



Western Thrace Minority

ENGLISH only

University Graduates Association

**OSCE
HIGH – LEVEL CONFERENCE ON
TOLERANCE AND NON – DISCRIMINATION
Astana, 29 – 30 June 2010**

COMBATING INTOLERANCE AND DISCRIMINATION AGAINST MINORITIES IN GREECE

The Case of Western Thrace Turkish Minority

Western Thrace Turkish Minority is almost entirely Muslim. The treatment of the Turkish minority by the Greek Government has been affected by both ethnic and religious aspects. Although the Greek government does recognize the Muslim Minority in her territory the authorities unacceptably prosecutes and bans associations with denomination “Turkish”. Turks have been living in the region since at least 13th century. Despite **the Peace Treaty of Lausanne** which guaranteed the rights of the minority, the Turkish people in Western Thrace have been discriminated in many ways.

Today, the estimated number of 150.000 ethnic Turks lives in Western Thrace. As mentioned above the legal status of this minority was established by the Peace Treaty of Lausanne which was signed in 1923, the bilateral agreements signed between Greece and Turkey and the international instruments concerning human and minority rights which Greece signed and ratified.

At the beginning of the last decade the new minority policy based on the principles “equality before the law” and “equality in civil rights” put into practice since then there have been some improvements concerning the basic citizenship rights. Members of the Turkish Minority of course, accept these as positive developments; however, still much remains to be done for the full utilization of minority rights. Denial of ethnic identity, freedom of association and peaceful assembly, religious freedom, charitable foundations, expelled citizens and educational rights are still the main problems of Western Thrace Turkish Minority.

The denial of ethnic identity of Western Thrace Turks by the Greek government has been one of the most contentious issues regarding the government’s minority policy. Until the Junta regime in 1967 the identification of the Minority as Turkish was not prohibited. By the advent of Junta regime, however, the authorities started to call the Minority as “Muslim” and since then, they continued to reject the



ethnic Turkish identity in Western Thrace. Today, Greece still insists on the policy of denying ethnic Turkish identity of the minority.

Moreover, Turkish associations are still banned and courts continue to refuse registering new Turkish associations. The Cases of Xanthi Turkish Union (Tourkiki Enosi Xanthis v. Greece, No: 26698/05) and The Cultural Association of Turkish Women of Rodopi (Emin and others v. Greece, No: 34144/05) are the striking examples of this unacceptable implementation of the Greek authorities. It should be also important to note that even the word 'minority' caused problem for the establishment of a new minority association, especially in the Prefecture of Evros. Since 1995, "Evros Minority Youth Association" has been struggling to register the association despite the existence of the relevant ECtHR decision (Bekir-Ousta and others v. Greece, No: 35151/05). Application by another minority association that was formed by the minority people living in the Southern Evros region was also rejected by the Court of First Instance of Alexandroupolis (on 23 April 2009) and Court of Appeals of Thrace (on 12 February 2010). The argument was that the word "minority" in the title of the association ("Western Thrace Minority Southern Evros Culture and Education Association") was vague and might endanger public order.

In the past, the Turkish/Muslim community was allowed to elect their own muftis (religious leaders). Since 1990 these have been largely appointed by the government. The European Court of Human Rights concluded on 4 instances, i.e. Serif v. Greece (14 December 1999-Case No: 38178/97), Agga v. Greece (No.2) (17 October 2002-Case No: 50776/99 & 52912/99), Agga v. Greece (No.3) (13 July 2006 – Case No: 32186/02) and Agga v. Greece (No.4) (13 July 2006 – Case No: 33331/02) that Greece has violated Article 9 of the ECHR. Given the finding that there has been a violation of Article 9, State continues to disregard minority's elected Muftis and works through a number of appointed officers who lack credibility and respect even among their own people. The authority of the individuals appointed by the State to the Offices of Mufti in Komotini, Xanthi and Didimoticho is disputable since they are not accepted and recognized by the minority population. The minority, on its part, expects the government to cease interfering in the field of divine conscience and finally recognize minority's right to elect its own religious leaders.

The new bill 3536/2007 regarding the appointment of 240 imams/Islamic (seminary) teachers is contrary to the article 43 of the Peace Treaty of Lausanne that protects the religious freedom of the Muslim Turkish Minority. According to the provisions of this law, these 240 imams or seminary teachers would be appointed by a 5 member committee composed of Christian officials. Like that of 1992 UN Declaration on Minorities, other provisions of international treaties and documents that Greece signed and ratified promoted Minority's religious autonomy. This new application which is totally refused by the minority threatens the freedom of faith of the Minority. There are more than 250 mosques operating in Western Thrace. Almost all of the imams practicing in those mosques are selected and paid by the members of the Muslim Community. Imams are also in a position of religious leaders of small



communities and their appointment by a Christian committee is against the Islamic Faith.

The government has often held up or denied building permits to repair or expand mosques. Persons who have affected repairs without a permit have been prosecuted.

