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NGO in Special Consultative Status with the Economic and Social Council of the United Nations  
Member of the Fundamental Rights Platform (FRP) of the European Union Agency for Fundamental Rights  
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## ABTTF's Submission on Greece's Compliance on the third periodic report submitted by Greece to the CCPR for the Review of Greece

13 September 2024

This report was prepared for submission to the **third periodic report of Greece on the implementation of the CCPR** for the Review of Greece at the 142<sup>nd</sup> Session.

1. We remind the Committee that Greece submitted the due report in 2022 in April 2023.
2. Paragraph 2 of the report on Greece notes that the provisions of the Convention are routinely invoked in national courts and that the relevant judgments refer in particular to Articles 9, 11, 14, 17, 19 and 26 of the ICCPR. Article 27 of the ICCPR on the rights of ethnic, religious or linguistic minorities is not considered, as in practice Greece has tremendous issues with respect to the field of minority rights.
3. As stated in the LoIPR (CCPR/C/GRC/QPR/3) submitted by the Committee prior to the State report, the Committee requested information on measures taken to ensure full compliance with Article 27 of the ICCPR. The Committee requested information on measures taken to continue the registration of associations of groups claiming minority group status. This contribution aims to provide detailed information on the issues to which Greece responded in paragraphs 251-276 of the country report.
4. In paragraph 251, Greece claims that it is the “Muslim Minority in Thrace” whose status was determined by the 1923 Treaty of Lausanne and that “the members of this minority consist of three distinct groups of Turkish, Pomak and Roma origin, each of which has its own spoken language and cultural traditions which are fully respected by the Greek State”. This, however, does not reflect reality.

With the 1923 Treaty of Lausanne, to which Türkiye and Greece were parties, the Turkish population in Western Thrace and the Greek Orthodox population in Istanbul, Gökçeada and Bozcaada were excluded from the compulsory exchange of populations between the two countries, thus these two populations mutually acquired minority status. Articles 37 to 44 of the Treaty of Lausanne include regulations on the rights of non-Muslim Minorities in Türkiye, while Article 45 stipulates that the rights granted by Türkiye to non-Muslim Minorities are also recognised by Greece to the Muslim Minority in its territory.

In the “Etabli Documents” granted to the persons excluded from the population exchange in Western Thrace, the documents prepared for the Muslims in Western Thrace note that they are ethnically “Turkish”, but Greece denies the “Turkish” identity. However, in the 1950s, it was the governments of that period that used the term “Turkish” instead of “Muslim”. Therefore, the Minority is the Turkish Minority in Western Thrace.

The Greek Orthodox Minority in Istanbul, Gökçeada (Imbros) and Bozcaada (Tenedos), whose status and rights were determined by the same treaty, is referred to as a non-Muslim minority in

the Treaty of Lausanne. However, Türkiye uses the term Greek Orthodox minority for this minority. The paradoxical and absurd interpretation here comes from our country Greece. Indeed, Greece accepts the definition of “Greek Orthodox minority” when referring to its own minority in Türkiye but accepts the definition of “Muslim minority” when referring to our community.

5. In paragraph 252, Greece claims that the “Muslim minority in Thrace” enjoys several minority rights, in addition to the rights guaranteed to Greek citizens as EU citizens.

This assertion does not reflect the reality, as individuals belonging to the Turkish community in Western Thrace exercise their individual rights as citizens, but collectively their ethnic Turkish identity is not recognised and there are many issues in the exercise of collective rights, especially the freedom of association.

6. In paragraphs 253 and 254 of the State Report, Greece refers to the “Muslim Minority in Thrace” and states that members of the Turkish community in Western Thrace actively participate in all aspects of daily, public, civil and political life at regional and national level and have been represented in the National Parliament since 1927. It is also noted that following the recent (May 2019) regional and local elections, more than three hundred members of the minority were elected to local authorities.

It is true that members of the Turkish community in Western Thrace are active in public and political life, but they are subjected to systematic discrimination. Although the Turkish population in Rodopi constitutes the majority with 55 per cent, this proportional figure is not reflected in employment as civil servants or workers in the public sector at local and state level. In the political sphere, issues related to the Turkish community in Western Thrace are treated as national issues and our community is perceived as a threat to the integrity of our country and as an extension of other powers and is accepted as such; there is a total defamation, stigmatisation and marginalisation of our community due to the fact that this situation is reflected in this way in all media outlets including the mainstream media. The voice of the representatives of the Turkish community in Western Thrace is not granted a space in the mainstream national, local and regional media and our community is present only in the minority media. As the current situation is such, the policy of ghettoisation and isolation of our community is strengthened due to the fact that the views of the actual interlocutors of the issue are not included despite the othering, discriminating and defamatory language produced, reproduced and spread unintentionally or intentionally in the media.

In 2022, a hate speech incident against a Turkish MP was recorded in Western Thrace. Hüseyin Zeybek, SYRIZA MP from Xanthi, was threatened with death by a viewer who connected by phone to the “Anihti Grami (Open Line)” programme broadcast live on the local Next TV from Xanthi. A person who connected to the live programme by phone accused Zeybek of being a “Turkish spy” and said that he would “kill him if there is a war between Türkiye and Greece”. In a statement on his social media account, MP Hüseyin Zeybek condemned both the person who threatened him and the journalist Panos Papadopoulos who hosted the programme. Zeybek indicated that instead of condemning the statements of the aforementioned person, the presenter continued the conversation with the citizen and that receiving life threats on live broadcast crossed all boundaries and that the main duty of the media is to defend democracy, not hate. (<https://www.milletnews.com/western-thrace/deputy-zeybek-threatened-on-live-broadcast>)

The most striking example of marginalisation in the political field was experienced after the general elections on 21 May 2023. What happened in the period from the elections of 21 May, which were held according to the proportional representation system, until the renewed elections on 25 June 2023 clearly revealed the stigmatisation and marginalisation of politicians belonging to the Turkish minority in Western Thrace. (<https://fonirodopis.gr/press/138345/ekloges-2023-to-tourkiko-proxencio-kai-i-protia-syriza-sti-rodopi/>)

In the 21 May elections, the only prefecture where SYRIZA received more votes than the ruling New Democracy was the prefecture of Rodopi, where the Turkish minority in Western Thrace constitutes the majority in terms of population. There, SYRIZA's candidate from the prefecture of Rodopi, Özgür Ferhat, who belongs to the Turkish minority, received the highest number of votes among all candidates with 12.680 votes.

