



THE PROBLEMS OF THE TURKISH MINORITY OF WESTERN THRACE IN GREECE



ABTTF



FEDERATION OF WESTERN THRACE TURKS IN EUROPE

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NOT TURKISH BUT MUSLIM MINORITY

Thomas Countryman, US Embassy Deputy Chief of Mission in Athens, revealed in his interview with journalist Vasiliki Siouti for Sunday Eleftherotypia that „Greece persistently opposes the right of Western Thrace Turkish minority to define itself as “Turkish” within the context of ethnic identity and this behaviour of Greece is illogical.“

However, that interview caused tension between Washington and Athens. After the interview, Teodoros Rusopoulos, spokesman of the Greek government, made a press conference and said that Greece was a democratic country which respected minority rights and the legal equality between its citizens.

Özkan Resit, representative of the Federation of Western Thrace Turks in Europe (ABTTF), participated in the meetings of the Organization for Security and Cooperation in Europe (OSCE) in Warsaw between 2 - 13 October 2006 and revealed that Greek's problem concentrating on our „Turkish identity“ had been known for years, and the associations of the Turkish minority living in Western Thrace were formally closed down due to the phrase „Turkish“ in their names. Subsequently, the reply of the Greek delegation to that claim was as follows: „There is no Turkish but Muslim minority in Greece and Turks form only a part of Muslim minority in Greece“. Identity problem of Western Thrace Turks was not expressed not only by the minority members but also by the European Court of Human Rights, and International Helsinki Human Rights Watch stated clearly that Western Thrace Turkish minority members had experienced serious identity problems in 1990.

Iskece (Xanthi) Turkish Solidarity Union established in 1924, Gümülcine (Komotini) Turkish Youth Union established in 1928 and Western Thrace Turkish Teachers Union established in 1936 have been formally closed down by Greek authorities since 1984 as they possessed the phrase „Turkish“ in their names. Rodop (Rodop) Women's Culture Association can not get permission to founding due to „Turkish“ component in its association name since 2001. Iskece (Xanthi) Turkish Solidarity Union and Rodop (Rodop) Women's Culture Association prosecuted Greece at the European Court Human Rights and these actions are still in process.

„Minority“ phrase causes discomfort

Up to now, it was not allowed to establish associations possessing the word „Turkish“ in their names in Greece and now it is not allowed to use the phrase „minority“ in association names as well.

On 14 December 1995, Western Thrace Turkish Minority youth conveyed its request to Dedeagac (Alexandroupolis) Civil Court of First Instance to recognize its association „Meric Minority Youth“. Its petition was rejected by Dedeagac (Alexandroupolis) Civil Court of First Instance by 58 - 1996 dated decision and by Thrace Civil Court of First Instance by 423 - 1998 numbered decision. The Supreme Court of Appeals handled the case in 2006 and it was rejected as the association possessed the word „minority“ in its name.

Greece does not accept the identity of minorities

All those cases state clearly that Greece does not want to accept the identity of the Turkish minority in Western Thrace. Meanwhile, not only the phrase “Turkish” but also the phrase “minority” causes serious discomfort. It is an embarrassing situation for a country which is a member of the European Union for years and claims to be democratic.

NIKOS ALIVIZATOS CRITIZES GREECE

The Government of Turkish Republic continuously brings up the problems of Western Thrace Turkish minority in Greece on international and national platforms. But this time, the one, who brings up the „Turkish identity“ and „denaturalization“ problems of the Western Thrace Turkish minority is not the Government of Turkish Republic, but the most prestigious Professor of Law in University of Athens, Nikos Alivizatos. In his article in TANEIA, leading daily newspaper of Greece, he points out that Greece, as a European Union member country, does not obey the minority rules, specially considering Turkish minority. He emphasizes that Turkish minority members are still not equal in front of law, specially in means of individualistic, social and political rights in spite of some constitutional reforms.

Prof. Alivizatos points out that 1967-1974 Greek Junta government implementations are still in force in spite of all the warnings coming from the European Union. As an example of such implementations, Prof. Alivizatos said that Turkish minority members were denaturalized when they left the country even only for 3 months although they paid their taxes to Greece during those months. Prof. Alivizatos also utters that usage of „Turkish“ in the naming of Western Thrace Turkish minority associations was announced to be illegal by the Greek Supreme Court of Appeals and such an implementation is clearly contradictory to the European Union principles. He also underlines that objections against the governorship candidacy of Gülbeyaz Karahasan, member of Western Thrace Turkish minority, is completely against democracy. He also states that Christian Greece families with 3 children get salary from the Government of Greece while no salary is provided for Muslim Greek families with 3 children.