Muslim Charitable Foundations (Waqfs) constitute an essential part of Minority's cultural, historic and religious heritage. On the contrary to the bilateral treaties the Greek government appoints administrators to the Waqfs of the Minority. Furthermore, the State imposes excessive taxes and legal sanctions on the properties owned by the Muslim Charitable Foundations for four decades. Minority's inability to govern and have access to the accounts of these Waqfs also prevents them from dispensing the revenues obtained thereof towards society's vital needs, such as the maintenance and improvement of schools and repairs or build mosques.

Although the provisions of the law passed in 2007 (No: 3554) erased the existing debts of waqfs, the fines and income taxes imposed on them remained intact. The new law (Law no: 3647/2008) on the administration of waqfs passed on 7th February 2008 was prepared without taking into consideration Minority's opinions and proposals. Although the new law foresees the appointment of board members with elections, the minority does not endorse the provisions of the law that give excessive jurisdictions to the Secretary General of Eastern Macedonia and Thrace region as well as the tutelage powers vested in the office of the "appointed" Muftis. It should also be noted that, before the passing of the said law, the Minority had communicated its opinion and remarks regarding the draft bill to the Government, which proved a futile effort since the Administration once again disregarded the Minority's will.

The Article 19 of the Greek Citizenship Law (No: 3370 of 1955) was an obvious case of racial discrimination and a flagrant violation of the fundamental right to citizenship. Under Article 19 of the Citizenship Law, the Greek government "*unilaterally and arbitrarily*" revoked the citizenship of about 60,000 non-ethnic Greeks. This law was abolished in 1998, but except some 200 persons living in Greece up until 2010 no steps have been taken for the victims of the Article 19.

The compulsory education in Greece (including the pre-school education) is 10 years. However, it is not applied for the minority schools, where the compulsory education is limited to 6 years. According to the Law No. 3518/2006, pre-school education has become compulsory. The new law is not in line with the international and bilateral agreements concerning the minority education system in a way that all pupils with different linguistic, religious and cultural background across the country as well as the members of the Turkish Minority of Western Thrace are obliged to follow the compulsory pre-school education which is only offered in the Greek language. Indeed, the new law on pre-school education does not stipulate any special measures for minorities. Compared to the existence of 194 minority primary schools, there is no minority nursery school in Western Thrace. The Muslim Turkish Minority of Western



Thrace would like the pre-school education to be included within the autonomous minority education system so that in nurseries pupils would have the opportunity to get instruction both in Greek and Turkish languages. To address Minority's need for bilingual (Turkish-Greek) nursery schools 211 local administrators with minority background (including mayors, ex members of the Hellenic Parliament and members of the city councils) signed a petition in which they highlighted minority's will of opening bilingual minority nursery schools. The signatures were handed over to the Minister of Education by minority MPs. The number of minority secondary and high schools in Western Thrace is inadequate. There are only 2 minority high schools in the region, one in Komotini, the other in Xanthi. In Komotini, where the Turkish minority constitutes more than half of the population, there is only one Turkish minority high school vis-à-vis 24 state high schools. Likewise, in Xanthi, % 45 of the population of which is of the Turkish minority, there is just one Turkish minority high school vis-à-vis 37 state high schools.

Hate Crimes Victimized Western Thrace Turkish Minority

Hate crimes, also known as bias motivated crimes, occur when perpetrators target victims because of their different race, religion, ethnicity, gender, or sexual orientation. They can occur in many forms, such as: physical assault, damage to property, verbal abuse or insults, etc. Hate crimes mostly affect community cohesion and social stability if there is no relevant preventing instrument.

In Greece Law no 927/1979 on "punishing acts or activities aiming at racial discrimination" penalizes:

- a) 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;
- b) 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.

Also, in 2008 a new Law entered into force (No: 3719/2008) providing that the commission of a crime on the basis of national, racial or religious hatred or hatred on the grounds of a different sexual orientation constitutes an aggravating circumstance.

The practice in Western Thrace, however, is not in line with the aforementioned Laws. As a result of discriminative nature of Greek minority policy, persons as well as the properties belonging to Muslim-Turkish Minority in Western Thrace are subject to hate crimes.

In the year 2009, hatred towards the holy places of the Muslim-Turkish Minority appears to be widespread. Violent incidents against Muslim-Turkish Minority and their holy



places are often triggered by local and national media and anti-Turkish/Muslim hysteria of ultra-nationalist groups. The authorities on the other hand, have not introduced effective measures or precautions, but simply recorded and occasionally condemned the hate crimes. Due to the ignorance of the authorities regarding the implementation of the above-mentioned legislation, the number of attacks is increasing day by day.

Examples of Hate Crimes in Western Thrace



Arson Attack to Toxotes Mosque (2 September 2009)

The mosque in the village of Toxotes, located in the Prefecture of Xanthi, was attacked and some unidentified person/s tried to put the mosque on fire. The window of the mosque was broken and a gallon of oil was thrown into the mosque. As it can be seen from the pictures, the carpets and air conditioners were damaged. Fortunately, the fire did not cause more damage since tightly closed windows

and doors blocked any fresh air to get in to the mosque. Despite the investigations by the police, the perpetrators were not found.

