



Western Thrace Minority
University Graduates Association

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**OSCE HIGH-LEVEL CONFERENCE ON
TOLERANCE AND NON-DISCRIMINATION
(INCLUDING HUMAN RIGHTS YOUTH EDUCATION ON
TOLERANCE AND NON-DISCRIMINATION)**

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**WESTERN THRACE TURKISH MINORITY
RELIGIOUS AUTONOMY AND GREEK VIOLATIONS**

Western Thrace lies in the northeasternmost edge of the Greek mainland. It encompasses an area of 8,575 square kilometers and it is composed of three prefectures (sub regions), Rodopi (Rodop in Turkish), Xanthi (Ískeçe in Turkish) and Evros (Meriç in Turkish) with their head cities Komotini (Gümülcine in Turkish), Xanthi, and Alexandroupolis (Dedeğaç in Turkish) respectively .

The exact statistical figures about the demography of the Minority are still unknown since the last official census with criteria such as mother tongue and ethnicity was conducted more than 50 years ago. According to the latest official estimates dating back to 2011 and belonging to the highest regional state authority, Region of Eastern Macedonia and Thrace, the population of the Minority was stated to vary between 140.000 and 145.000.

An international treaty established the minorityhood of the Muslim Turkish population, which is the 1923 Peace Treaty of Lausanne (1923). Later, the minority regime was strengthened with the bilateral agreements that Greece signed with Turkey, such as the 1951 Cultural Protocol and the 1968 Cultural Agreement as well as the ratification of those international agreements, conventions and declarations produced particularly by the European Union (EU), United Nations (UN), Council of Europe (CoE) and Organization for Security and Cooperation in Europe (OSCE).

RELIGIOUS AUTONOMY

Islam is a historical phenomenon in Western Thrace introduction and development of which goes back to the westward expansion of the Ottoman Empire in the late 14th century. Since then, characteristics of Islam have been survived under the Ottoman administration of Western Thrace. Nevertheless, the Muslim Turkish minority in Western Thrace started to face serious problems regarding issues about religious liberties safeguarded by bilateral and international treaties that Greece is a party of, e.g. the 1923 Peace Treaty of Lausanne, the 1913 Athens Treaty.

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Religious Heads/Muftis

One of the fundamental problems in the realm of religious freedom of the Turkish minority is about to define their own religious heads/muftis, a right which is guaranteed under the 1881 Istanbul Treaty, 1913 Athens Treaty, 1920 Treaty of Sevres (Greek Sevres), Law 2345/1920 and the 1923 Peace Treaty of Lausanne. Until the death of the Mufti of Komotini, there were three offices of muftis in total serving as the religious leaders of the Muslim Turkish minority; each prefecture had one mufti who was defined by the Minority members. Until 1985, the Greek governments had no controversy with the Minority over the Muftis *per se* and their authorities falling within the realm of religious autonomy of the Minority. However, Greece started to interfere in issues of Muftis for the first time after 1923 by refusing the right of its Muslim Turkish citizens to determine their own religious leaders.

Since the beginning of the 1990s, Greece has been rejecting the right of the Minority members to elect their muftis. Rather, it insists on appointing them on the grounds that muftis do also have judicial authorities over application of the Islamic/Sharia Law in Western Thrace in matters of inheritance, marriage and divorce. Here, it should be clarified that the Islamic law practiced by Muftis across Western Thrace is not obligatory. In other words, members of the Turkish minority have the right to decide whether to choose the Sharia Law or Greek Civil Law regarding their family and inheritance issues. Moreover, Mufti's judicial decisions are not legally binding unless approved by competent Greek Courts. Therefore, a member of the Turkish minority unhappy with the final decision of the Sharia Tribunal has the right to apply the local Greek court and complain about the decision given through Islamic Law.

Although Muftis have had such authorities for centuries emanating from Islamic Law, it was the early 1990s when Greece started to prevent its Minority citizens from electing their religious heads.