Stelyo BERBERAKIS/ATHENS

FREEDOM OF RELIGION IS ONE OF THE FUNDAMENTAL HUMAN RIGHTS

After the decease of Mehmet Emin Aga, elected Mufti (the highest Muslim religious authority of a province/district) of Iskece (Xanthi), legal status of the Muftis and their election method has come to the fore as the hottest debate on the agenda.

Greece was convicted in three cases commenced by Ibrahim Şerif, elected Mufti of Komotini, and Mehmet Emin Aga, elected Mufti of Xanthi. In addition to this, Greece was convicted in two cases commenced by Mehmet Emin Aga, elected Mufti of Xanthi, at the European Court of Human Rights as she has violated the freedom of religion.

Status of Muftis as being the highest religious, administrative and legal authority in Islam was stated in Athens Treaty in 1913. Although Greece has signed the concerning treaty, she has been infringing the treaty provisions permanently and has not been fulfilling her obligations defined in the Treaty. In this respect, she has been appointing herself the Muftis since 1990 although Muftis are to be elected by Turkish minority. This is a very clear violation of freedom of religion.

By this attitude, Greece does not give the right to the Turkish minority to elect its religion leader while she gives this right to the Greek Church to elect its metropolitans and to the Jewish community to elect its Rabbis and officers. Greece also violates the 40th Article of Lausanne Treaty in which Greece has committed not to discriminate the members of the Western Thrace Turkish minority in religion affairs and to respect their freedom of religion.

Life of Aga is a clear legend of Greece's attitude towards "Freedom of Religion"

After the decease of Iskece Mufti, Hafiz Emin Aga, the members of the Western Thrace Turkish minority elected his son as the new Mufti. Nevertheless, the Greek authorities did not recognize the elected Mufti and appointed another religious officer. Subsequently, Aga was given a hearing on the ground of encroaching upon the rights of appointed Muftis. He was sentenced to 129 months. After a 6 month jail stay and due to health problems, he came out of the jail.

Human rights violations of Western Thrace Turks were expressed not only by the minority members, but also by the European Court of Human Rights and Helsinki Human Rights Watch. Helsinki Human Rights Watch stated clearly that the members of the Western Thrace Turkish minority were exposed to serious human rights violations.

In 1990s, Helsinki Human Rights Watch examined the situation of the Western Thrace Turkish minority, and in its report, it advised Greece to maintain the freedom of religion of Western Thrace Turkish minority.

Greece does not regard the advices of international organizations

Neither the cases that came out in favor of Ibrahim Serif and Mehmet Emin Aga, elected Muftis of Gümülcine (Komotini) and Iskece (Xanthi), nor the reports of Helsinki Human Rights Watch could not force Greece to change her policy towards Western Thrace Turkish minority. Ethnic Greeks of Istanbul do not experience any difficulty when they elect their religious leaders and if we consider the reciprocity principle, Western Thrace Turkish Minority members should be able to benefit the same rights of Ethnic Greeks of Istanbul but they can not.

CASES AT THE EUROPEAN COURT OF HUMAN RIGHTS

7th Annual North - Southern Europe Economics Forum, which was organized by Institute for European Affairs and Norwegian Ministry of Foreign Affairs, was held between 28 - 29 September 2006 in Oslo, the capital city of Norway.

The theme on the agenda was „Coexistence of Religions - Values and Tolerance“. The Federation of Western Thrace Turks in Europe (ABTTF) and Mehmet Emin Aga, elected Mufti of Xanthi, were invited to the Forum due to the cases of Mehmet Emin Aga and Ibrahim Şerif, elected Muftis of Komotini and Xanthi respectively, at the European Court of Human Rights.

Jonas Gahr Støre, Minister of Foreign Affairs of Norway, Dr. Şark Tara, honorary member of the Foreign Economic Relations Board and founder of the North - Southern Europe Economic Forum, Prof. Dr. Jürgen Gramke, former Prime Minister of Germany and chairman of INEA, ministers, former ministers, representatives of various institutions, experts and media members participated in the Forum which was organized under the auspices of Jens Stoltenberug, Norwegian Prime Minister.

