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Examen périodique universel

Note verbale datée du 30 septembre 2016, adressée au Haut-Commissariat des Nations Unies aux droits de l'homme par la Mission permanente de la Grèce auprès de l'Office des Nations Unies à Genève

La Mission permanente de la Grèce auprès de l'Office des Nations Unies à Genève et des autres organisations internationales ayant leur siège en Suisse présente ses compliments au Haut-Commissariat des Nations Unies aux droits de l'homme et a l'honneur de lui faire tenir ci-joint les observations du Gouvernement grec au sujet des exposés écrits ci-après, soumis à la trente-troisième session du Conseil des droits de l'homme au titre du point 6 de l'ordre du jour (voir annexe) :

1) Exposé écrit soumis par la Fédération des Turcs de Thrace occidentale en Europe, organisation non gouvernementale dotée du statut consultatif spécial (A/HRC/33/NGO/25) ;

2) Exposé écrit soumis par l'Union fédéraliste des communautés ethniques européennes, organisation non gouvernementale dotée du statut consultatif spécial (A/HRC/33/NGO/52) ;

3) Exposé écrit soumis par l'Union fédéraliste des communautés ethniques européennes, organisation non gouvernementale dotée du statut consultatif spécial (A/HRC/33/NGO/59) ;

La Mission permanente de la Grèce prie le Haut-Commissariat de bien vouloir faire distribuer le texte de la présente note verbale et de son annexe* comme document de la trente-troisième session du Conseil des droits de l'homme, au titre du point 6 de l'ordre du jour.

* L'annexe est distribuée telle qu'elle a été reçue, dans la langue originale seulement.

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Merci de recycler

Annex to the note verbale dated 30 September 2016 from the Permanent Mission of Greece to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

1. Written statement submitted by the "Federation of Western Thrace Turks in Europe", no A/HRC/33/NGO/25, dated 1 September 2016

The 1923 Treaty of Lausanne (multilateral Peace Treaty) is the international Treaty that guarantees specific rights and freedoms for the Muslim minority in Thrace / Greece. The Treaty establishes the status of the minority, identifying it on the basis of the only common denominator-the Muslim faith- of the three distinct groups that comprise it (Greek citizens of Turkish, Pomak and Roma origin). Each of these groups has its own language and cultural traditions / heritage.

Furthermore, the 1923 Treaty of Lausanne is the only international Treaty, which is valid and applicable regarding the status, the rights and the freedoms of the Muslim minority in Thrace.

In order to gain a better view of the significance of the 1923 Treaty of Lausanne for the Muslim minority, which qualifies its special status and guarantees its fundamental rights and freedoms, interested stakeholders may consult the following extract from the "2015 International Religious Freedom Report" on Greece, of the State Department:

"The 1923 Treaty of Lausanne gives the recognized Muslim minority of Thrace the right to maintain mosques and social and charitable organizations (awqafs). allows government-appointed muftis to render religious judicial services in the area of family law, and provides for bilingual education for the Muslim minority. The government, in consultation with a committee of Muslim leaders, appoints three muftis in Thrace to 10-vear terms of office, with the possibility of extension. Civil courts in Thrace routinely ratify the family law decisions of the muftis. The muftis also appoint imams to serve in the community's mosques".

As a result, we consider the views expressed by the "FWTTE"-NGO, which only recalls rejected individual recommendations made by Turkey, to be biased and ill-affected, as far as they mislead and distort truth about the minority in Greece. For instance, some would expect to read that appointing Islamic religious instructors in public (not minority) schools and mosques is an initiative to be welcomed by the Muslim minority. Furthermore, regarding information on the implementation of the three ECtHR judgments that are mentioned, we stress that the competent Ministry of Justice is already establishing a special structure responsible for the execution of the Court's judgments, as this was agreed in the last session of the CoE Committee of Ministers, resuming consideration of this question at their DH meeting in March 2017 at the latest.

With full respect towards the Muslim minority in Thrace, Greece expects that possible future statements by interested stakeholders are more objective and not misleading.