After the election result from Rodopi, a political smear campaign was launched, and Turkish MPs and candidates were targeted by utilising them as election campaign material. The will of the voters and their free elections were ignored and there were attempts at discrediting Özgür Ferhat in politics and media by claiming that the votes received by him were the result of Türkiye's intervention in the elections.

Moreover, by claiming that there were intelligence reports on the allegations that the Turkish MPs elected from Rodopi and Xanthi in the previous period and the newly elected Turkish candidates to the Parliament had direct ties with Türkiye, the motherland of the Turkish minority in Western Thrace, an attempt was made to prevent the placement of Turkish MPs in the top positions in the election lists, which were certain to be elected in the elections of 25 June 2023. Moreover, Mustafa Katrancı, the candidate of New Democracy for the Prefecture of Rodopi, who explained that he continues to serve as an MP with the aim of Christians and Muslims living together in harmony in Rodopi, withdrew his candidacy from the Parliamentary elections on 25 June as a result of such defamations.

The presence of the Turkish community in the political arena and the ugly political campaigns conducted on the Turkish parliamentary candidates' loyalty and devotion to their country have threatened the peaceful atmosphere in the region. In fact, Dora Bakoyannis, the sister of Prime Minister Mitsotakis, a leading member of New Democracy, visited a mountainous Turkish village in the prefecture of Rodopi and threatened the minority by stating that the conditions would worsen if the members of the minority did not vote for them. (<https://www.milletnews.com/western-thrace/bakoyanni-shows-a-hidden-stick-to-the-western-thrace-turks>)

The smear and targeting campaign carried out in the political arena was reflected in the media, and provocative and aggressive language was used in the news in the press, including the mainstream media, in an attempt to manipulate the will of the voters.

In the 2024 EP elections, a similar situation was experienced. After the 1991 founding of the Friendship, Equality, Peace (FEP) Party, which came first in the EP elections of 9 June 2024 in Rodopi and Xanthi, where the Turkish community in Western Thrace is densely populated, I would like to warn about the dangerous calls and manipulation in politics and media to stigmatise the FEP Party and declare it illegal.

The FEP Party, which participated in the elections with the slogan "We are here!", became the first party in the 2024 EP elections, as in 2014 and 2019, with 36.10 per cent (14.448 votes) in Rodopi and 27.16 per cent (11.176 votes) in Xanthi. The success of the FEP Party in the elections disturbed some politicians and media, and the FEP Party faced stigmatisation and hate speech campaigns. The allegations that the FEP Party was supported by Türkiye were brought to the agenda, and political speeches and media reports claiming that the FEP Party posed an alleged danger to Greece's national security and territorial integrity turned into a smear campaign with the aim of dissolving the party.

*Xronos* newspaper wrote that after the FEP Party nominated Eugenia Natsoulidou, who identifies herself as Macedonian, it claimed that there are some extremists who are willing to create a "Macedonian" minority in the country and that they are playing a big diplomatic game of ethnic

identity in order to create a minority issue through some communities (<https://xronos.gr/mikrokomotinaiika/mikrokomotinaiika-03-07-2024>).

Dimos Kirilidis, Member of the Assembly of the Region of Eastern Macedonia and Thrace, said in a statement on the EP elections the following: “Do the politicians in charge know that this party is directed by Turkish power centres?” and added: “Everyone who feels himself a minority should go to Türkiye or Skopje”. ([https://www.aridaia365.gr/2024/06/blog-post\\_27.html](https://www.aridaia365.gr/2024/06/blog-post_27.html))

Nikolaos Papadopoulos, a lecturer at the Aristotle University of Thessaloniki and MP of Niki (Victory) in Thessaloniki, brought the decision of the Court of Cassation approving the participation of the FEP Party in the elections and the discourse on the supervision of the activities of the FEP Party to the agenda (<https://veteranos.gr/krououn-oi-kabanes-tou-kindynou-sti-thraki-mas/>)

Two academic members applied to the Council of State with the demand that the FEP Party be declared illegal, and its activities be suspended (<https://www.kalimera-arkadia.gr/ellada/item/167996-panepistimiakoi-zitoy-n-na-tethei-ektos-nomou-to-komma-isotitas-eirinis-kai-filias-pou-mila-gia-tourkiki-meionotita-sti-thraki.html>).

The Spartans, headed by Vasilis Stigkas applied to the Court of Cassation and demanded that the FEP Party be declared illegal (<https://www.naftemporiki.gr/politics/1707008/spartiates-na-tethei-ektos-nomoy-to-kief-ypomnima-ston-areio-pago/>).

In a statement released on 6 July 2024, the FEP Party announced that they had learned that some people, including some party leaders, had applied to the Council of State and the Court of Cassation with the demand that their party be audited, its legal activities be suspended, and the EP elections in June be renewed in the region, on grounds that the party members identify themselves as Turks (<https://www.milletnews.com/western-thrace/western-thrace-turks-targeted-again-in-greece-legal-action-against-the-fep-party>).