Since the early 1990s, the appointment of muftis by the Greek state to all three Offices of the Mufti in Komotini, Xanthi and Didimoticho has created strong resentment among the Minority members towards the Minority. Regardless of the fact that Greece appoints Minority members to the Muftis' Offices across the region, members of the Muslim Turkish minority continue electing their own religious heads. As a result, a double-headed structure at the highest religious level has been formed. Since the early 1990s, two parallel muftis have been in each prefecture; an elected mufti defined by the Turkish minority and an appointed one determined by the Greek state. The vast majority of the Turkish Minority sides with the elected mufti and accepts him as their religious leader while rejecting the authority of the appointed mufti.

Various controversies between the Minority and the Greek state over the muftis also took an international dimension in the second half of the 1990s. After being prosecuted for usurping authority of the appointed mufti, elected muftis applied to the European Court of Human Rights. On several instances, the Court concluded that Greece had violated Article 9 of the ECHR (*Serif v. Greece* (14 December 1999-Case No: 38178/97), *Agga v. Greece* (No.1-2) (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). In spite of these

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decisions from the highest level, the Greek state ignores the ECtHR verdicts and continues to disregard minority's elected Muftis. It insists on working through appointed muftis who lack credibility and respect even among the Muslim Turkish people.

In the second half of December 2010, the term of the appointed mufti in Komotini was extended for a third time for ten more years. The same procedure was also applied for the appointed mufti of Xanthi in August 2011. The authority of those individuals appointed to the Offices of Mufti in Komotini, Xanthi and Didimoticho is disputable on the grounds that the vast majority of the Minority population does not accept and recognize them as their religious leaders. Thus, the Minority, on its part, expects from the Greek state to cease interfering in the field of divine conscience and finally respect the Minority's right to elect its own religious leaders.

Contrary to such demands to define their own muftis Greece, however, keeps repeating the main reason behind appointing the Muftis; along with their religious duties, muftis also have judicial powers based on application of the Sharia Law only in matters of inheritance, marriage and divorce of the Minority. Also, the Greek officials add that Muftis actually function after being appointed in all Muslim countries. However, in many countries where Muslims form minority communities there are also Muftis who are elected rather than being appointed. For instance, Bulgaria allows their Muslim Turkish citizens to elect their own religious heads without any major interference.

Religious Charitable Foundations

Similar to the aforementioned controversies with muftis, disputes over matters about the administration of religious charitable foundations/waqfs (Vakıf in Turkish) continues to problematize relations between the Greek state and the Muslim Turkish minority. Waqfs constitute one of the fundamental institutions of the Turkish minority inherited from the Ottoman administration of the region. These religious foundations also form an essential part of the Minority's cultural, historical and religious heritage. Given that Muslims had formed the majority of the Western Thracian territory before 1923, each mosque in the villages and the offices of the Muftis located in the main cities of Western Thrace owned various kinds of properties varying between apartments located in the busiest streets to acres of agricultural farmlands. In particular, the value of those waqf properties has always been higher than the ones owned by small Minority-located villages. Most of the waqf properties were provided during the Ottoman jurisdiction of the region while some other were donated by the local Muslim Turks on the grounds that these institutions function for philanthropic purposes; e.g. providing food and shelter for the poor people.

Provided that waqfs also imply a significant source of money, administration of these religious foundations have always been cared by the Minority as well as the Greek state officials. Beginning from 1923 until the advent of the 1967 Junta regime, the Minority had the right to define members of Administrative Boards of the Waqfs across Western Thrace. The then Greek governments had interpreted this right as a part of the religious liberties of its Muslim Turkish



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citizens residing in Western Thrace so they had had no major interference in matters over functioning of Waqfs.

