



# Avrupa Batı Trakya Türk Federasyonu Föderation der West-Thrakien Türken in Europa Federation of Western Thrace Turks in Europe Ευρωπαϊκή Ομοσπονδία Τούρκων Δυτικής Θράκης Fédération des Turcs de Thrace Occidentale en Europe

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## Afternoon Plenary session 4: Combating intolerance and discrimination against Muslims

Mr. Moderator,  
Distinguished representatives of delegates,  
And esteemed NGO representatives,

Despite commitments of participating States and their efforts to eradicate racism and intolerance with manifestations of hate crime, crimes motivated by bias or hatred remain a daily reality across the OSCE region.

We monitor the rise of far-right extremism in Europe with great concern and the situation is all the more serious as extremist political parties have gained an increased influence in national parliaments and governments. The Golden Dawn in Greece won 6, 92% of the vote in the national elections of June 2012 and 18 seats in the Greek Parliament. In an interview with Human Rights Watch before the elections, the leader of the Golden Dawn, Nikolaos Michaloliakos explained, “We want Greece to belong to the Greeks. We are proud to be Greek; we want to save our national identity, our thousands-year history. If that means we are racist, then yes we are. We don’t want to share the same fate of the Native Americans. Right now, the immigrants are the cowboys and we are the Apache.”<sup>1</sup>

The rising Islamophobia and the increasing trend in hate-motivated attacks against migrants and asylum seekers, most of whom are Muslim, is an increasingly alarming problem for Greece in a period of deep economic crisis. Greek Helsinki Monitor stated that hate-motivated incidents against migrants and asylum seekers on the basis of the colour of their skin, their religion or their country of origin have increased dramatically and have become an almost daily phenomenon in Greece<sup>2</sup>.

The Commissioner noted that in addition to migrants, other social groups have also been targeted by hate speech and violence including Muslim minority of Turkish origin. In the period after the election of Golden Dawn to the Greek Parliament, the attacks were recorded against the minority by perpetrators linked to Golden Dawn members or supporters.

<sup>1</sup> Human Rights Watch interview with Nikolaos Michaloliakos, Athens, January 12, 2012.

<sup>2</sup> [http://cm.greekhelsinki.gr/uploads/2012\\_files/ghm1418\\_racist\\_violence\\_diktyo\\_english.pdf](http://cm.greekhelsinki.gr/uploads/2012_files/ghm1418_racist_violence_diktyo_english.pdf)

The Golden Dawn supporters made demonstrations in the villages where the Minority lives and chanted slogans against the Minority and Turkey. In Xanthi and Komotini, Golden Dawn supporters with Greek flags in their hands drove by the Turkish villages by motorbikes and cars. In August 2012, a group of nearly 150 members of extreme nationalist Golden Dawn(Chrysi Avgi) party marched toward Komotini Turkish Youth Union(Gümülcine Türk Gençler Birliği)(GTGB) and chanted slogans against Turkey and Turkish Minority of Western Thrace, and the group threw bottles to the garden of the association. At that day, Golden Dawn organized a demonstration in order to protest the settlement of illegal immigrant to the police schools in Komotini and Xanthi. After the demonstration, a group of demonstrators marched toward the Turkish Consulate in Komotini, but the police did refuse access of the group to the street on which the consulate is located. Subsequently, the group congregated in front of the GTGB building. The group chanted Greek national anthem and shouted slogans against Turkish Minority and Turkey, then threw bottles to the garden.<sup>3</sup>

The attack against the Komotini Turkish Youth Union resulted in an environment of fear among the members of the Turkish Minority of Western Thrace that racist attacks against persons and properties belonging to the Turkish Minority of Western Thrace will increase. In September 2012, Cemali Mülazım was attacked by Golden Dawn supporters in Xanthi's centre as he was hanging a placard of an event. A group of 7 to 9 persons attacked Cemali Mülazım and beaten him. One of the perpetrators was sentenced to 8 months of imprisonment by Xanthi Criminal Court, but the enforcement of the verdict has been deferred for 3 years. Another example of physical attack is that Golden Dawn supporters attacked Cüneyt Serdar, while he was passing through during a tension between an anarchist group and the Golden Dawn members on demonstration at Xanthi's centre and beaten him blatantly. Cüneyt Serdar (30) was taken to hospital with ambulance given the serious injury he has got on his head and face that he had to have stitches.