As can be seen, the stigmatisation, manipulation and defamation launched nowadays in politics and the media following the party’s success in the region is in the nature of a campaign launched for the dissolution of the party.

7. In paragraph 255 of the State report, it is noted that with the definition of “Muslim Minority”, a quota of 0.5 % is set in the state examination system for persons belonging to the Turkish community in Western Thrace. We would like to provide detailed information with respect to this point.

Pursuant to Law 3647/2008, Greece has set a quota of 0.5 % for members of our Minority in public services where there is a high level of unemployment. However, this special measure has not been effectively implemented in Greece and in the past, the European Commission against Racism and Intolerance (ECRI), in its 4<sup>th</sup> Monitoring Cycle Report on Greece in 2009, stressed that a comprehensive long-term programme to improve the integration of the Turkish community in Western Thrace into the labour market has not yet been established by the authorities. (<https://rm.coe.int/fourth-report-on-greece/16808b5793>). In the context of developments since 2009, including the period of deep economic and financial crisis in Greece, no concrete steps have been taken in this regard.

8. Paragraphs 256-260 of the State report cite as one of the most important developments during the reporting period the adoption of Law 4511/2018, which explicitly states that “Greek Muslims” who are members of the “Muslim Minority in Thrace” have the option of being subject to either civil law or “Islamic law” in family and inheritance law disputes. We would like to clarify this issue in detail, as the reality is different.

First of all, it should be remembered that the status and rights of the Turkish community in Western Thrace in the religious sphere were determined by the 1830 Protocol, the 1881 Treaty, the 1923 Treaty of Athens and the 1923 Lausanne Peace Treaty, rendering the Turkish community autonomous in the religious sphere.

It should be noted that this issue in the report is directly linked to the right of the Turkish community in Western Thrace to determine its religious leaders, the muftis. Although the election of religious leaders was incorporated into Greek domestic legislation in 1920 with a procedure enabling the Turkish community to appoint its own religious leaders, namely the muftis in Rodopi, Xanthi and Didymoteicho, Greece abolished this right by Presidential Decree of 24 December 1990 and Law No. 1920/1991 on Muslim religious instructors, which decided to appoint muftis by the Ministry of Education and Religious Affairs. In reaction to the appointment of muftis by the state, the Turkish community in Western Thrace elected its own muftis.

The Greek Government insists that there is no single international method of appointing muftis. Parallels are often drawn between the Greek Orthodox Patriarchate in Türkiye and the Muftis in Western Thrace. However, in Türkiye the Patriarch is elected by the Sen Synod Assembly and Türkiye does not intervene in the election process. However, in our country, muftis are directly appointed by the state.

However, the right of the Turkish community to elect its own religious leaders is still being usurped by the Greek state. Today, there is a dual structure in Western Thrace with state-appointed muftis and muftis elected by the Turkish community in Western Thrace. This is because the state appoints the muftis on grounds that the muftis have jurisdictional powers arising from customary law, in order to establish state control over the office of the mufti and to increase the control over the community.

It should be noted that, even before the adoption of Law No. 4511/2018, any decision taken by the (appointed) Muftis is legally binding only after it has been approved by the Greek courts. This is because, according to Article 5(3) of Law No. 1920/1991 on the Mufti Office, the courts are authorised and responsible for not implementing the decisions of the Mufti Office that are contrary to the Greek Constitution, including the provisions on gender equality.

It is stipulated that Law 4511/2018 is an extremely important step towards equality and democratic rights. In the process of amending Article 5 of Law No. 1920/1991 (A11) and making the judicial powers of muftis optional, our community was not consulted, and a unilateral and imposing approach was pursued by the government. At this point, we would like to indicate that the judicial powers of the muftis were put forward as a pretext for the appointment of the mufti by the state. Although this practice is shown as a positive step, in the past, our community has resorted to national law instead of applying to the mufti in matters related to civil law.

Furthermore, we would like to point out that although this practice is portrayed as a positive step, in the past as well, Western Thrace Turks have resorted to national law instead of applying to the (appointed) mufti in matters related to civil law.

It should be the Turkish community in Western Thrace that makes the decision here, not the state, as it should not be forgotten that our community has been granted religious autonomy. However, as in all other matters, the state did not interfere with other religious groups such as Catholic Christians or Jews, while it continues to interfere in all matters concerning our community.

9. In paragraphs 261-267 of the State report, another important development during the reporting period is put forward as a positive step in the form of another controversial law, Law No. 4964/2022 titled “Modernisation of the Mufti Offices of Thrace”.

It is claimed that the law provides for the first time a modern and comprehensive institutional framework for the Mufti and Muftis in Thrace, fully in line with the Constitution and the country’s international obligations, as defined by the Treaty of Lausanne, the European Convention on Human Rights, the case-law of the Council of State and the European Court of Human Rights. This claim does not reflect the reality, as stated above, the main aim is to control the Turkish community through religion through the Mufti Office, which is envisaged to employ even Christian officials. With this law, the religious autonomy of our Minority as defined by the Lausanne and pre-Lausanne treaties is ignored.

The report claims that Law No. 4964/2022 is the result of extensive research and long consultations with Muslim religious officials and fills an important gap in Greek legislation on a number of issues. Although the provisions introduced on the organisational chart of the Mufti Offices are shown as an effort to make the functioning of the Mufti Offices more organised and modern, in fact Mufti Offices are being completely stripped of their autonomous structure. The administrative functioning of the Mufti Offices is completely subordinated under the control of the Ministry of Education and Religious Affairs.