The top themes to be discussed during the Forum were cooperation between Southern and Northern Europe, strategic cooperation for a better integration in Europe and the communication with non - EU countries. Due to the dramatic events experienced recently in Europe, the first day of the organization was devoted to the „Tolerance between religions“.

EDUCATION PROBLEM OF MINORITY SCHOOLS

The Lausanne Treaty gives the Western Thrace Turkish minority members living in Greece the right to establish and administer their own minority schools. The education quality of minority schools has worsened due to poor teacher supply, diminishing hours of Turkish lessons and state intervention in the curriculum.

Turkish lessons from the teachers possessing poor Turkish knowledge

The Councils, which are responsible of school management, were deprived of their function by the laws implemented in 1970s and the councils can not appoint teachers anymore since 1965. In this regard, the education policy implemented by Greece is completely inconsistent with the related provisions Lausanne Treaty. In the schools of the Turkish minority , teachers are able to speak neither Turkish nor Greek and as a result of this, students possess poor level of language knowledge of both Turkish and Greek.

The Junta government established teacher-training institutions called "SÖPA" in 1968 and the children of Turkish minority learn Turkish from those teachers who have poor language knowledge of Turkish. Although Turkish minority complaints about this situation, the Greek authorities permanently ignore these complaints.

Decreasing demand and vanishing minority education

The Lausanne Treaty gives the Turkish minority members living in Greece the right to establish and administer their own minority schools. Until the end of 1950s, there were not so many problems concerning education. With Cyprus problem, educational problems have begun to gain serious weight in the political relations between Turkey and Greece.

As time passed, the Turkish minority has lost their control over the Turkish minority schools and Greek's pressure is worth to mention here. The schools, which do not have the ability either to select their staff or curriculum, have lost their education quality gradually.

The above mentioned leading educational problems of Turkish minority have forced the Turkish minority children to attend the Greek public schools. Turkish minority families have preferred to send their children to the Greek public schools due to the poor level of education quality at Turkish minority schools.

New implementation: Turkish as „Elective lesson“

The latest improvement about the Turkish minority education in Greece is as follows; as of 2006 - 2007 education year, Turkish is going to be taught as „elective lesson“ in some Greek government schools situated in districts where the Turkish minority is densely populated. Although this new implementation could be analyzed as a positive improvement, it gains a new meaning when it is reanalyzed keeping the problems of the Turkish minority in mind. The most urgent step to be taken for the sake of the Turkish minority is to give it its education rights which have been, in accordance with the education autonomy, guaranteed by the Lausanne Treaty.

The problems mentioned above are the fundamental problems of the Western Thrace Turkish minority. In addition to those, final examinations, mandatory education period, demand for prep classes could be touched upon in another section. Meanwhile, during the period of the Junta government , Turkish school names were forbidden and they can still not use their original Turkish names. This is a clear indication of the identity problem experienced by the Western Thrace Turkish minority members.



Minority Education was on the agenda at the 51th FUEN – Congress of Nationalities and FUEN Assembly

Top thema of the 51th FUEN-Congress of Nationalities and FUEN-Assembly. in Bautzen where Sorb minority, one of the four recognized minorities in Germany, live was the multilingualism in Europe. Experts and minority representatives participated the meeting and they underlined that minority languages contributed the wealth of Europe and preservation of mother languages was a human right to be respected.

Halit Habipoglu, chairman of Federation of Western Thrace Turks in Europe (ABTTF), revealed that Western Thrace Turkish minority members faced serious human rights violations specially in the context of education rights that were guaranteed by Lousanne Treaty in 1923. Western Thrace Turkish minority members have the right to get education in their mother language, Turkish.

ARTICLE 19 OF THE GREEK CITIZENSHIP CODE AND ITS VICTIMS

The 19th Article of the Greek Citizenship Code, which was issued in 1955 and was in force for 45 years, caused direct denaturalization of 46.638 members of the Western Thrace Turkish minority according to the formal announcements of the Greek Ministry of Interior Affairs. Most of these victims live in Turkey and in Greece, and when we consider their family members like their children, the total number of the victims rises then to 60 thousand levels.

