

9 Item IV



Western Thrace Minority
University Graduates Association

Human Rights Council
Forum on Minority Issues
Fifth Session

Geneva, 27-28 November 2012

Contact Persons: Pervin Hayrullah (Chairoula) chairoulap@yahoo.com

Dr. Ali Huseyinoglu (Chouseinoglou) alihuseyinoglu1@gmail.com

Ms/Mr. Chairperson,
Distinguished delegates,
And civil society representatives,

Approximately 150.000¹ Muslim Turkish People² live in Western Thrace - the northeast part of Greece. The legal status of this minority was established by the Peace Treaty of Lausanne (1923), the bilateral agreements signed between Greece and Turkey and the international instruments concerning human and minority rights, which Greece signed and ratified.

The Turkish Minority of Western Thrace has been facing several restrictions regarding basic human and minority rights for decades. As of 2012, the denial of Turkish ethnic identity, the freedom of association, expelled citizens, education, religious issues, the management of religious charitable foundations/*waqf* are among the most problematic issues of the minority, which contradict particularly with Article 1, 2, 4 and 6 of the 1992 *UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (hereinafter the Declaration)*:

In this session, I would like to give examples about some practices in Greece which contradict to Article 1 of the Declaration that protects and promotes ethnic, religious, and cultural identities of persons belonging to minorities. In this respect, denial of ethnic Turkish identity, prohibition of Turkish associations and deprival of Greek citizenship will be addressed.

Article 1 of the Declaration states that:

1. *States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.*
2. *States shall adopt appropriate legislative and other measures to achieve those ends.*

However, the Greek authorities have been denying insistently the minority's ethnic Turkish identity since the military Junta regime of 1967. Until that time, the minority was free to express the Turkish identity either individually or collectively without facing any restrictions from local Greek authorities.

After being an EU member in 1981, the official rejection of ethnic Turkish identity of the minority came to the forefront when local Greek authorities decided to ban the long-standing Turkish associations, i.e. Xanthi Turkish Union³, Komotini Turkish Youth Union⁴, and Western Thrace Turkish Teachers Union⁵.

¹ According to the information taken from the Web page of The Secretariat of Eastern Macedonia and Thrace the population of the Turks living in Thrace is around 140.000-145.000.

² Recognized as Muslim Minority by the authorities.

³ Xanthi Turkish Union was established in 1927. Till 1983 it was functioned legally, but since then due to the Cyprus conflict the denial of Turkish Identity started and Xanthi Turkish Union like the other Turkish associations, Komotini Turkish Youth Union and Western Thrace Turkish Teachers Union, was closed down.

⁴ Komotini Turkish Youth Union was established in 1928.

⁵ Western Thrace Turkish Teachers Union was established in 1936.



Western Thrace Minority
University Graduates Association

Komotini Turkish Youth Union and Western Thrace Turkish Teachers Union were closed down permanently in 1987 with the court decision. Only, the case of Xanthi Turkish Union was brought up to the European Court of Human Rights (ECtHR). In this case (*Tourkiki Enosi Xanthis and Others v. Greece – No: 26698/05*), the ECtHR decided that the freedom of association of the Turkish minority has been violated. Still the Greek Courts reject any application to reregister Xanthi Turkish Union and new applications for establishment of other Turkish and some minority associations whose cases were brought before the ECtHR, such as the Cultural Association of Turkish Women of Rodopi (*Emin and Others v. Greece – No: 34144/05*) and the Evros Minority Youth Association (*Bekir Ousta vs. Greece No: 35151/05, 11 October 2007*). This stands against Article 2.4 of the Declaration:

Page | 2

Article 2

4. *Persons belonging to minorities have the right to establish and maintain their own associations.*

The Article 19 of the Greek Citizenship Code (No: 3370 of 1955) stands as one of the most prominent examples regarding the denial of ethnic Turkish identity in Western Thrace.

Being in force for about 45 years it caused approximately 60 thousand Muslim Turks to lose the Greek citizenship without any notification. The Greek Minister of Interior on April 2005 announced that 46.638 Muslim Turks were deprived from the Greek citizenship until 1998.

The Article 19 provides that; *“A person of non-Greek ethnic origin leaving Greece without intention of returning may be declared as having lost Greek nationality. This also applies to a person of non-Greek ethnic origin born and domiciled abroad. His children living abroad may be declared as having lost Greek nationality if both their parents and the surviving parent have lost the same. The Minister of the Interior decides in these matters with the concurring opinion of the National Council.”* It is useful to note that the administrative authorities decided about the intention of the minority people, not the concerning ones themselves. Also, the decisions of denaturalization were not declared to the victims that is why most of them had missed the legal revision period to get their citizenships back.

On 23 January 1998, this article was repealed by the Greek Parliament, which was welcomed both by the international community as well as the Turkish minority. However, since the repeal was not retroactive, thousands of stateless Turkish minority people living both in Greece and abroad, e.g. Turkey, Germany, are still unable to regain their Greek citizenship.

Ms/Mr. Chairperson,

Therefore, we call upon the Greek State

To respect the provisions of the 1992 Declaration and other human and minority rights instruments as well as 1923 Peace Treaty of Lausanne,

To respect the collective usage of individual rights, such as the right to freedom of assembly and association,

To make it possible reregistration and/or establishment of minority associations bearing the term Turk / Turkish in their titles,

To introduce new measures for the minority members who lost their citizenship under Article 19 of Greek citizenship Code, which will enable them regain their Greek citizenship.

Pervin Chairoula
Member