The provisions of the law that disregard our autonomy are as follows:

- Law No. 4964/2022 on the modernisation of the Mufti Offices establishes the procedure for the election of muftis, in addition to the changes introduced by Presidential Decree No. 52/2019, which our community has persistently opposed. This law was adopted without consultation with our community, as was the case with Presidential Decree No. 52/2019, despite all the objections of our community.

As mentioned above, while the state does not interfere in the process of other religious communities in the country to elect their own religious leaders, the right of our community to elect our own leaders is being usurped, even though we are autonomous in the religious field. With this law, the state endeavours to establish full control and supervision over our autonomous mufti offices and thus to completely abolish our religious autonomy.

Law No. 2345 (1920), which was adopted on the basis of the 1913 Treaty of Athens, recognised the right to be elected by the Minority. However, with Law No. 1920 adopted in 1991, the right of the Muftis to be elected by the Turkish Minority was taken away and the Muftis are thus appointed among the candidates nominated by the Ministry of Education and Religious Affairs. It should also be noted that even before the adoption of the law, any decision taken by the Muftis was legally binding only after it was approved by the Greek courts.

- Presidential Decree No. 52/2019 further undermines the autonomous structure of the Turkish Minority in the religious sphere, as the mufti offices have been transformed into ordinary public offices by being fully affiliated to the Ministry of Education and Religious Affairs. All organisations representing our Minority and Turkish MPs in the Greek Parliament opposed this decree and applied for its revocation. The Council of State rejected the request for the revocation of the aforementioned Presidential Decree, concluded that the Decree was not contrary to international agreements, the Constitution and procedural law in Greece, and once again ignored the religious autonomy of our Minority.
- Although the provisions on the organisation chart of the Muftis Offices introduced by Law No. 4964/2022 are perceived as an effort to make the functioning of the Mufti Offices more organised

and modern, the administrative functioning of the Mufti Offices is completely under the control of the Ministry of Education. If there is a need to modernise our Mufti Offices, the decision and how it will be done should be left to us. Just as the state does not intervene in determining the needs of the Jewish community in the country and in meeting these needs regarding religious organisation, the same should apply to our Minority.

- Law No. 4964/2022 introduces provisions on the selection process of Muftis. The important change introduced by the law is that the mufti will no longer be appointed directly by the state, but one of the candidates will be appointed by the state in accordance with the reports to be prepared by the so-called Advisory Committee after the application for candidature. What is presented as an election is not an election. The decision of the Advisory Committee established by law will be advisory and the Mufti will ultimately be appointed by the Minister of Education and Religious Affairs. It is certain that the Advisory Committee, which will consist of state-appointed clergymen who have the status of civil servants, does not represent the community. Therefore, the perception created by this law that the Muftis will be elected through a transparent procedure does not reflect the reality. In fact, the appointment of Muftis will continue.

At this point, the law in question should be revoked and instead of the committee formed by clergymen who have the status of civil servants, a structure to be formed by all imams working in mosques in the region, who are elected by our community, and an election procedure in which imams will determine the muftis should be established.

- The law allocates foundation immovable properties or immovable properties belonging to local administrations to the Mufti Offices in order for them to carry out their activities. The determination of the adequacy of the relevant immovable property is also entrusted to a Board to be established with the approval of the Ministry of Education and Religious Affairs. In cases where the mufti offices need to rent immovable property for their needs, the relevant rental relationship will be subject to the legislation on the rental of immovable property of state offices. In this way, the state completely binds the functioning of the mufti offices to itself and makes every transaction to be carried out here subject to its approval. However, this is not the case for any religious community other than the Muslim community
- According to the law, the official language of the Mufti Offices is Greek, although it is stated that the relevant documents and decisions may be translated into other languages when deemed necessary, but in any case, Greek is the mandatory and official language of correspondence.
- The fact that both contracted and civil servants who will work in the administrative units of the Mufti Offices do not have to be Muslim and from the Minority; the fact that civil servants from other units can be transferred horizontally to the Mufti Offices increases the control and authority of the state over our community through religion.

**10.** Paragraph 268 of the State report indicates that there are approximately 240 mosques operating in Western Thrace, which is the highest ratio of mosques per citizen of the Islamic faith in Europe. This is a distorted interpretation.

According to the Greek Ministry of Education and Religious Affairs' "2022 Report on Incidents against places of religious importance in Greece" ([https://www.minedu.gov.gr/publications/docs2023/gen\\_gram\\_thrisk/%CE%88%CE%BA%CE%B8%CE%B5%CF%83%CE%B7%202022.pdf](https://www.minedu.gov.gr/publications/docs2023/gen_gram_thrisk/%CE%88%CE%BA%CE%B8%CE%B5%CF%83%CE%B7%202022.pdf)), it is explained that there are more than 260 mosques in Western Thrace. The Ministry of Education and Religious Affairs claims that it meets all the demands for the repair and renovation of old mosques and the construction of new mosques in our region, but there is no construction of new mosques in Western Thrace, there are applications awaiting approval for construction permits.

The Government claims that the planning procedures for the repair or construction of mosques on Waqf property in Western Thrace have been simplified in accordance with Article 27 of Law 4067/2012 (A79). However, the steps taken to solve the chronic issues of the mosques are not sufficient as there are no ownership and drawing plans in the mountainous areas of Western Thrace.

We would like to deliver a striking example in this regard. In 2021, the board of trustees of Mikra Tímbanon (Küçük Davutlu) in prefecture of Xanthi was fined approximately 104 thousand Euros for converting the old school building, which is located on the same plot with the mosque in Mikra Tímbanon (Küçük Davutlu), Prefecture of Xanthi, into a mosque, and for building a minaret and a pavilion for the mosque without permission. In the statement made by the lawyer of the board of trustees of Mikra Tímbanon (Küçük Davutlu), one of the least populated Minority villages of the Prefecture of Xanthi, it was noted that there is absolutely no such thing as conversion of the school building into a mosque.

