



**OSCE Supplementary Human Human Dimension Meeting  
Promotion of Freedom of Expression:  
Rights, Responsibilities and OSCE Commitments  
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Session I: The Right to Freedom of Expression**

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**Freedom of Expression in Greece**

**Thank you Mr. Moderator, My name is Pervin Hayrullah (Chairoula) and I am representing Western Thrace Minority University Graduates Association.**

Freedom of expression is one of the important and indispensable components of contemporary democracy to work and to be a part in the decision making procedures.

It is also among the basic fundamental rights, such as freedom of thought, conscience and religion, freedom of development personally or as a group, and freedom of assembly and association.

As being one of the important values of the democratic societies the freedom of expression is the indicator of personal and collective liability, human dignity, social inclusion and participation.

The violation of the freedom of expression means also the violation of other fundamental rights.

**The right to freedom of expression is guaranteed in:**

**The European Convention on Human Rights by Article 10:**

- 1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.*
- 2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.*

**The Universal Declaration of Human Rights by Article 19:**

*Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*

And in many other international materials as well as in the OSCE documents.

In Greece the Constitution by its Article 14 describes the freedom of expression with a very lengthy provision consisted of 9 paragraphs. However, they need some structural modification in order to be put into practice.

Unlike the provisions of international documents and the Greek Constitution the freedom of expression and press of the minorities in Greece is violated by the State authorities themselves.



### Examples:

**The freedom of press of the Turkish Minority** is constantly violated through intimidation and other means whereby arbitrary and vigorous fiscal and legal controls. No day passes without a journalist from minority newspapers being summoned to a police station or a tax office to be questioned on ludicrous grounds. In one case in Xanthi a Minority member journalist was warned by a high level local officer, in presence of his lawyers, that "if he insisted to continue naming the Minority as Turkish, one day a Greek patriot may pick-up a stone and smash his head with it". It may sound as a threat to a democratic western society but is a common daily situation for the Turkish Minority.

**Another absurd example is the law on media (Law no: 3592/2007).** This "Law on the Concentration and Licensing of Media Enterprises" brought upon several restrictive provisions that endangers freedom of press, expression and dissemination of information. According to provisions of the Law, media entrepreneurs are required to deposit a minimum of 30.000-100.000 Euros, recruit at least 5-20 staff depending on their specialization, broadcast for 24 hours and use Greek as the main broadcasting language. Small minority radio stations broadcasting in the prefectures of Rhodopi and Xanthi have difficulties in meeting those restrictive criteria. The then OSCE Representative on Freedom of the Media, Mr. Miklos Haraszti, expressed his concern about the new media law in the press release dating to 27 July 2007. In this statement, he claimed that the new law sets high and unnecessarily rigid thresholds that might have adverse effects on minority, community or low-cost broadcasters.

**Similar to problems about broadcasting in Turkish, Minority newspapers, *Gundem and Millet*, were sentenced to pay excessive amount of compensations as a result of a civil law suit.** They were punished on the grounds that they had published unsubstantiated news articles about a Greek teacher working in a minority school in Western Thrace. Now, the cases are before the Supreme Court of Greece (Arios Pagos).

The freedom of expression is a fundamental right highlighted in many international documents. However, in practice the violations continue by the Participating States' authorities.

Therefore,

Reaffirming all the provisions and commitments of the international documents regarding the freedom of expression,

The Participating States should

- develop or amend their legislations in conformity with the international provisions and commitments,
- promote and protect media pluralism within their borders,
- respect and ensure the freedom of opinion and expression,
- take preventive measures for the hate-speech,

Also a serious and effective monitoring mechanism should be developed and fact finding missions of OSCE should visit the problematic localities.