However, starting from the Junta regime, Greek officials started to interfere in administration of these religious foundations by rejecting the Minority's right to elect members of the Waqfs' Administrative Boards. Since the return of democracy in 1974 and the EU membership of Greece in 1981, the Greek governments have never returned the right to elect members to these boards to the Minority. Therefore, despite Minority's unabated demands for elections, as of 2013, board members responsible for the administration of Waqfs in Western Thrace are still appointed by the Greek state.

In fact, the Law 3647 was adopted by the Greek Parliament on 7th February, 2008 regarding the administration and management of the Waqfs. It was, however, prepared unilaterally without taking into consideration opinions and proposals raised from the Minority. Although this Law foresees the election of waqfs' board members, it is still rejected by the Minority on the grounds that it gives 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 while keeping Minority's influence at the minimum level in the election procedure. Here, it is useful to stress that the Minority had actually communicated to the governmental bodies regarding its opinion and remarks about the draft bill before the passing of this Law from the Greek Parliament. Nevertheless, as it had been the case for similar previous attempts of the Minority seeking the beginning of a dialogue and cooperation over Minority-related issues, this one also proved a futile effort. Governmental bodies disregarded the Minority's will once again and rather preferred to decide unilaterally over matters of its autochthonous Muslim Turkish citizens.

Along with problems about appointment to the Waqf Boards, Greece also keeps disregarding Waqfs' financial immunity and continues imposing excessive taxes and legal sanctions on their properties. The Minority's inability to choose, 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 improving infrastructures of Minority schools, repairing mosques or building new ones. Although the provisions of the Law 3554/2007 erased the existing debts of Waqfs, the fines and income taxes imposed on them remained intact as a result of which the total current debt of Administrative Board of Komotini Waqfs has reached to 1.209.408, 32 Euros. In a recent document that was sent to the Waqf administration on 18/4/2011, the total amount of income tax only was 72.195,66 Euros for the year 2010. It is unlikely that Greece will go for a second erasing of waqfs' debts given that the country suffers from deep economic crisis.

Mosques, cemeteries and vulnerability of sacred places

Contrary to fundamental problems about muftis and administration of religious charitable organizations, no major problems have occurred about practicing of Islam at mosques since 1923. Each Muslim Turkish local is free to pray inside the mosques while the call



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for prayer is echoed five times a day. Each mosque is headed by an imam. He is responsible to lead the prayers and teach how to recite the holy book of Muslims, i.e. the Quran.

Compared to the past, controversies have recently occurred when Greece, for the first time after 1923, decided to appoint imams to the mosques. According to the provisions of the Law 3536/2007, widely known as "the 240 imam Law", it would be appointed by a five-member committee composed of Christian officials only. It was strongly rejected by the Minority on the grounds that the Law violates the Article 43 of the Peace Treaty of Lausanne that protects the religious freedom of the Muslim Turkish Minority. Also, several provisions of international treaties and documents that Greece signed and ratified contradict with this Law which does not promote mutual understanding and cooperation between the Minority and the Greek State. As a result of opposition from the Minority, Greece amended the Law in 2013 and ratified it. According to Law 4115/2013, which is the amended version of Law 3536/2007, three out of five members of the committee will be members of the Minority and the Quran will be taught at public secondary and high schools attended by Minority students. The full implementation of 4115/2013 has not started yet.

Besides the recent controversial regulation about appointment of 240 imams, houses of worship that belong to the Minority have also been attacked for a long time by ultra nationalist, Islamophobic and racist Greek groups uncomfortable with the historical Muslim Turkish presence in the northeastern borderlands of Greece. Targeting mosques, which are one of the symbols of Islam, is actually an old phenomenon in Greece. In the past, incidents regarding arson attacks were relatively rare compared. But, they have recently been increased in Western Thrace parallel to the growing ultra nationalist, xenophobic, hate-motivated and Islamophobic groups inside the EU area after the end of the Cold War. For instance, four major incidents occurred only in the year of 2012:

1. 16 February 2012: Unknown people attacked to the Poshbosh neighborhood Muslim cemetery at night. Around 10 gravestones were damaged. This was counted as the third attack to the same cemetery in the last two years.