Another important issue is the restoration process of the Didymoteicho Çelebi Sultan Mehmet Mosque, the oldest mosque in the European continent. Located in the city centre of Didymoteicho, the 600-year-old Çelebi Sultan Mehmet (Beyazıt) Mosque, one of the most important Turkish-Islamic monuments in the Balkans and Europe, is the first mosque built by the Ottoman Empire on the European continent. In 2017, the restoration of the mosque, which was severely damaged by fire and its unique wooden roof was completely destroyed, has experienced a very problematic process, and although it is foreseen to be completed in 2023, there have been concerns about whether the restoration works supervised by the Directorate for the Restoration of Byzantine and Post-byzantine Monuments will be carried out in accordance with the original structure of the mosque.

ABTTF requested an investigation into the fire in the mosque and drew attention to the delays in the restoration of the mosque after the fire in our work before the United Nations and the Council of Europe. Five years after the fire in 2017, the restoration work began in 2022, and it has finally started; the restoration is being carried out within the framework of the project prepared by the National Technical University of Athens and financed by the Recovery Fund. On 5 August 2024, Greek Minister of Culture and Sports Lina Mendoni inspected the restoration works at the Çelebi Sultan Mehmet (Beyazıt) Mosque. Mendoni, who made statements during the visit, accompanied by the President of the Region of Eastern Macedonia and Thrace Christodoulos Topsidis, noted that the restoration works in the mosque should be completed by 31 December 2025.

We hope that the restoration works will be carried out in accordance with the original form of the mosque and that our six-century-old historical mosque, one of the most beautiful examples of our common cultural heritage, will be reopened for worship in 2026.

**11.**In paragraph 268 of the country report, it is stated that 240 positions of teachers of Islamic religion have been created in the Mufti Offices in the region. Law No. 4115/2013 provides for the appointment of 240 Islamic religious teachers to teach Islam to children belonging to the Turkish community in Western Thrace in state-owned primary and secondary schools and mosques in our region, under the auspices of (appointed) government-appointed muftis. Despite the strong objection of our community, Islamic preachers have been trained and appointed in the public schools in the region and textbooks in Greek have been prepared for the teaching of Islam in public schools. This practice, which is presented as positive, is a clear interference in the autonomous structure of our community in the religious field. Indeed, the religious officials who teach Islam in public schools do not have any competence in the field, these religious officials have been included in the authority of appointed muftis whom our community does not recognise. In addition, Islam is taught in Greek to our children in public schools. In practice, Law 4115/2013 allows the government to exercise state control over religion through the ap-



pointment of religious officials, such as imams, to mosques and public schools under the authority of the (appointed) official Muftis in Xanthi, Komotini and Didymoteicho in Greece.

**12.** In paragraph 270 of the Report, it is claimed that the State continues to provide strong support to minority schools, while appropriately responding to the growing preference of students belonging to the Turkish community in Western Thrace for the public education system, using the expression “Muslim minority”.

The positive picture presented by the state in the field of education is completely not true.

- The Treaty of Lausanne granted the Turkish community in Western Thrace the right to education in its own language and autonomy in the management of educational institutions. The autonomy in education has been weakened by a series of regulations and practices, resulting in a low quality of education in minority schools together with structural issues in the training of teachers, curricula and textbooks. Although the Turkish community has the right to open private and public schools, in practice this distinction between public and private schools is not enforced. Turkish schools are registered as private schools but are under direct state control and a complex system of legal provisions governs their establishment and operation.
- In the region where the Turkish community in Western Thrace constitutes 55 per cent of the population in Rodopi, 45 per cent in Xanthi and 10 per cent in Evros, the number of Turkish and State schools is as follows:

At pre-school level, there are 141 state kindergartens in Rodopi, 141 in Xanthi, 77 in Evros and no Turkish kindergartens. In the prefecture of Xanthi there are 39 state primary schools and 35 Turkish primary schools; 21 state secondary schools and 1 Turkish secondary school; 11 state high schools and 1 Turkish high school, while in Rodopi there are 26 state primary schools and 49 Turkish primary schools; 14 state secondary schools and 1 Turkish secondary school; 11 state high schools and 1 Turkish high school. In the prefecture of Evros, where the Turkish community constitutes 10 percent of the population, the number of state primary schools is 51, Turkish primary school 6; state secondary school 27, Turkish secondary school 0; state high school 15, Turkish high school 0.

- One of the most important issues for the Turkish community in Western Thrace is the lack of bilingual Turkish minority kindergartens. Although pre-school education is compulsory, there are only state-owned kindergartens in the region. The state does not allow bilingual kindergartens within Turkish schools. The requests of institutions and organisations belonging to the Turkish community for private kindergartens are not responded to and the related requests are in the process of litigation. Turkish children have no choice but to attend state kindergartens, which creates inequality in education.

Despite many applications by community organisations for the establishment of bilingual kindergartens within the special education system granted to the Turkish community and for the opening of other private bilingual kindergartens in the region, the Greek government has rejected proposals for the establishment of Turkish-Greek bilingual kindergartens in existing schools. Greece should allow the establishment of bilingual minority kindergartens in the region within the Turkish school system and the opening of private kindergartens where the language of instruction will be Turkish and Greek.