We strongly believe that it is crucial that Greece should condemn firmly and unequivocally all manifestations of hate crime. It is very essential that political leaders should condemn and refrain hate-motivated speech in politics. We regret that the Greek Parliament's reaction to hate speech has been weak. On 16 January 2013, PASOK Rhodope MP Mr. Ahmet Hacıosman was verbally attacked by Golden Dawn deputies during a debate about the adjustment of Law 3536/2007 in the Greek Parliament. Mr. Panayotis Iliopoulos, the deputy from Golden Dawn Party accused Mr. Hacıosman of being an "agent" of Turkey. The Parliamentary Group Spokesperson of Golden Dawn Party Christos Pappas said that Golden Dawn will work hard to prevent any Turkish deputy from being sworn into the Parliament. The deputies showed a photograph of Hacıosman while he was visiting a foundation in Turkey dedicated to issues regarding Western Thrace as evidence of their claims.<sup>4</sup> Unfortunately, there was no strong reaction by the parliament to this hate-motivated speech.

All forms of hate crimes constitute serious human rights violations and there is a need to impose on the perpetrators of sentences that are effective, proportionate and appropriate to the offence committed. Law 927/1979 (as subsequently amended) on punishing acts or activities aiming at racial discrimination with regard to the incitement to hatred and dissemination of racist ideas penalizes "to willfully and publicly, either orally or by the press or by written texts or through pictures or any other means, incite to acts or activities which may result in discrimination, hatred or violence against individuals or groups of individuals on the sole grounds of the latter's racial or national origin(or by virtue of article 24 of Law 1419/1984) religion, and, "to express publicly, either orally or by the press or by written texts or through pictures or any other means offensive ideas against any individual or group of individuals on the grounds of the latter's racial or national origin or religion". The Commissioner noted that Law 927/1979 is rarely applied. The Commissioner noted that The Greek Minister of Justice, Antonios Roupakiotis, confirmed in October 2012 that "few prosecutions for crimes regulated by Law 927/1979 have been initiated in recent years, at least on the basis of data

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<sup>3</sup> <http://www.batitrakya.org/bati-trakya/bati-trakya-haber/yunanistanda-turklere-cirkin-saldiri.html>

<sup>4</sup> <http://www.todayszaman.com/news-304266-greeces-turkish-politicians-rally-against-controversial-imam-law.html>

that are sent from prosecutors' offices to the Ministry, while the relevant statistical data never record criminal offences carried out on racist grounds.”

The Commissioner noted that the problem of non-application of the aggravating circumstance provision originates in the non-inclusion in the file or non-examination by the police, prosecutors or courts, of evidence related to the racist or other motivation of a criminal offence caused ineffective application, or non-application, of the existing anti-racism legislation.

The Criminal Code stipulates that a crime committed on the basis of national, racial or religious hatred, or hatred on the grounds of sexual orientation constitutes an aggravating circumstance for sentencing. During the assessment of a penalty courts must evaluate the defendant's personality and consider as an aggravating circumstance the fact that the criminal act at issue has been committed on grounds related to ethnic, racial or religious hatred or hatred due to the victim's sexual orientation. Council of Europe's Commissioner noted with grave concern that that it has never been applied by courts in Greece so far, leading to the imposition of excessively lenient, non-dissuasive penalties. For example, in September 2012 the Xanthi Magistrates Court imposed a suspended sentence of eight months and a pecuniary fine of €200 on a person reportedly linked to “Golden Dawn” who had violently attacked Cemali Mülazım, a member of the Muslim minority of Turkish ethnic origin.<sup>5</sup>

We welcome the government's effort in transposing the European Council Framework Decision 2008/913/JHA of 28 November 2008 “on combating certain and in forms and expressions of racism and xenophobia by means of criminal law” replace Law 927/1979, although the deadline was 28 November 2010. The Ministry of Justice has prepared a new legislation against racism which proposes harsher penalties for all forms of hate speech, with prison sentences from three to six years and fines up to 20.000 euros, while deprivation of political rights would be considered in certain cases, we regret that the government has suspended the new legislation for reassessment. The government should immediately finalize the legislation text and send it to the parliament with no further delay.

Greece should ensure co-operation, where appropriate, at the national and international levels, including with relevant international bodies and between police forces, to combat violent hate crime. ABITF urges Greek authorities to set up of a national consultation body which acts as a permanent monitoring centre and increase public awareness of the problem of the dissemination of incitement to hatred in public discourse. We invite the Government of Greece to impose effective penalties or prohibition, if necessary for the extremist activities of political organizations, including Golden Dawn political party. Such political parties where evidence demonstrates that they advocate for and are involved directly or indirectly in acts of racist violence, must be banned and excluded from all state subsidies which are usually provided to political parties.

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<sup>5</sup>[https://wcd.coe.int/ViewDoc.jsp?Ref=CommDH\(2013\)6&Language=lanEnglish&Ver=original&BackColorInternet=B9BDEE&BackColorIntranet=FFCD4F&BackColorLogged=FFC679](https://wcd.coe.int/ViewDoc.jsp?Ref=CommDH(2013)6&Language=lanEnglish&Ver=original&BackColorInternet=B9BDEE&BackColorIntranet=FFCD4F&BackColorLogged=FFC679)