Thousands of the members of the Western Thrace Turkish minority have suffered for years as they are not of . The ones, who are not of Greek ethnic origin, have been denaturalized on the ground of leaving the country without the intention, or to put it more correctly, on the ground of

the conviction of the Greek authorities that these did not have the intention to return. After the Greek authorities had decided that they did not have the intention to return to Greece, they simply denaturalized the Western Thrace Turkish minority members on the ground of this nonsense and illegal conviction. The absurd point here is that the Greek administrative authorities have decided about the intention of the minority members, not the concerning ones themselves.

The decisions of denaturalization have not been taken by a legal authority, but by administrative authorities. Those arbitrary administrative decisions have given rise to the tragicomic results. Another

point is the strengthened unfairness of the implementation, that is the decisions of denaturalization were not declared to the victims. The victims, who were abroad for educational, business or touristic purposes, found out this process at Greek consulates, customs stations and Greek public offices. The victims had already missed the legal revision period of 60 days as they found out the process randomly. Due to the 19th Article of the Greek Citizenship Code, the Turkish minority living in Greece can not travel abroad due to the denaturalization threat and the Turkish minority living abroad can not enter Greece due to the risk of losing their passports.

Some of the victims live in Greece and they are forced to live at the lowest level of the society. They can not get their pensions although they paid all the premiums and they can not benefit any social services. Victims also can not participate economic life because of their status.

Article 19 of the Greek Citizenship Code (No:3370/1955) provides that;

“A person of non-Greek ethnic origin leaving Greece without intention of returning may be declared as having lost Greek nationality. This also applies to a person of non-Greek ethnic origin born and domiciled abroad. His children living abroad may be declared as having lost Greek nationality if both their parents or the surviving parent have lost the same. The Minister of the Interior decides in these matters with the concurring opinion of the National Council.”

BESIME NURSELOĞLU WAS DEPORTED ON 12 DECEMBER 2006



It was proved that the effects of the legal arrangement abolished 8 years ago still continue.

Ms. Besime Nurseloğlu, Western Thrace Turkish minority member and “Greek citizen”, who lives in Izmit, in Turkey, was declared as having lost her Greek nationality as she went to Greece to renew her identity card and passport. After she had been given her new identity card, she was taken into custody and then deported on the ground that she was not a Greek national. Ms. Nurseloğlu said that she would resort to the European Court of Human Rights.

GREEK ELECTION SYSTEM IS TO BE REGULATED

Turkish minority in Greece has serious problems due to the existing regulations when it wants to participate in political life .

Political actions determine the country's destiny. Although politics is formed in line with society's wishes and preferences, the ones, who give a direction to the country, are the politicians themselves.

In this respect, it is very crucial for the sake of democracy and well being of minorities whether minorities have an access to the political life of the host country. When minorities can not represent themselves in the political arena, they discuss then their problems among themselves. We can discuss the problems of Turkish minority in Greece on two points; one is the local governments and the other is the representation in the Greek Parliament.

Turkish Minority can not have a voice in the local governments

Greek authorities aim to hinder the Turkish minority members to elect their own governors in the regions where they are densely populated. This policy is called " Plan of Kapodistriyas". In the framework of this plan, the election areas have been redefined by Greek authorities and the regions, where Turkish

minority members are densely populated, have been divided into smaller election regions where Turkish minority will lose their population power.

Greek authorities eliminated the election possibility of Turkish candidates. Best proof for this can be summarized as; four candidates, who got the highest level of votes after the elected Greek Governor of Rodop, were the Turkish candidates. When we consider the population ratio of Turkish minority in Rodop, it would be quite easy to elect a Turkish governor. But through the "extended governorship" regulation, Komotini, Dedeagaç, Xanthi, Drama and Kavala have been united and become one election area.

The municipalities of Xanthi Mustafçova, Gökçeler, Komotini Sirkeli, Susurköy and Kozlukebiri could not be separated more by the Greek authorities and Turkish minority can have a voice at the city councils of the mentioned municipalities.

3% election hurdle for the independent candidates

In addition to the election barriers against the mayors and governors of Turkish ethnic-origin, there is also the 3% election hurdle which is implemented against independent candidates and they are all specially

designed not to give chance to the Turkish minority to exercise their political rights and to exclude them from administrative jobs.

Turkish candidates are forced to take part in the Greek political parties which do not do anything for the Turkish minority. As a reminder that the election hurdle of 3% is applied only to political parties throughout the world, not to independent candidates.

Recent General Election

Ahmet Haciosman, chairman of Peace and Equality Party (DEB), was elected as Rodop Deputy Governor with 16 thousand votes at the general elections held on 15 October. However, that success caused discomfort amongst some people and they demanded the renewal of the elections revealing that Ahmet Haciosman was a religion officer.