- Turkish primary schools follow a bilingual - half Greek and half Turkish - curriculum, but scholars classify this type of educational model as two parallel monolingual education systems, not a bilingual education system. In Turkish primary schools, the Turkish curriculum is designed without the approval or input of minority teachers. In these schools, the balance of hours per language per

subject in minority education has changed significantly over the years in favour of the majority language. Moreover, the textbooks used for the Greek curriculum in Turkish primary schools are printed and distributed by the Ministry of National Education. Textbooks used for the Turkish curriculum are written, edited and printed in Türkiye especially for Turkish students, and after approval by the Greek Ministry of Education, the books sent from Türkiye are distributed.

Teachers of the Greek curriculum does not know the mother tongue of Turkish pupils and have no special training for teaching in Turkish minority schools. The teachers in the Turkish curriculum are graduates of a former private pedagogical academy (SÖPA) in Thessaloniki, where very limited subjects are taught in Turkish and there is no internal training programme.

- Although Turkish primary schools are autonomous, the government, as part of austerity measures in 2010, suspended the activities of Turkish primary schools and closed them on grounds that there were an insufficient number of pupils. This practice has become a means of systematic discrimination against the Turkish community in Western Thrace. In 2008, there were 194 minority primary schools in Western Thrace. Due to the closures as a result of the decrease in the number of pupils in the aforementioned schools, the number of schools decreased to 188 in 2011, 170 in 2014, 164 in 2015, 133 in 2016, 130 in 2017, 128 in 2018, 123 in 2019, 115 in 2020, 103 in 2021, 99 in 2022 and 90 in the 2023-2024 school year and 86 with four schools to be closed in 2024-2025.
- There are two private minority secondary schools in Xanthi and Komotini and two religious schools in Komotini and Xanthi. Although these minority secondary schools should be managed and operated like any other private secondary school in Greece, the Greek state determines how many students can attend and how they are enrolled. There is only one secondary school in Rodopi and Xanthi, whereas there are 21 public secondary schools in Xanthi and 14 in Rodopi. The main aim is to destroy the minority school system by transferring children to the state school system.
- At the secondary level, despite the increasing number of pupils, the demand for a new school for the Turkish secondary school is not met. In the Xanthi Minority Secondary and High School, a request for a second secondary school was made years ago due to the increasing number of pupils, but the double shift-schooling system was implemented as an urgent solution. Despite the availability of classrooms to meet the number of pupils in 2023-2024, the Ministry of Education insisted on the double-shift schooling system of the Directorate of the Secondary School, which is why pupils and parents organised a protest.

Thanks to the efforts of ABITTF on this issue, Members of the European Parliament (MEP) François Alfonsi (France, Greens/EFA), Loránt Vincze (Romania, EPP), Herbert Dorfmann (Italy, EPP) and Yana Toom (Estonia, Renew) submitted a question for written answer to the European Commission titled “Double-shift schooling in Western Thrace” ([https://www.europarl.europa.eu/doceo/document/E-9-2023-003346\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-9-2023-003346_EN.html)). It was pointed out that double-shift schooling has been in place for many years at the Turkish Minority Secondary and High School in Xanthi due to the lack of sufficient classrooms, but the students and parents oppose double-shift schooling and organised a protest demonstration between 18 and 28 September 2023 demanding an end to it and a new school building, but no response was received from the competent authorities. In the question for written answer, Alfonsi, Vincze, Dorfmann and Toom asked what actions the European Commission can take to protect the rights of EU citizens who members of a national minority are, ensure equal access to quality education in this region of Greece and safeguard linguistic and cultural diversity.

As a result of the protest demonstrations, double-shift schooling was discontinued, but this time the previously used basement classrooms were closed, the classrooms became overcrowded and the students were forced to study in classrooms of 20 instead of 25, in cramped conditions. Unfor-

tunately, this issue has not been solved until today. Due to this unresolved issue, a letter was sent to Prime Minister Kyriakos Mitsotakis in May 2024. In the letter signed by Ozan Ahmetoğlu, Chairman of the School Board and Cemalettin Efendi, Chairman of the Parent-Teacher Association, the lack of physical capacity of the school was pointed out and a request for a new building for the Xanthi Turkish Minority Secondary and High School was made. In order to solve the issue of physical capacity, the Parent-Teacher Association and the Board requested that the classrooms in the basement of the school be allowed to be used as in the past and that prefabricated classrooms be built in the area used by the school or that public buildings that can be used as additional classrooms be allocated in the vicinity of the school (<https://www.abtff.org/arama-detail.php?id=7068&lang=en>).

- There are also two religious schools in the region, namely the system inherited from the Ottoman Empire and the madrasah. These religious schools, like the other Turkish schools in the region, belong to the Turkish community in Western Thrace and have the status of secondary schools. Students are taught Greek, Arabic, English and Turkish, but the number of Turkish lessons has been reduced over time. In December 2020, the signboards of the Madrasahs in Komotini and Xanthi were changed and the word “Minority” on the signboard was changed to “Muslim”. Law No. 4713/2020 on the Improvement of Special Education and Other Emergency Provisions of 29 July 2020 by the Greek Ministry of National Education and Religious Affairs is another direct state intervention in the functioning of religious schools in the region. Article 32 was replaced by new provisions in Law No. 2621/1998 on the composition and functioning of the School Board and provides for the appointment of government-appointed mufti regents, who are not recognised by the Turkish community, as chairpersons of the school boards of the two madrasahs. It was also decided that the powers of the school board and all economic, administrative and working methods shall be determined by the decision of the Minister of National Education.
- The 0.5% quota or the Education of Muslim Children programmes introduced in 1999 were not practices aimed at allocating autonomy in Turkish schools but were in fact practices aimed at the liquidation of the Turkish school system in the long term and the transition to the state school system. The autonomous structure that the Turkish community in Western Thrace had in education with the Lausanne Peace Treaty has been de facto abolished today.

