee and the five-member committee included two Islamic scholars. Also the fact, that government recognizes Shari'a (Islamic law) as the law regulating family and civic issues of the Muslim minority in Thrace, is expressed in the report. Moreover, the decisions of

appointed muftis about the issues of bequest and child custody are presented in detail and also criticized.

The report also notes that in September an arson attack took place against the Toxotes Mosque in Thrace. It is also stated that Members of the Alevite (Alevi) community in Thrace, who follow a religion comprising Shi'a and Sufi elements of Islam and number approximately 3,000 adherents, claimed religious harassment from the Sunni majority in their village. Some members of the Pomak community claimed they were pressured by members of the Turkish-speaking community to deny the existence of a Pomak identity as separate from a Turkish identity.

Noting that due to former Article 19 of the Greek Citizenship Law, 46.638 Muslim persons have lost their citizenship, with regard to the issue of stateless persons, the report states that some members of the Muslim minority claimed that this policy penalized stateless Muslims who had moved abroad and subsequently acquired citizenship from another country.

With regard to the subject matter, Halit Habipoğlu, President of the Federation of Western Thrace Turks in Europe (ABTTF), stated the following: "With regard to the Turkish Minority of Western Thrace, the report focuses on the authorities of Muftis (who have the capacity of a judge) arising from Islamic law. The fact that in the report concerns about the implementation of Shari'a provisions are expressed, but legal issues of the topic have not been addressed causes false interpretation of the topic."

The full report can be reached at: <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136034.htm>

ABTTF submitted a parallel report to the U.S. Human Rights Report on Greece

The Federation of Western Thrace Turks in Europe (ABTTF) prepared a parallel report to the U.S. Department of State Human Rights state report on Greece, and submitted it to the regarding authorities.

With regard to freedom of expression and speech, ABTTF expressed its concerns about the 3592/ 2007 numbered law and emphasized with regard to the radio FILIA's (belonging to the Athens municipal radio) response to the decision of Tele Radio 104.2 FM of the National Radio and Television Council (ESR), that no decision of the ESR can be found. In addition, with regard to the freedom of expression and speech, ABTTF examined in detail the 2009 attacks on Abdülhalim Dede and Ibrahim Baltali.

About the issue of freedom of the Internet, ABTTF presented that the signature campaign on the website www.proxeneio-stop.com.gr, which prompts the closure of the Turkish Consulate General in Komotini, was targeting Turks of Western Thrace. In addition, with regard to the freedom of association, ABTTF informed about current ongoing legal procedures of the Xanthi Turkish Union and the Cultural Association of Turkish Women of the Region of Rodopi, and examined in detail, by presenting the cases of the South Evros Minority Cultural and Educational Association, that associations, containing the word "minority" in their names were not given permission for establishment,

Moreover, with regard to the freedom of religion, ABTTF examined as well the issue of the appointed imams law with samples, as the penalty issues, accruing for places of worship due to the height of minarets. Under the topic of social crimes and discrimination,



ABTTF presented besides the attacks on the Okcular mosque, on the neighbourhood of Cayüstü, on the Mehmet Hilmi fountain, on the Hürriyet mosque, attacks on Muslim graves in the villages of Müsellim and Celepli, also the issue of church building on the land of Vakf in Yanikköy.

About the issue of elections and political participation, ABTTF presented the issue of %3 electoral threshold (which also applies to the independent candidates) and application of enlarged electoral districts, and emphasized that the Turkish Minority of Western Thrace could only enter parliament as candidates of a majority party.

Under the topic of Women, by recalling that all decisions of the appointed Muftis need to be approved by a court of first instance, ABTTF examined that courts are equally responsible for cases. By noting that marriages hold by an imam or mufti in Western Thrace need to be reported to the population directorates, with regard to child marriage, ABTTF explained, that according to the Greek Civil Code, if there is not a unity of thought about the pursuit of marriage, those among these people would be invalid. By noting that there is not such a tradition of the Turkish Minority of Western Thrace allowing marriages between minors under the age of 18

years, ABTTF expressed that appointed muftis did not allow the marriages of minors under the age of 15. Moreover, ABTTF noted in the report that the Shari'a law was an entirely optional law for members of the Turkish Minority of Western Thrace. Also, by expressing that divorces only occur with the order of courts, additionally with regard to the topic of succession, ABTTF annotated that in 1986 the Supreme Court called the decision of the mufti giving 2/3 of succession to male as contradictory to the Constitution. In response to the report of the National Human Rights Commission, restricting the duties of the Mufti only to religious duties and advising to end the Shari'a law, ABTTF explained in detail that this had arisen from international agreements Greece is a party of, and therefore would present a future violation of obligations.

In the report, ABTTF presented that Muslims in the region were living in peace for years and noted that there was not such a possibility that communities, defining themselves as Pomaks, face any pressure or coercion through the Turkish Minority of Western Thrace.

With regard to the subject matter, Halit Habipoglu, President of the ABTTF, stated the following: "The fact that legal aspects of the issue have never been mentioned, caused the incorrect and incomplete implementation of the issue in the report which states concerns about the implementation of Shari'a provisions. ABTTF has paid special attention to the issue of the Shari'a law in its parallel report and commented in detail the issues which were examined in the 2009 human rights report on Greece, and submitted detailed information."