2. Written statement submitted by the "Federal Union of European Nationalities", no. A/HRC/33/NGO/52, dated 5 September 2016

First of all, we regret the fact that "FUEN", which is supposed to be an independent and objective NGO promoting the respect of human and minority rights, does not give credit to positive policies adopted by the Greek State in favour of the Muslim minority.

Given that board members of this NGO have visited the region of Thrace on many occasions, their statement does not highlight the real condition of the Muslim minority and its special status, rights and freedoms, fully guaranteed by the State.

Once again, we would like to remind in this respect, that Greece abides by the international law, namely the 1923 Treaty of Lausanne, which establishes the status of the minority, identifying it on the basis of the only common denominator, the Muslim faith.

The NGO draws conclusions from few acts of violence (mainly misdemeanors) over the past years to arbitrarily view them as motivated by hatred or racism. The Greek State can not be held accountable for the criminal behavior of isolated persons, since it does its utmost to prevent, penalize and prosecute such behavior, as well as to take all preliminary measures, where possible and necessary, to avert such incidents, no matter what the target, the place or the motives are. The Greek society frowns upon any action of racism or hatred. Extremist behavior is discouraged. The same applies with regard to representatives of extreme political movements (Golden Dawn), who are marginalized within the society and are prosecuted for actions disrespectful of democratic principles.

Another example of an ill-informed position taken by "FUEN" is when this NGO mentions the parliamentary debate, having taken place last August, on the construction of a mosque in Athens and it focuses on minor selected incidents in order to put the blame on the Greek society and to justify its statement on an alleged "increasing trend in hate speech". However, it disregards the highly positive trend for tolerance and implementation of human rights as confirmed by the adoption by the Parliament, after the abovementioned debate, of the Law towards the construction of a mosque in Athens.

Over the last years, unfortunately, "FUEN" has been taken hostage by specific actors, promoting a biased perception of reality. We hope that the new Presidium will live up to the expectations of a free, fair and independent civil society organization. Greece expects from "FUEN" to respect its non-governmental role on promotion of human rights and to apply objective standards.

In any case, this is not feasible by reiterating the propaganda of certain third countries, which is even more obvious when there is reference to Greek cities under their name in Turkish language, instead of using their official, international name (e.g. "Dimetoka" instead of "Didimoticho").

3. Written statement submitted by the "Federal Union of European Nationalities", no. A/HRC/33/NGO/59, dated 6 September 2016

Greece is regretful to read "FUEN" reproducing unfounded claims regarding Muslims residing in Rhodes and Kos islands.

Greek Muslims of Rhodes and Kos are fully integrated in the local society, living peacefully with all other residents, no matter what their religion. They enjoy the same rights and have the same obligations as all Greek citizens. Despite the fact that they do not have a minority status, their religious and cultural rights are fully respected.

"FUEN" uses provocative language like "cultural purification policy", without making any specific reference at all for this supposed "policy", which by no means reflects the policy of the Greek Government. The same applies for further unsubstantiated claims about restriction to their rights, without referring to any specific examples. Greek Muslims on the two islands freely practice their rights, without any state interference.

"FUEN" also brings up claims for teaching of the Turkish language and for the protection of Ottoman architecture in Rhodes and Kos.

With regard to the teaching of the Turkish language, it is to be noted that despite the fact that there were lessons provided by the Association "Brotherhood" on Kos, the lessons have been suspended, due to low attendance. At the moment, Turkish language, among others, is provided by learning institutions for foreign languages, and only few students are following the lessons.

With regard to the academic performance of some children, this -of course- is not the result of state policy, given that all pupils are equal before law and follow the same core program enjoying the same opportunities (with the exception of the religious lessons, which are provided on a voluntary basis).

As far as the Ottoman monuments of the two islands are concerned, it is to be reminded that historical monuments constitute part of national cultural heritage, and, in some cases, part of the world cultural heritage and it is the sole responsibility of the State to care for their preservation. Despite the current dire financial situation, the Greek State has spent more than 26 million Euros, within the last few years, for the restoration of Ottoman monuments, many of them being on Rhodes and Kos, thus stressing the importance given to cultural heritage monuments in Greece.