2. 23 March 2012: Xanthi Turkish Union was attacked by unidentified people who have not been identified yet by the Greek Police. The perpetrators wrote "ΕΞΩ ΟΙ ΤΟΥΡΚΟΙ (TURKS OUT)" on the walls of the Union, an old expression of hatred towards the ethnic identity of the autochthonous Muslims of Western Thrace.

3. 23 March 2012: Similar to the one targeting Turks, some people wrote "ΤΟΥΡΚΟΣ ΚΑΛΟΣ, ΜΟΝΟ ΝΕΚΡΟΣ (THE BEST TURK IS THE DEAD TURK)" on the walls of a Bektashi tomb located in the downtown Xanthi.

4. 6 August 2012: Some members of the Golden Dawn, numbering around 150 people, attacked the Komotini Turkish Youth Union. After the demonstration in the Komotini city center, which was organized by local authorities about the issue of the refugees, a group of members of the Golden Dawn marched towards the Turkish Consulate General in Komotini and chanted slogans against the Turkish Minority and Turkey. As the Greek police did not allow them to approach to the Turkish Consulate, then they gathered in front of the Komotini Turkish



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Youth Union. Reading the Greek national anthem, they threw plastic bottles to the Turks sitting in the garden of the Union.

5. From the summer 2012 onwards, convoys of Golden Dawn members have been paying tours with cars and motorcycles to Minority-only localities as well as the mixed ones. They drive into locations populated primarily by Muslim Turkish locals and shout against 'Turks' and 'Turkey', thus causing discomfort among the Minority members.

Examples of hate crimes some of which are presented above indicate that such manifestations of hatred generally target the ethnic Turkish identity of the Minority rather than its religious characteristics. Also, what is bothersome in all incidents is that the perpetrators generally remain unidentified and/or unarrested. Last, it is significant to underline that some of these incidents are typically condemned by a small number of Greek authorities. However, the vast majority of the Greek society, including the Greek intellectuals, continues to turn a deaf ear to hate speeches and Islamophobic attacks against the Turkish Muslim Minority.

While talking about functioning of mosques and religious freedom in Western Thrace, it is useful to underline major disputes between the Minority and the Greek state about the height of minarets, and getting permission for building of new mosques as well as maintenance of the old ones. For decades, it had been a requirement based on the Law No. 1369/1938 to obtain permission from the local Metropolitan Greek bishop in case of the construction of a mosque or a minaret. The latter was not allowed to be higher than the height of the church tower, i.e. 16 meters. In 2006, the authority of giving permission was transferred to the Ministry of Education and Religious Affairs but problems have not come to an end yet. Some Muslim Turkish villagers still wait to hear from local Greek authorities about their applications for construction of new mosques and restoration of the old ones, e.g. mosque in Organi, Sminthi, Zoumbouli and Kotani.

In recent years, members of the Turkish Minority are also facing difficulties in acquiring permission from the Greek authorities so as to pray or organize cultural activities either at the mosques or religiously-important sites that are located outside of Western Thrace. In 2010, the Association of the Religious Officials of Western Thrace Mosques, based in Komotini, applied on several occasions to the Greek authorities in order to get permission to perform religious ceremonies and weekly prayers, e.g. Jumma (Friday) Prayer, at the Zircirli Mosque in Serres, at the Fethiye Mosque in Ioannina, and at the Osman Şah-Kurşun Mosque in Trikala. However, all of their applications were declined by the Greek authorities. One of the main reasons is that Greece keeps interpreting group-based collective rights of the Minority on territorial basis. That is to say, minority rights enshrined from the bilateral and international texts that Greece is a party of are applied only inside the boundaries of Western Thrace. In April 2013, the Mayor of Thessaloniki opened the YeniCamii Mosque once after almost 90 years for a special visit paid by students from the religious school in Komotini. He also promised to open another historical mosque of the city, Alaca Imaret, for the first time in August 2013 so as to provide a place of worship for the Eid al-Fitr for those Muslims living in Thessaloniki.