Eleftheri Thraki: Lawyers demand removal of the Sharia in Thrace

On 9 March 2010, the newspaper Eleftheri Thraki published with its "Lawyers demand the removal of the Sharia in Thrace" titled news that lawyers, who had spoken at the event organized by the Human Rights Group of the Ecologist Greens Party, demanded the removal of the Sharia application in Thrace.

According to the news, President of the Xanthi Bar Association, Kostas Gunaris, lecturer at the Law Faculty of Aristoteles University of Thessaloniki Asst. Prof. Dr. Lina Papadopulu and lecturer in Law at the Democritus University of Thrace Yannis Ktistakis and Greens MEP Mihalis Tremopoulos attended the event as speakers. According to the news, President of the Xanthi Bar Association, Kostas Gunaris, stated the following: "Family and inheritance law cases of 120.000 Muslim Greeks are unjustly decided by religious officials, namely by appointed Muftis." Furthermore, Gunaris pointed out that the Sharia implementation by appointed Muftis would violate human rights and the principle of gender equality. Moreover, he added that with regard to the issue of bequest, an unequal situation would occur. In addition, in the news Yannis Kitsakis expresses his concerns that however decisions of the appointed Muftis have to be supervised by judges, the decisions are blindly approved by a single judged lower Court. Kitsakis also reminds that in 2007 the decision allowing a a minor virgin girl to marry a full age man was approved by the court.

With regard to the subject matter, President of the Federation of Western



Thrace Turks in Europe (ABTTF) Halit Habipoğlu reminded that Greece had not been the only country implementing the Sharia law adding that also France and Great Britain were implementing the Sharia law with regard to religious minorities in the country. In addition, Halit Habipoğlu stated the following: "The canonical autonomy of Muftis in the field of family and inheritance law is related to the legal autonomy in religious fields. The autonomous structure in the religious field of the Turkish Minority of Western Thrace has been determined by the 1881 Istanbul Agreement, the 1913 Athens Peace Accords and Protocols, the 1920 Treaty of Sevres, and by the 1923 Lausanne Peace Treaty. Therefore, Muftis in Western Thrace have the right to exclusive jurisdiction due to international agreements Thus, it cannot be justified to affirm that family and inheritance law cases are unjustly decided by Mufti. In addition, persons authorized in the fields of family and inheritance law are not elected, but state appointed Muftis. Therefore, due to the fact that appointed Muftis are civil servants, the addressee of the concerns about the issue of the 2007 marriage decision of the single judged Lower Court is the (Greek) state itself. In his book entitled "The Legal Autonomy of the Turkish Minority in Greece", Dr. Turgay Cin emphasizes that none of the extract of the decisions by Mufti can be queried by any other judicial bodies in terms of

legal liability and legal status. He also points out that the content of the Mufti decisions can only be checked by the Chief Mufti".





Attack against the Turkish Youth Union of Komotini

On 21 March 2010, an attack took place against the Turkish Youth Union of Komotini. During the attack on Sunday night around 03:00 am, an unidentified person or persons broke the windows of the building with paving stones.* According to the news of daily Birlik, the attacker did not damage any goods inside the building. According to the news, teams from the Organized Crime Unit of the Rhodope Police Department examined and took fingerprints of the crime scene.

Koray Hasan, President of the Turkish Youth Union of Komotini, noted in his statement towards the Federation of Western Thrace Turks in Europe (ABTTF) that they had noticed the attacks on 22 March 2010 when entering the building at 7:30 am. In addition, Hasan stated the following: "Police



Photo: Daily Birlik

officers have investigated the crime scene and estimate that the attacks took place approximately around 03:00 am. Because windows were broken with cobblestones, it is thought that at least two persons were involved in the attacks. Still, due to the fact that the door on the westside of the building could not be opened, the persons failed to enter the building. During the investigation of the crime scene, police took fingerprints. As a result of the prosecution, we hope that the attackers will be identified and punished immediately."

With regard to the subject matter, Halit Habipoğlu, President of the Federation of Western Thrace Turks in Europe (ABTTF), stated the following "ABTTF condemns the attack against the Turkish Youth Union of Komotini and demands that the perpetrators are found as soon as possible and punished for their action. The fact that members of the Turkish Minority of Western Thrace, and organizations belonging to these persons are targeted, threatens social peace within the tolerant and multicultural society of Western Thrace."



Photo: Daily Birlik

ABTTF Newsletter

The ABTTF newsletter in four languages, namely in Turkish, English, Greek and German, is five years old.

The ABTTF newsletter, in which the current issues with regard to the Turkish Minority of Western Thrace, the latest occurrences in Western Thrace and 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 associations of the Turkish Minority of Western Thrace throughout Europe and the world are dealt with, is being followed with great interest not only by Western Thrace Turks, but also by large parts of the public.

To get more information on subscription to the ABTTF Newsletter, please contact us.

ABTTF

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