13. Paragraphs 271-274 of the Report state that appropriate ways and means were considered for the implementation of the three judgments alluding to a violation of Article 11 (freedom of association) of the ECHR; consideration was also given to legislative changes to make it possible to reopen the relevant domestic procedures.

This is a completely false statement.

The Xanthi Turkish Union, the first association of the Turkish community in Western Thrace in Greece, was founded in 1927 and dissolved in 1986. Following 22 years of domestic legal struggle, the Xanthi Turkish Union applied to the European Court of Human Rights. Founded in 1995, the Evros Prefecture Minority Youth Association and the Cultural Association of Turkish Women of the Prefecture of Rodopi, founded in 2001, applied to the ECtHR after their registration applications were rejected by the local courts.

In these three cases, known as the Bekir-Ousta and Others group of cases (<https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-82663%22%5D%7D>), the ECtHR ruled in 2007 and 2008 that our country Greece had violated Article 11 of the European Convention on Human Rights concerning freedom of assembly and association.

Sixteen years after the ECtHR judgments, local cases have not been reopened by the local courts in light of the European Court judgments and case-law. The hearing of the Xanthi Turkish Union

before the Court of Cassation on 16 October 2020 took place two years after the association's application. In its judgment of 29 June 2021, the Court of Cassation rejected the appeal of the Xanthi Turkish Union. With this decision, the Xanthi Turkish Union has once again exhausted domestic remedies in its 39-year legal struggle.

The other two applicant associations in this group, the Evros Prefecture Minority Youth Association (Bekir Usta and Others case) and the Cultural Association of Turkish Women of the Prefecture of Rodopi (Emin and Others case), submitted their applications to the national courts. The Emin and Others and Bekir-Ousta and Others cases were heard by the Court of Cassation on 1 October 2021 and the Court of Cassation issued a judgment on 31 August 2022 rejecting the application of the ECtHR judgments and the request for the official registration of the associations in question.

As stated in the decision of the Committee of Ministers of the Council of Europe of December 2023, CM/Del/Dec (2023)1483/H46, Greece declared its intention to establish a Committee of Experts to make progress on the execution of the judgments of the Bekir-Ousta and Others group of cases, we learn from the letter dated 15 April 2024 from Greece to the Council that the Greek authorities have finally taken a step forward and appointed the President of the Committee. (<https://rm.coe.int/0900001680af5b4c>). On 27 May 2024, Greece sent a letter to the Committee of Ministers informing that the President of the Committee had appointed the second member of the Committee (<https://rm.coe.int/0900001680afd134>). In both letters, there is no timetable as to when the members of the Committee, established to investigate and advise the relevant authorities on the execution of the judgments in this group of cases pending for 16 years, will be appointed, Greece did not provide any information other than the other appointed members and their CVs.

Prior to the review on 11-13 June 2024, ABTTF sent a letter to the Committee of Ministers (<https://www.coe.int/en/web/cm/-/1501st-human-rights-meeting-of-the-ministers-deputies-11-13-june-2024>) indicating that it is open-ended as to how and in what timetable the recommendations and opinion of the aforementioned Committee will be addressed by the relevant authorities. ABTTF would like to let it be known that we interpret this letter as a simple effort to create the impression that steps have been taken in the Bekir-Ousta group of cases.

In the resolution adopted by the Committee of Ministers at its 1501<sup>st</sup> CM/DH meeting of 11-13 June 2024 (<https://rm.coe.int/0900001680b0493f>), the Committee reiterated the unconditional obligation of the respondent States under Article 46 § 1 of the Convention to fully and effectively execute all judgments against them and also urged them to provide detailed information on how the Committee of Experts will function, the scope of its work as well as an indicative timetable for the completion of its work.

At its 1514<sup>th</sup> meeting (December 2024) (DH), the Committee decided to continue the examination of this group of cases and, underlining the vital importance of moving the implementation process forward expeditiously, invited the Secretariat to examine the possibility of submitting a draft interim resolution for consideration at this meeting, in the event that the Committee of Experts was not yet fully operational with a clear mandate and timetable for completing its work by that time. ([https://search.coe.int/cm/#{%22CoEIdentifier%22:\[%220900001680ad83c3%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22%22}](https://search.coe.int/cm/#{%22CoEIdentifier%22:[%220900001680ad83c3%22],%22sort%22:[%22CoEValidationDate%20Descending%22%22})).

14. In paragraph 275 of the Report, it is noted that in the last 10 years, more than 50 associations established by members of the Turkish community in Western Thrace with the definition of “Muslim Minority” have been registered by the local courts and all of them continue their various activities freely.

The association was officially registered on 11 October 2022 in Komotini as a sports association founded by the fans of Fenerbahçe Sports Club, a sports club in Türkiye, with the name “Western Thrace Fenerbahçe Association”. Founded with 76 founding members, the association held its first general assembly on 6 November 2022 and elected its executive and supervisory boards.

With the signature of Prosecutor of Rodopi Maria Kapetanyannis, a lawsuit was filed for the revocation of the registration of the Western Thrace Fenerbahçe Culture and Sports Association and as stated in the indictment, it was claimed that the name of the association is against the law since according to the Treaty of Lausanne only a “Muslim minority” exists in the region. The first hearing of the objection case filed by the Prosecutor’s Office was held on Wednesday, 22 March at the Court of First Instance with a Single Judge of Rodopi. During the first hearing, the case was adjourned by the judge to 14 June 2023 in order to add further evidence to the objection case. At the hearing on that day, the prosecutor withdrew the appeal, and the case file was closed.