According to the Article 21, paragraph 1 of the Governorship&City Council Candidate Law, judges, members of the army and religion officers can not be candidate at the elections. Haciosman worked as religion officer at Tekke Mosque for some time and thereafter, he worked in the army after that post at Tekke Mosque. Haciosman was a member of the executive committee of DEB. He was also Rodop Deputy Governor before. Success of minority causes serious discomfort in Greece.

TURKISH CANDIDATE FOR GOVERNORSHIP CAUSED GREAT DISCOMFORT IN GREECE

When PASOK had announced the candidacy of Ms.Gülbeyaz Karahasan, lawyer and Turkish minority member, for the „Extended Governorship of Xanthi, Kavala, Drama“ before the elections which would be hold in October in 2006, it had caused political unrest in Greece. The consevatives and the Orthodox Church approached the decision of PASOK very critically and the issue was discussed for many days.

The members of the ruling party, New Democracy Party, and the Church demanded that Ms. Gülbeyaz Karahasan, candidate for governorship, had to introduce herself to the public opinion as „a Greek woman“. Moreover, Mr. Skandalidis, who played a significant role in the formation of the „extended governorship“ system, stated clearly on the Alpha TV that the system had been designed in order to hinder the election of a Moslem governor.

MINORITY FOUNDATIONS: STILL A BLEEDING PROBLEM

The minority foundations build the backbone of the Turkish minority, and assume very important roles such as the establishment of schools, payment of the salaries of teachers and religious functionaries and financing of activities for the Turkish minority. However, since 1967, the year in which the Junta government came to power in Greece, the executives of the foundations have been appointed by the Greek authorities, and this has led to the alienation and plundering of the properties of the minority foundations. In 1974, although the Junta government was not any longer in power, the legislations were still in force and in 1980, a new law, which was worse than the former one, could not be issued due to the permanent

efforts of the Turkish government and the European Union. Greece did not give up and the same law was issued in the chaotic political environment of 1991.

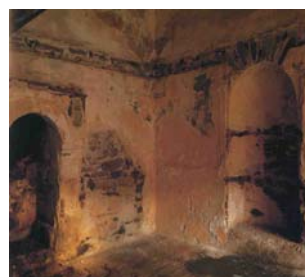
According to that new regulation, the government can confiscate the properties of the minority foundations if they do not declare their properties with official documents to the related Greek public offices; in other case the Greek government has the right to confiscate all the properties of the minority foundations. When we consider that chaotic political environment of war, depredation and migration, it is normal to have lost the official documents.

In accordance with the Lausanne Treaty, elections for minority foundations should have been taken place. Nevertheless, the Turkish minority can not elect the officers who financially control the properties of the minority foundations. This situation has caused stress amongst the Turkish minority members. The administration of the Foundation of Xanthi alienated the foundation properties to a contracting firm and that was the straw which broke the camel's back.

In contrary to the Greek implementations, Turkey allowed 61 foundations of ethnic Greeks of Istanbul to make elections to determine their executive boards in 1991. In addition to this, the foundations, of which executive boards had 3 or less than 3 members, could renew their elections in 1998.

The time has come for Greece to implement a democratic and human rights respecting minority policy. In Europe, other than giving the minorities to benefit from the existing minority rights, governments issue every day a new law that improves the life conditions of minorities. We live in Greece with our Turkish and Muslim identities and Greece does not have the right to restrict our freedom of religion. The foundations build the backbone of our minority.

We should and will not give up and should continue to express our problems at every international platform in solidarity. We believe in Turkey, our home country, and the European Union will also support our efforts.



TURKISH MINORITY OF WESTERN THRACE AND ITS RIGHTS ARISING FROM INTERNATIONAL TREATIES AND CONVENTIONS

NON-RECOGNITION OF THE TURKISH IDENTITY

Council of Europe - Framework Convention for the Protection of National Minorities, Strasbourg, 1.II.1995

The member States of the Council of Europe and the other States, signatories to the present framework Convention, Considering that a pluralist and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity;

Section II / Article 4

2. The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

Article 5

1 The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

Article 6

1.The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cul-

persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

2.The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

Council of Europe - Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocol No. 11, Rome, 4.XI.1950

Article 11 – Freedom of assembly and association

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.