Before finishing this section on religious liberties, it is useful to add that major steps for the restoration of the Ottoman heritage in the region are continuously postponed by the Greek



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authorities. For example, the restoration of the Bayazit Mosque, which constitutes one of the most historical monuments of the Ottomans across the European continent dating back to the 14th century, started in the mid-1990s. Similar to its policy regarding the construction of a mosque in Athens, Greece does not prefer any inclusion of other countries, such as Turkey, within the restoration process. As a result, restoration of this historical mosque continues for more than two decades, and it is not likely to finish soon since Greece struggles with economic crisis in recent years. As an exception, the Greek Ministry of Culture declared in April 2013 that the restoration plan of the Fethiye Mosque in downtown Athens was ready. Yet, once finished, it will not be used as a place of worship but rather as an exhibition center.

Along with the lack of a Greek policy to restore the Ottoman monuments inside Western Thrace, some conversions of small Ottoman shrines (*tekke* in Turkish) into small churches have also recently happened in different parts of the region. For example, the tomb of Hidir Baba (*Hıdır Baba Tekkesi*) was converted into a small church in the late 2000s. Neither this one nor similar attempts that work against the formation of dialogue and mutual understanding between the Minority and majority Greek locals have never been condemned by the Greek local authorities who have a strong say over administration of minority-related issues in Western Thrace.

CONCLUSION

The case of Western Thrace constitutes one of the few examples for the post-World War I settlements that still exist in Europe. The survival of the Minority, Turkish and Muslim identities has been a tough process for members of the Minority of Western Thrace since the incorporation of the former Ottoman region into Greek national territories in the early 1920s. The 1923 Lausanne Treaty and those bilateral and multilateral agreements that Greece signed and ratified after 1923 introduced several rights and liberties for the former Ottoman locals of Western Thrace. However, the Greek interpretation about freedoms of the Turkish minority has never been steady. It has been changing depending on various internal and external variables. The minority treatment of Greece started to change with the deterioration of Greek-Turkish relations in the mid 1950s when Greece started to involve in liberties of the Muslim Turkish minority in Greece. Ranging from ethnic Turkish identity to religious affairs and education, Greek state apparatuses started to have much more say on rights of the Minority emanating from bilateral and international texts that Greece signed and ratified. As of today, it is mainly Greek officials or the Minority members appointed by the Greek state who control various types of liberties of the Minority in Western Thrace. The lack of dialogue between the Greek state and the Turkish Minority has been one of the primary reasons why long-lasting problems of the Turkish Minority still remain unresolved. Since the 1950s, it has been a practice in Athens to introduce new laws and regulations about issues falling in the realm of fundamental freedoms of the Turkish minority without making any kind of effective dialogue with representatives and members of the Minority. Such unilateral actions, on the one hand, contributed to the lack of trust towards the Greek decision making bodies, while on the other hand, they widened the gap between the Minority and the majority Greek community at the local level. Formation of an effective mechanism for dialogue between Western Thrace and Athens is necessary to understand to actual demands of the Turkish Minority from Greece. The official policy change

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introduced in 1991 is still usually underlined by the Greek officials while referring to issues of the Minority in Western Thrace. It is useful to note that the 1991 policy change contributed to the termination of fundamental human rights violation in Western Thrace emanating from the Greek citizenship of the Minority members. However, the vast majority of their collective rights that are vital for the continuity of the Muslim, Turkish and minority identities in Western Thrace are still violated; Education in the Turkish mother tongue is not applied at all levels of the education, official permits for restoration of old mosques and building of the new ones are pending before the Greek authorities, offices of muftis and administrative boards of religious pious organizations are governed by those Minority members appointed by the Greek state, opening or functioning of Turkish associations are forbidden, etc.