This was actually the third attack to the mosque in the last 5 years. In the arson of 7 March 2004, the mosque was totally destroyed and it was refurbished with the voluntary donations of the Turkish Minority of Western Thrace, with some help extended by the Prefecture of Xanthi for reconstruction. On 1 November 2007, some people tried to put the mosque on fire once more, but the heavy rain on the very same night extinguished it. On both instances, the vandal/s could not be identified and persecuted.





Attack to the Hürriyet Mosque in Xanthi (12 November 2009)

The windows of the mosque in the centre of the city of Xanthi was broken with the stones thrown by some vandals in midnight. In spite of the complaint lodged by the religious staff of the mosque, the perpetrators of the attack were not found and persecuted.





Attack to the Sünne Mosque in Xanthi (6 December 2009)

The windows of an another central mosque in the city of Xanthi was broken, and some degrading phrases were written on its wall against the Muslim-Turks and their holy book Kuran. The vandals painted obscene pictures on the walls of mosque. In this instance too, the perpetrators remained unidentified.





Damages to the Muslim Cemetery in Tekton Village (January 2009)

The local authorities in the Municipality of Vistonida failed to respect the Muslim cemetery while landscaping the area. The cemetery was damaged in order to open a road for trucks in early 2009. Some historical tombs that are older than 100 years were damaged. The Turkish Minority of Western Thrace protested against this non-respectable behavior, and minority origin member of the Hellenic Parliament from the Prefecture of Xanthi, Mr. Cetin Mandaci, formally brought this issue to the attention of Ministry of Interior. It was claimed that the cemetery was not damaged, while also denying the fact that the cemetery was a communal property of the Muslims-Turks living in the region. Although the local authorities promised to protect the cemetery by fencing, nothing has been achieved so far.





Attack to the Muslim Cemetery in Komotini (February 2010)

The historical cemetery in the centre of the city of Komotini (called Poşboş Cemetery) was attacked by people affiliated to the ultra-nationalist groups. The tombs were painted with some degrading phrases.



Attack to the Turkish Youth Union of Komotini – (March 2010)

On 21 March 2010, an attack took place against the Turkish Youth Union of Komotini. During the attack on Sunday night around 03:00 am, an unidentified person or persons broke the windows of the building with paving stones. Police officers have investigated the crime scene and estimate that the attacks took place approximately around 03:00 am. Because windows were broken with cobbles, it is thought that at least two persons were involved in the attacks. Still, due to the fact that the door on the west-side of the building could not be opened, the persons failed to enter the building. During the investigation of the crime scene, police took fingerprints. Up to now the vandals could not be arrested.





Examples of Hate Crimes in Dodecanese Islands

There are also more than 5.000 Turkish people living in the Dodecanese islands, acquired by Greece in 1947 according to the provisions of the Paris Treaty signed after the Second World War. Greece officially denies the minority status of the Muslim-Turks in the region by arguing that they are excluded from the minority protection regime stipulated under 1923 Lausanne Treaty. Muslim-Turks of the region are faced with some similar problems with that of the Turkish Minority of Western Thrace (inter alia, administration of Muslim pious foundations called waqfs, election of their religious leader called Mufti, having an access to minority education in Turkish and the like).

The Turkish minority of Dodecanese islands have also suffered from hate crimes. For example, the eight tombs belonging to the prominent religious figures as well as the Muslim cemetery comprised of 256 graves, both located in the religious complex called Murat Reis Külliyesi in Rhodes, were totally left to demolition. The small-scale restoration project initiated by the government had nothing to do with preservation of the historical-religious character of the religious complex, and the attacks to the historical tombs located in the cemetery continued in the year 2009 (Exhibit-VI). It was also reported that some groups have occasionally distributed leaflets to discourage shopping from the minority owned enterprises.

Attacks to the Historical Tombs in Rhodes





BEFORE



AFTER



AFTER





CONCLUSION

As can be seen from the above examples, the Turkish-Muslim Minority in Greece is constantly subjected to intolerance, discrimination as well as hate crimes due to the ignorance of the authorities and futile implementation of the relevant legislation.

As law-abiding and exemplary citizens of Greece, the members of the Turkish-Muslim Minority in Western Thrace and Dodecanese islands call upon the Greek state:

To introduce effective measures to prevent the attacks, like the ones described above, from reoccurring.

To take necessary steps to recognize and appoint popularly elected muftis, and abolish the practice of state appointed imams (law no: 3536/2007) that is against the religious autonomy of the Turkish-Muslim Minority that was enshrined in the 1913 Athens, 1920 Sevres and 1923 Lausanne Treaties.

To implement the commitments of international and bilateral human and minority rights instruments, without any discrimination, the rights to freedom of association and peaceful assembly, the right to freedom of thought, conscience, religion or belief.

The members of the Turkish-Muslim Minority in Western Thrace call upon OSCE Participating states:

To monitor the implementation of their commitments and take necessary measures to encourage the full implementation of the commitments.

Contact Person: Ms. Pervin Hayrullah (Chairoula)

Member of WTMUGA

Address: Egnatias 75, 69100 Komotini – Greece
Tel/Fax: +30 2531 0 29705
E – Mail: btaytd@otenet.gr / URL: www.btaytd.com