

## **Muslims discriminated against in North-Eastern Greece**

### ***A human rights fact-finding mission accompanied by European deputy François Alfonsi highlights structural human rights problems and recommends to the Greek Government a constructive dialogue with the said Muslim community***

HRWF (23.10.2012) - "Muslims of Turkish descent who number about 140,000-150,000 people<sup>1</sup> in Thrace (North-Eastern Greece) are heavily discriminated against but expect the Greek Government to build up a more inclusive society," a European human rights fact-finding mission concluded after visiting Muslim communities in North-Eastern Greece from 16 to 20 October.

Under the auspices of the *Federation of Western Thrace Turks in Europe* (ABTTF), two human rights organizations (*Human Rights Without Frontiers* and the *Federal Union of European Nations*) accompanied by MEP François Alfonsi, co-chair of the "Intergroup Traditional Minorities, National Communities and Languages" at the European Parliament met a wide range of community leaders: politicians, mayors, councillors, lawyers, doctors, teachers, Muslim clergy, non-profit associations representatives, and so on. They particularly investigated the issue of equal access to school education of Turkish-speaking children, freedom of association, freedom of religion and freedom of expression.

### ***Child's right to school education of the parents' choice***

The current hottest issue is undoubtedly the denial of access to bilingual pre-school education as, since the 2006 law imposing compulsory school education from the age of five, the Government has consistently rejected all the proposals to open a Turkish-Greek kindergarten in the 174 existing bilingual primary schools operating in the community's premises. A number of families have reluctantly decided to send their children to a Greek-speaking state kindergarten despite the risk of their losing their linguistic and cultural identity. Others are resisting and have refused to send their children to a Greek kindergarten, notably in the town of Echinós (Xanthi Prefecture). Consequently, the regional school inspectors have in a surprising move suddenly refused to enrol them and have dismissed the principal from his position because he had registered them.

According to article 40 of the Peace Treaty of Lausanne, members of the Muslim minority, have the right to establish, manage and control their own schools, and to use their own language freely.

The members of the fact-finding mission have also heard many complaints about the institutionalized and restrictive interference of the Greek State in the training of the teaching staff, the poor quality of their knowledge of the Turkish language, the deficiencies of the teaching books and the disruption of their supply.

### ***Freedom of association***

The human rights delegation has visited the premises of three associations created in the 1920s and the 1930s which were banned... 50 years later on the ground that their names were containing the word "Turkish" or "minority". These cases were brought to the attention of the European Court of Human Rights under the titles and references *Tourkiki Enosi Xanthis and Others v. Greece* (Nr 26698/05), *Emin and Others v. Greece* (Nr 34144/05) and *Bekir Ousta v. Greece* (Nr 35151/05) and Greece was condemned. However, Greece has still failed to register the said associations or to allow them to operate despite numerous administrative and legal steps taken by their lawyers.

Since 1995, *Evros Minority Youth Association* has been unsuccessfully struggling to be registered as a legal entity and many other associations' applications have also been turned down.

## **Freedom of the media**

The human rights delegation met Cemil Kapza of Gündem and Cengiz Omer of Millet, two small community newspapers published in Turkish. In 2010, they were sentenced by the First Instance Court decision to pay high amounts of financial compensation (150,000 Euro and 120,000 Euro respectively) on the grounds that they had published unsubstantiated negative articles about a Greek teacher working in a bilingual school in Thrace.

The bank accounts of the owners of the newspapers and the journalists have been blocked.

The solicitors of newspapers have appealed the decision. Since then, the case has been postponed several times by the Court of Appeal in Komotini. The next hearing has been fixed on 22nd March 2013. Both newspapers will go bankrupt if they are sentenced to an exorbitant fine.

## **Freedom of religion**

*Human Rights Without Frontiers* and the *Federal Union of European Nations* also met two muftis who were elected by the Muslim community of Thrace. One of them, Ibrahim Sherif, was sentenced in 1990 to a 6-month prison term which was converted into a fine for usurping the functions of a minister of a "known religion".

Another elected mufti, Mehmet Agga, was repeatedly sentenced to prison terms ranging between 8 and 12 months on the same grounds.

This situation was created by the fact that "on 24 December 1990 the President of the Republic, on the proposal of the Council of Ministers and under Article 44 § 1 of the Constitution, adopted a Legislative Act (πράξη νομοθετικού περιεχομένου) by which the manner of election of the Muftis was changed. Law no. 1920/1991 retroactively validated the Legislative Act of 24 December 1990."<sup>iii</sup>

The local Muslim populations and their clerics were never consulted by the Greek authorities before the adoption of the new law.

The cases of the two muftis were brought to the attention of the European Court under the reference *Agga vs. Greece* (Nr 50776/99 & 52912/99; Nr 32186/02 & 33331/02) and *Sherif vs. Greece* (Nr 38178/97). The Court held that those prosecutions violated Article 9 of the Convention which enshrines the rights of freedom of thought, conscience and religion.

## **Conclusions and recommendations**

*Human Rights Without Frontiers* wants to highlight the fact that the Muslim minority of Turkish descent in Greece is a peaceful law-abiding community which does not have a separatist agenda and does not constitute a threat to the security of the country. The criminality rate in their region is also the lowest in the whole country.

These Turkish-speaking Muslims have preserved their homogeneity around their culture, their religion and their language. They have acquired the Greek citizenship, got a Greek ID and a Greek passport, performed military service in the Greek army and a number of them lost their lives in WW II as well as in the 1946-1948 Civil War to defend their country but they still identify themselves as Turks. The peaceful co-existence of these two identities is a fact that cannot be negated or ignored and no serious evidence has ever been shown that it is endangering the security, the public order or the territorial integrity of the country.

Therefore, *Human Rights Without Frontiers* recommends to the Greek Government

- to take these realities into consideration;
- to open a frank and constructive dialogue with this Muslim community with the purpose of removing any form of discrimination;
- to urgently fulfil the needs of the community in educational matters;
- to implement the decisions of the European Court without delay;
- to remain neutral in religious matters and to respect the autonomy of the Muslim community;
- to make its civil society more inclusive and more tolerant.

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<sup>i</sup> According to the 18<sup>th</sup> March census 2001, the total population of Thrace numbers 362,038 people. The source of the estimated Muslim population of Turkish descent is the US International Religious Freedom Report 2011.

<sup>ii</sup> Source: Decision of the European Court *Agga vs. Greece* (Nr 50776/99 & 52912/99)