Article 14 – Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a

Council of Europe - Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms

Article 1

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Charter of Paris for a New Europe, 21.11.1990

Determined to foster the rich contribution of national minorities to the life of our societies, we undertake further to improve their situation. We reaffirm our deep conviction that friendly relations among our peoples, as well as peace, justice, stability and democracy, require that the ethnic, cultural, linguistic and religious identity of national minorities be protected and conditions for the promotion of that identity be created. We declare that questions related to national minorities can only be satisfactorily resolved in a democratic political framework. We further acknowledge that the rights of persons belonging to national minorities must be fully respected as

FREEDOM OF RELIGION

Council of Europe - Framework Convention for the Protection of National Minorities, Strasbourg, 1.II.1995

The member States of the Council of Europe and the other States, signatories to the present framework Convention, Considering that a pluralist and

genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity;

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measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

Council of Europe - Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocol No. 11, Rome, 4.XI.1950

Article 9

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs

EDUCATION

Council of Europe -Framework Convention for the Protection of National Minorities, Strasbourg, 1.II.1995

The member States of the Council of Europe and the other States, signatories to the present framework Convention, considering that a pluralist and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity;

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prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

Article 14 – Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status

Council of Europe - Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms

Article 1

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general

contributions or penalties.

Article 2

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions

Charter of Paris for a New Europe, 21.11.1990

Determined to foster the rich contribution of national minorities to the life of our societies, we undertake further to improve their situation. We reaffirm our deep conviction that friendly relations among our peoples, as well as peace, justice, stability and democracy, require that the ethnic, cultural, linguistic and religious identity of national minorities be protected and conditions for the promotion of that identity be created. We declare that questions related to national minorities can only be satisfactorily resolved in a democratic political framework. We further acknowledge that the rights of persons belonging to national minorities must be fully respected as part of universal human rights them for the financial records.

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1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

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Council of Europe - Protocol to the Convention for the Protection of Human Rights and Fundamen-

Article 1

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

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RULES ON NATIONALITY AND THE ARTICLE 19

Council of Europe - European Convention on Nationality, Strasbourg, 6.XI.1997

Chapter II – General Principles Relating to Nationality

Article 4 – Principles

The rules on nationality of each State Party shall be based on the following principles:

- A. everyone has the right to a nationality;
- B. statelessness shall be avoided;
- C. no one shall be arbitrarily deprived of his or her nationality;
- D. neither marriage nor the dissolution of a marriage between a national of a State Party and an alien, nor the change of nationality by one of the spouses during marriage, shall automatically affect the nationality of the other spouse.

Article 13 – Fees

1. Each State Party shall ensure that the fees for the acquisition, retention, loss, recovery or certification of its nationality be reasonable.
2. Each State Party shall ensure that the fees for an administrative or judicial review be not an obstacle for applicants.

United Nations - Universal Declaration of Human Rights, 10.12.1948

Article 13

2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Council of Europe - Framework Convention for

National Minorities, Strasbourg, 1.II.1995

The member States of the Council of Europe and the other States, signatories to the present framework Convention,

Considering that a pluralist and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity;

Article 5

1 The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

Article 6

1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.
2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

Council of Europe - Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocol No. 11, Rome, 4.XI.1950

Article 14 – Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in

on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Council of Europe - Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms

Article 1

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Charter of Paris for a New Europe, 21.11.1990

Determined to foster the rich contribution of national minorities to the life of our societies, we undertake further to improve their situation. We reaffirm our deep conviction that friendly relations among our peoples, as well as peace, justice, stability and democracy, require that the ethnic, cultural, linguistic and religious identity of national minorities be protected and conditions for the promotion of that identity be created. We declare that questions related to national minorities can only be satisfactorily resolved in a democratic political framework. We further acknowledge that the rights of persons belonging to national minorities must be fully respected as part of universal human

POLITICAL PARTICIPATION OF MINORITIES AND THE ELECTION HURDLE OF 3%

Council of Europe - Framework Convention for the Protection of National Minorities, Strasbourg, 1.II.1995

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Section II / Article 4 / 2 The Parties

undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities

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Article 14 – Prohibition of discrimination

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OBSTRUCTION OF THE FREEDOM TO ORGANIZATION

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Council of Europe - Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocol No. 11, Rome, 4.XI.1950

Article 11 – Freedom of assembly and association

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

2.No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.

Article 14 – Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

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