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NGO in Special Consultative Status with the Economic and Social Council of the United Nations  
Member of the Fundamental Rights Platform (FRP) of the European Union Agency for Fundamental Rights  
Member of the Federal Union of European Nationalities (FUEN)

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Session III

National Minorities

## OSCE Office for Democratic Institutions and Human Rights

### Copenhagen Anniversary Conference

### “20 years of the OSCE Copenhagen Document: Status and future perspectives”

Copenhagen, 10-11 June 2010

Dear President,  
Distinguished Representatives  
And NGO Representatives,

This year, the OSCE, is commemorating the 20<sup>th</sup> anniversary of the Copenhagen Meeting of the Conference on the human dimension of the CSCE, the Copenhagen Document. Since 1990, the OSCE has created a large set of human rights and norms and standards that are part of traditional human rights and norms, and it has also developed a number of standards. The Copenhagen Document, with its subsequent document, the 1990 Charter of Paris for a New Europe has created a unique framework, comprising a set of norms, rules and standards, is the foundation of the OSCE human dimension as it exists today.

The OSCE participating States have covered a remarkable distance in the OSCE concept of security, where all dimensions of security are viewed as being complementary and mutually supportive and where the security of all is considered as indivisible. In its Helsinki Decisions of July 1992, the OSCE established the position of High Commissioner on National Minorities to be “an instrument of conflict prevention at the earliest possible stage”. This mandate was created largely in reaction to the situation in the former Yugoslavia. However, Mr. Max van der Stoep, the first OSCE High Commissioner on National Minorities (HCNM), turned his attention to the many disputes between minorities and central authorities in Europe which had the potential, in his view, to escalate. His involvement has focused primarily on those situations involving persons belonging to national/ethnic groups who constitute the numerical majority in one State but the numerical minority in another State, thus engaging the interest of governmental authorities in each State. In this relation, it is important to recall the commitments undertaken by all OSCE participating States, in particular those of the 1990 Copenhagen Document of the Conference on the Human Dimension which, in Part IV, articulates detailed standards relating to national minorities.

In its recommendations, the HCNM has encouraged and facilitated the adoption by participating States of specific measures related to national minorities and the standards the HCNM has promoted have been interpreted specifically to ensure the coherence of their application in open and democratic States. Noting that OSCE commitments are not legally binding, but rather political commitments, the OSCE has created a sort of mini-treaty of political standards on national minorities for the OSCE area.

Dear participants,

The implementation of OSCE commitments by participating States and the results achieved in further standard-setting and interpretation of minority standards is still challenging. All the areas where national minority commitments have been developed requires a detailed analysis in the 20th anniversary of the Copenhagen Document, however, a focused debate on the progress and challenges in the field of participation of national minorities in public life is rather advised in this special meeting.

Full and effective political participation of national minorities is an essential component of a peaceful and democratic society, and the electoral law or electoral system does have a great impact on the full and effective participation of persons belonging to national minorities. The participation of persons belonging to national minorities in the national Parliaments requires a detailed examination of electoral law and, in particular, of the influence of the electoral systems on the representation of political groups.

In the framework of its work on the participation of persons belonging to national minorities in public life, the European Commission for Democracy through Law (Venice Commission) underlines in a document on "[Electoral law and national minorities](#)" that only few states provide for specific rules on the representation of minorities in the elected bodies.

The Turkish Minority of Western Thrace in Greece is inadequately represented in society's policy and decision making system. After the Turkish Minority elected an independent deputy in 1989, a new electoral law was introduced in Greece, which set a threshold of 3% of the nationwide vote for a party and for an independent candidate to be represented in the Parliament. Under the current electoral law of "reinforced proportionality", political parties and independent candidates cannot enter the Parliament unless they obtain at least 3 % of the votes throughout the country, although they may have enough votes to get electoral seats in specific electoral districts. This provision makes it almost impossible for members of the Turkish Minority of Western Thrace to be elected to the Parliament, unless they run candidates with mainstream parties. In 1993, the independent minority candidate who had the largest vote among all Greek and Turkish candidates in Rhodope was unable to be elected to the Parliament, although the candidate exceeded the district's electoral quota for a seat.

The representation of the minority at local level is another deep-rooted question. Law 2240/1994, which reduced the number of prefectures and sub-districts, established enlarged electoral districts in Western Thrace which in turn caused a decrease in number of elected representatives from the Minority, because the election law Xanthi with neighbouring Kavala and Drama, and Rhodope with neighbouring Evros, where Turkish Minority is densely populated. European Commission against Racism and Intolerance (ECRI) stated in its first report that "the redistribution of the electoral districts in 1994 had adversely influenced the chances for the election of Muslim prefects or prefectural councillors".

Have been voted and adopted in principle in the Parliament in May 2010, the Kallikratis Plan, which re-establishes local administration with the aim of creation of strong and viable

municipalities, is of vital importance for the participation and representation of the minority in national and local level in the sense that it reduces the number of municipalities from 1034 to less than 370. The Kallikratis Plan reduces the number of municipalities and communities in the region of Thrace, which is comprised of Xanthi(10), Rhodope(12), Evros(13), from 35 to 13 in total. The Plan establishes new municipalities of Komotini, Maroneia, Iasmos and Arriana in Rhodope(4), Xanthi, Myki, Dimokritos and Topeiros in the city of Xanthi(4) and Alexandroupolis, Soufli, Didymoteicho, Orestiada, Samothrace in Evros(5).

It is intended that local government elections are to take place on 14<sup>th</sup> November 2010 under the new set-up of fewer municipalities. The new municipal and regional authorities will then be created on January 1, 2011 with the newly elected officials. This brings the question of adequate and fair participation and representation of the minority people at local and national level. The Government should ensure that the Minority, which establishes the majority in the region of Thrace, is participated and represented in local and national bodies, and it should engage in active dialogue with representatives of the minority in this process.

Dear colleagues,

Since inadequate representation of minority groups in decision making system ensues impediments to the full enjoyment of many civic, cultural, economic, political and social rights, full and effective participation in public and political life is of vital importance in expressing and maintaining identities of minorities. Therefore, a mechanism for dialogue between governmental authorities and national minorities should be established in the form of advisory or consultative bodies that would be the channel for national minorities to raise their own voices. Such bodies might also include special purpose committees for addressing such issues as housing, land, education, language, and culture. The composition of such bodies should reflect their purpose and contribute to more effective communication and advancement of minority interests.

Last but definitely not least, OSCE participating States, including Greece should create a consultative mechanism, at national, regional and local levels which would ensure an institutionalised, open, sincere and continuous dialogue based on mutual respect and tolerance with the representatives of the minorities on issues which interest to them.