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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Federation of Western Thrace Turks in Europe, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 August 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.17-15183(E)



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“240 Imams Law” in Greece and state intervention into religious affairs of the Turkish community in Western Thrace

The freedom of religion or belief is a fundamental right enshrined in the UN treaties and documents. Persons belonging to national or ethnic minorities have the right freely to profess and practice their religion, including acquisition, possession and use of religious materials, and to conduct religious educational activities in their mother tongue, in private and in public, freely and without interference or any form of discrimination.

The UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities underlines that States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs. Article 5(1) and Article 5(2) note that national policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities. Programmes of cooperation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

The legal status of the Turkish community in Western Thrace, Greece is based on the Treaty of Lausanne of 1923 signed between Turkey and Greece. The Turkish community in the region, all of whom are Muslims, has a right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein. Due to the lack of implementation of commitments undertaken by Greek authorities, the right of the Turkish Minority of Western Thrace to elect its own religious leaders is usurped by the state since 1991. Public authorities do not recognise the Muftis who were elected by minority members and they were prosecuted and sentenced to prison for the illegal use of religious symbols. There is a duality today in Western Thrace, the Muftis appointed by the State and the Muftis elected by the Turkish minority.

The religious autonomy of the Muslim Turkish community in Western Thrace has further been undermined and diminished by Law on Muslim Preachers (4115/2013) envisages appointment of 240 Islamic preachers, “Quran teachers”, who would offer their services in the public schools of primary and secondary education and mosques in Western Thrace under the auspices of the official muftis who are appointed by the State.

Despite strong objection by the Turkish community to Law 4115/2013, Greece insists that Islamic preachers are recruited and remunerated in the same way as all teachers in public schools. Greece notes that Islamic preachers have the right to teach Quran in public schools to Muslim students as an optional course¹. The U.S. 2016 International Religious Freedom Report on Greece further repeats the government’s position that that the relevant law provides for Islamic religious instructors to teach Islam to the Muslim minority in Greek-language public schools in lieu of mandatory twice weekly Greek Orthodox religious courses².

Within the implementation of the law, in the first phase 63 religious instructors, among whom only 3 are university graduates, started to teach Islam and Quran in Greek in public schools of secondary education in Western Thrace in January 2014. Islamic preachers were trained and textbooks for teaching Islam in Greek state schools were prepared. For further implementation of the law, the Greek Ministry of Education has made an announcement in August 2017 for filling of positions of in the region and noted that one hundred and twenty (120) positions of Islamic religious instructors will be recruited under a fixed term contract of nine (9) months duration³.

1 http://www.osce.org/odihr/shdm_1_2017

2 <https://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

3 <http://www.minedu.gov.gr/news/29588-09-08-17-prokiryksi-plirosis-theseon-ierodidaskalon-stis-moufteies-tis-thrakis>

It should be reminded there that the mother tongue of the minority children is Turkish, and the Muslim Turkish children in the public schools in the region will learn their own religion Islam in Greek under Law 4115/2013. Furthermore, European Muslim Initiative for Social Cohesion (EMISCO) and the Federal Union of European Nationalities(FUEN) expressed their deep concern about the situation in Western Thrace and noted that the legislation violated the religious autonomy of the minority by abrogating the right to choose their own clergymen to teach Quran.

Law 4115/2013 envisages appointment of Islamic preachers not only in public schools, but in mosques which belong to the Turkish community itself in the region. Since entry into force, the implementation of the law is limited to the public schools in the region. However, a religious instructor i.e. muezzin was appointed to the mosque in the village of Mega Derio in March 2014. This is against the well-established traditions since in all villages in Western Thrace, Muslims employ imams and muezzins themselves. In Mega Derio, many uniformed police officers deployed themselves in the coffee house of the village just half an hour before the Friday Adhan. The instructor walked into the mosque with apparent intention to lead the service. The community in the mosque of course did not allow him. But those police officers asked the people coming out of the mosque if he could lead the prayer or not. This police escort continued several weeks.

The legislation would in practice allow the government to exercise state control over religion through the appointment of religious officers i.e. Imams to mosques and public schools under the realm authority of the official Muftis (appointed) in Xanthi, Komotini and in Didymoteicho, whom are not accepted and recognized by members of the Muslim Turkish community due to a long-standing Mufti issue in Greece.

We would like to remind that any steps that would be taken in the religious field should be in accordance with the freedom of religion, including the right to choose its own religious leaders and its religious personnel in accordance with autonomous structure granted to the Muslim Turkish minority by international treaties.

Recalling the Declaration on the Elimination of All Forms of Intolerance and of Discrimination

Based on Religion or Belief and the UN Declaration we call upon the Greek State to:

- comply with the Treaty of Lausanne of 1923 and prior Athens Treaty of 1913 and its Third Protocol,
- repeal Law 4115/2013 and respect the right of the Turkish Minority to select, appoint and replace their personnel in accordance with its respective requirements and standards,
- establish a mechanism for dialogue between governmental authorities and the Turkish minority in the form of advisory or consultative bodies that would be the channel for the minority to raise its own voice.