Two days after the hearing, on 16 June 2023, the Prosecutor’s Office of the First Instance of Rodopi filed a second lawsuit for the revocation of the registration of the aforementioned association. In the second lawsuit, the Court of First Instance with a Single Judge of Rodopi ruled on 28 May 2024 to revoke the registration of the association in relation to the hearing held on 6 September 2023. It was argued that the term “Western Thrace” in the name of the association was in contradiction to the law and public order and that the use of the term “Western Thrace” posed a danger to the territorial integrity and national sovereignty of the country.

While the execution of the ECtHR judgments regarding the Bekir-Ousta group of cases has been pending for the past 16 years, the decision to dissolve the Western Thrace Fenerbahçe Culture and Sports Association is not only a violation of the freedom of association of the Turkish community in Western Thrace but also a clear attack on the rights and freedoms of our community. This is because the aforementioned association is a simple supporters’ association and has not acted contrary to its statutes until today; it has not taken any action that threatens the territorial integrity and national sovereignty of the country as stipulated in the indictment.

Other associations with the term “Western Thrace” in their names pursue their activities legally in our region and the legal grounds for the revocation lawsuit filed due to the use of the term “Western Thrace” in the name of the association established as a simple supporters’ association in our region are very weak. The first and second lawsuits filed for the revocation of the registration of an association that has not acted outside its statutes since its foundation are based on weak and unrealistic legal arguments deliberately produced for political reasons.

This situation is related to the structural issues in the justice system and the shrinking civil society space in our country. The chapter on Greece of the European Commission’s Rule of Law 2023 Report ([https://commission.europa.eu/document/download/10bc40c8-b6f5-4ad4-8bde-b2ee4df33680\\_en?filename=21\\_1\\_52575\\_coun\\_chap\\_greece\\_en.pdf](https://commission.europa.eu/document/download/10bc40c8-b6f5-4ad4-8bde-b2ee4df33680_en?filename=21_1_52575_coun_chap_greece_en.pdf)) notes serious concerns in the areas of the justice system and media pluralism in Greece. National minorities living in Greece are also adversely affected by the systematic violation of the rule of law in the country, as evidenced by the closure of a simple supporters’ association while the ECtHR judgments in the Bekir-Ousta group of cases as explained above have not been executed for the past 16 years.

15. In paragraph 276 of the Report, Greece claims that groups not officially recognised as “minorities” are free to participate in economic, social, public and cultural life and, of course, to organise festivals and cultural events, to engage in all kinds of related activities and to express themselves as they wish.

This situation has been realised as a state policy in which some groups are supported, and others are ignored. The Turkish community in Western Thrace today has a population of approximately 150 thousand. Greece denies the ethnic identity of the Turkish community in Western Thrace on

grounds that the Lausanne Peace Treaty refers to a “Muslim minority”. Greece claims that the members of the Muslim minority consist of three separate groups of Turkish, Pomak and Roma origin and that their common denominator is the Muslim faith. Although the Treaty of Lausanne does not specifically mention the ethnic identity of the Muslim minority in Western Thrace, there is a specific reference to the ethnic Turkish identity of the Muslim minority in Western Thrace in legal and international documents. On 30 January 1923, in the “Etabli Documents” issued to the peoples of Greek and Turkish origin excluded from the population exchange according to the provisions of the “Convention Concerning the Exchange of Greek and Turkish Populations”, the ethnic origin of the Muslim minority in Western Thrace is described as Turkish.

The recognition of the Turkish community not only as a religious minority but also as a national minority is still rejected by the Greek government.

While Turks and Macedonians are not recognised, other ethnic groups such as Roma, Pomaks and Armenians are recognised and even supported by the state.

Greece has one of the worst records on minority rights in Europe.

It has not ratified the Framework Convention for the Protection of National Minorities and has not signed the European Charter for Regional or Minority Languages.

**The Committee should make the following calls to Greece regarding the Turkish community in Western Thrace:**

1. Greece should restore the educational and religious autonomy of the Turkish community in Western Thrace in accordance with the status and rights recognised by the 1923 Treaty of Lausanne.
2. Greece should ensure that everyone is effectively protected against all forms of discrimination and can fully enjoy their rights under the Treaty of Lausanne and other international human rights treaties.
3. Greece should respect the freedom of association of the Turkish community in Western Thrace and fully and urgently execute the ECtHR judgments.
4. Greece should ensure that the Turkish community, like other recognised religions in Greece, enjoys the right to elect its own religious leaders and recognise the muftis elected by the community as the official religious leaders of the Turkish community in the region.
5. Greece should not involve/intervene in matters of religion, faith, belief or the organisation of a religious group and should separate itself from any matter that can be considered as internal affairs and therefore, with full respect for the religious rights and freedom of religion or belief granted to the Turkish community in Western Thrace, Law No. 4115/2013, Presidential Decree No. 52/2019 and Law No. 4964/2022 on the Modernisation of the Mufti Offices should be revoked. In full respect for the religious autonomy of the Turkish community in Western Thrace, no intervention should be made without consultation and consent of the Turkish community.
6. Greece should restore and promote the right to use the mother tongue as the language of instruction and the autonomy in education granted to the Turkish community. Greece should allow the establishment of bilingual kindergartens within the minority education system and allow the Turkish community in Western Thrace to establish special bilingual kindergartens where the language of instruction will be Turkish and Greek and exempt Turkish primary schools from the suspension of the activities of schools without sufficient numbers of children, since the Turkish community has been granted autonomy in education.
7. In full respect for the autonomous structure of education, Greece should cease state interference in the functioning and management of minority primary and secondary schools and high schools and religious schools, including their number and location, the management of the school boards, the recruitment and training of teachers, the revision and modernisation of textbooks.
8. Greece should become a party to the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages.