



SUPPLEMENTARY HUMAN DIMENTION MEETING
ON FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION,
WITH EMPHASIS ON FREEDOM OF ASSOCIATION
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The Freedom of Association in Greece The Case of Western Thrace Turkish Minority

Thank you very much Ms/Mr Moderator,

The right to freedom of assembly and association is one of the cornerstones of each democratic society. It is also the indicator of pluralism and participative democracy. So, the respect to the full enjoyment of this right can be considered respect to democracy and democratic values.

The OSCE Participating States in the 1990 Copenhagen document have agreed on the strengthening respect and promotion of the freedom of association as well as other fundamental human rights. In part IV of the 1990 Copenhagen document the measures regarding national minorities are stated.

32.6 Persons belonging to national minorities have the right freely to express, preserve and develop their ethnic, cultural, linguistic or religious identity and to maintain and develop their culture in all its aspects, free of any attempts at assimilation against their will. In particular, they have the right to establish and maintain organizations or associations within their country and to participate in international non-governmental organizations.

However, in some Participating States, like Greece, some limitations placed by authorities on this right due to public order. Although Greece has the obligation to respect and protect the right of all persons to peacefully gather and form associations as it is stated in the Constitution (Articles 11 and 12) and in the provisions of 1990 Copenhagen document and other human rights instruments, She restricts the full enjoyment of freedom of association, especially for the ethnic Turkish minority of Western Thrace. Three associations of the Turkish Minority of Western Thrace were banned since they have the word "Turkish" / "Turk" in their titles. Also the State authorities do not let the Turkish minority members form new associations with ethnic Turkish denominations. In three cases the European Court of Human Rights decided that Greece violated the right to freedom of assembly and association. (Tourkiki Enosi Xanthis and Others v. Greece (no. 26698/05) / Emin and Others v. Greece (no. 34144/05) / Bekir-Ousta and Others v. Greece - 35151/05).

After the ECtHR's decisions in favour of the Minority Associations, the Greek officials started to say that "We strive for the solution of the problem" as a delaying tactic just to gain time and keep the issue pending. It is clear that Greece fails to implement the ECtHR's decisions and international standards regarding the freedom of association and the authorities keep on repeating at various national and international fora that they are working on new regulations for amending the Greek domestic law so as to cease contradicting with the ECtHR's jurisprudence. However, the three cases exemplify that the Greek authorities are quite decided not to allow the operation or re-registration of the associations bearing the word "Turkish" in their titles. The authorities also seem to have no intention to make legal arrangements for the implementation of the ECtHR decisions.



Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to pluralism and democratic values of States in which they live,

Recalling the part IV of the 1990 Copenhagen Document that the participating States will adopt, where necessary, special measures for the purpose of ensuring to persons belonging to national minorities full equality with the other citizens in the exercise and enjoyment of human rights and fundamental freedoms,

Recalling the Greek Constitution that all Greeks are equal before the law and as specified by law Greek citizens and Greeks shall have the right to form non-profit associations and unions,

Reminding the Article 46 of the European Convention on Human Rights on binding force and execution of judgments that the High Contracting Parties undertake to abide by the final judgment of the Court in any case to which they are parties,

The Western Thrace Minority University Graduates Association calls upon the Greek State:

To ensure that the right to freedom of peaceful assembly and association is enjoyed by every segment of the society, either individually or as a group, without discrimination on the basis of ethnic or social origin,

To ensure that any restrictions on the rights to freedom of peaceful assembly and association are prescribed by law, in line with the democratic values, and not to destroy the principles of pluralism and tolerance of others,

To repeal any restrictions on the right to freedom of association discriminating against Turkish minority of Western Thrace,

To facilitate dialogue with the Turkish Minority representatives on the related issues to build trust,

To ensure that the policy makers and the judicial authorities comply with the OSCE requirements and other international standards to protect the right to peaceful association of the Turkish Minority without any delay,

To refrain from discriminating the Turkish Minority members of peaceful assembly and association through ethnic denomination and repeal the decisions about the century – aged Turkish Associations,

To promote gender equality and pluralism eliminate any obstacles and abolish all discriminatory implementations regarding the freedom of association of the Turkish Women of Western Thrace,

To execute or enforce ECtHR's judgments related to the Turkish Minority of Western Thrace,

To respect the provisions of international human rights documents and to promote the implementation of those provisions,

And the OSCE Participating States should work on or develop much more effective and binding monitoring mechanisms also encourage some Participating States, like Greece, to implement OSCE and other international human rights provisions.

Thank you for your attention.