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**FOLLOW-UP AND IMPLEMENTATION OF THE VIENNA DECLARATION  
AND PROGRAMME OF ACTION**

**Written statement\* submitted by the Federation of Western Thrace Turks in Europe,  
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.

[25 August 2008]

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

### **Right to Education in Native Language: Bilingual Education at Kindergartens**

The Greek government under Law 3518/2006 decided to extend compulsory period in education from nine to ten years starting from the school year 2007-2008. By Law 3518/2006 the condition of pupils' admission in pre-school education was revised. Article 73 defines a two year kindergarten's attendance for pupils who have completed the 4<sup>th</sup> year of their age. The attendance of those pupils who have completed the 5<sup>th</sup> year of their age is obligatory. Also, according to the Law 3577/2007, article 32, it is foreseen that for the school year 2007-2008 kindergartens could be established within the day nurseries for registered children who have completed the 5<sup>th</sup> year of their age.<sup>1</sup>

\* Law 3518/2006 compels the minority children who have completed the 5<sup>th</sup> year of their age in Western Thrace to attend majority kindergartens under the Ministry of Education since the Law does not bring any regulation about ethnic and cultural differences of the children in Greece.

\* The Turkish Minority of Western Thrace in Greece appreciates the need for the extension of compulsory education period from nine to ten years and it considers the kindergartens vital for the next generations of the minority child. However, the Western Thrace Turkish Minority is determined to establish kindergartens in bilingual rather than the state kindergartens in which Greek language is used in the areas inhabited by the Turkish minority. In line with the status of the minority and the legal framework in the field of education, the minority asserts that the kindergartens should be bilingual.

\* The Minority is granted with the right to education in its native language and autonomy in the management of its educational institutions:

- a) The Treaty of Lausanne which was signed between Greece and Turkey in 1923 determining the status and the basic rights of the Minority in general.
- b) The Cultural Protocol signed between Turkey and Greece on 20 April 1951 and the Exchange of Notes in 1952 regarding the issue of exchange teachers who would be assigned in Minority Schools.
- c) The Protocol of the Turkish-Greek Cultural Commission, signed in 1968.

\* The Lausanne Treaty of 1923 endows the Muslim Turkish Minority in Western Thrace with the right to establish and to administer their schools. Article 40 states:

“Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular, they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein.”

Article 41 of the Treaty granted rights to the Muslim Turkish minority in Thrace ensuring that in primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. It states:

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<sup>1</sup> Hellenic Republic, Ministry of Economy and Finance, National Reform Programme 2005-2008, Implementation Report 2007, October 2007.

“As regards public instruction, the Turkish Government will grant in those towns districts, where a considerable proportion of non-Moslem nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision will not prevent the Turkish Government from making the teaching of the Turkish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Turkish nationals belonging to non-Moslem minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious, or charitable purposes.

The sums in question shall be paid to the qualified representatives of the establishments and institutions concerned.”

\* The 1951 Educational Agreement was abolished and replaced by the Bilateral Agreement on Cultural Cooperation in 2000 (hereinafter “the Bilateral Agreement”). The Bilateral Agreement is based on the context of strengthening the political relations between Greece and Turkey on an educational level. The educational cooperation between the two countries is based on an international model of the Council of Europe, the Organization for Security and Cooperation (OSCE) and UNESCO.

\* The right to education is provided by Article 16 of the Greek Constitution which defines the scope and aim of education “for the development of an ethnic and religious consciousness”.

- Legislative Decree 3065/1954 on the establishment of minority schools in Western Thrace
- Decree Law which brings changes in Decree 1109/1072 and Decree 3065/1954
- Laws No. 694 and 695 of 1977 which provide the basic provisions for the structure of minority education
- Law No. 1566/1985
- Law No. 2341/1995

\* In Article 4 (3) of the UN Declaration on the Rights on Persons Belonging to Minorities it is stated that: “States should take appropriate measures so that, wherever possible, persons belonging to minorities have adequate opportunities to learn their mother tongue.” This is supported by Article 26 (1) and (3) of the UN Declaration of Human Rights. It should also be noted that all these practices of the Greek state in the field of minority education are against the Hague Recommendations Regarding the Educational Rights of National Minorities (1996).

\* The UN Covenant on Civil and Political Rights, of which Greece is a part, do protect the rights of the minority. Article 27 states:

“In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.”

Concerning Article 27 of the International Covenant on Civil and Political Rights, under the jurisdiction of the aforementioned Human Rights Committee, Committee on the Rights of the Child (1998) concluded;

“The Committee is concerned that the general principles of non-discrimination (art. 2), the best interests of the child (art. 3) and respect for the views of the child (art. 12), are not being fully integrated into the legislative policies and programmes relevant to children, in particular in relation to children from vulnerable categories such as those belonging to national and ethnic minorities”

Human Rights Committee, in its General Recommendation no 23. (1994) concluded:

“With regard to the exercise of the cultural rights protected under article 27, the Committee observes that culture manifests itself in many forms, including a particular way of life associated with the use of land resources, especially in the case of indigenous peoples. That right may include such traditional activities as fishing or hunting and the right to live in reserves protected by law. 5/ The enjoyment of those rights may require positive legal measures of protection and measures to ensure the effective participation of members of minority communities in decisions which affect them.”

\* Article 8 of the European Charter for Regional or Minority Languages (EChRML) provides that states must seek a level of use of a minority language that best fits their demographic reality, since Article 8 is applicable “according to the situation of each language”.

\* The UNESCO Convention against Discrimination in Education prohibits discrimination based on several grounds, including language. According to Article 1(2) of the Convention, education refers to all types and levels, including access to education.

\* Convention of the Rights of the Child (1989) recognizes the right of the child to education. Article 28(1) states:

“States Parties recognize the right of the child to education and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular.”

### **Conclusions:**

\* Federation of Western Thrace Turks in Europe (ABTTF) therefore urges the Greek government that the extension of the period of compulsory education from nine to ten years under Law No. 3518/2006 should be extended to the minority schooling system.

\* We assert that the minority education system in Greece should be reconstructed according to the principles of multiculturalism and multilingualism. In this context, we encourage the Greek government to provide Muslim Turkish students with sufficient opportunities to learn both the official language of the state and their mother tongue, and

take the necessary steps to guarantee the right to education of the ethnic minorities in the country in order that the minority children have the right to bilingual pre-school education.

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