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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 Turks in Europe
(ABTTF),
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.

[20 August 2007]

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

Human Rights Violations in Greece

1. Turks who have been deprived of their citizenship by the Article 19

The Article 19 of the Greek Citizenship Code, of which issuance number is 3370, was adopted in 1955 and reads as follows:

“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 minor 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 concurrent opinion of the National Council.”

This law mentioned above had remained in force and been practiced from 1955 to 1998, totally 43 years, and it had remained in force and been practiced during 17 years after Greece's membership in the European Union in 1981. Greek citizens, who are ethnically not Greek, had been deprived of Greek citizenship by this law. According to the Greek Parliamentary's reply to the notice of question given by Ilhan Ahmet in May 2005, MP for Rodopis in the Hellenic Parliament, 46,638 Turks (Muslims) in Western Thrace and the Island of Rhodes (Twelve Islands) were deprived of citizenship through the related article of the Greek Citizenship Law until 1998. The former Minister of Interior Affairs, Alekos Papadopoulos, announced that the victims of the law sum up to 60.000 until the announcement date, 23 January 1998.[†] The critical point is that these numbers give the sum up of the “direct” victims but when we consider the “indirect” victims, their number sum up to nearly 20.000-30.000 in these 43 years of time. We concept the “indirect” victims as the children of these people who were denaturalized. Important number of these victims still lives in Greece and in Turkey. Other victims are the minority members who are in Germany and in Australia as migrant workers.

Greek citizens were divided into two by this law: ethnically Greeks and ethnically non-Greeks. This is a clear racist discrimination. This law is exactly violation of the United Nations Conventions which are also signed by Greece. The citizens who are not ethnically Greek have lost one of the basic human right named as citizenship right during 43 years, by this racist law. Also, Article 19 had been a law which limited the freedom of travel paradoxically.

[†] International Helsinki Federation for Human Rights, Parallel Report on Greece Compliance, March 2000, p. 9.

After the abolishment of the article, international press yielded some not satisfactory results and Greece renaturalized 100 victims.[‡] The victims can not engage in economic activities since they are heimatlos, they can not get their pensions although they paid all the premiums, and they can not benefit from social security opportunities. These people live in their country as heimatlos and they can not benefit from any right.

On the ground that, the expatriation notification was always learned randomly but specially after the legal time of 60 days to commence a suit, the tools of interior law can not be used and one of the prerequisites to apply European Court of Human Rights can not be satisfied.

On the other hand, there is not a direct article that protects the “citizenship rights”, and the condition to be able to apply European Court of Human Rights, there should be other violations of the rights mentioned in treaty. First article of the first additional protocol that formulates “property right” and the articles of the fourth additional article that formulate “freedom of travel” offer strong points to the minority members.

When all the reasons and results are evaluated, it is possible to see a clear racist discrimination in Greece, a European Union member country. Besides opening of legal ways, it is needed a political force to restore the rights of victims. There is a situation which is contrary to all principles and Conventions of the United Nations. So, the United Nations should take responsibility and make political pressure on Greece to give restore the rights of the victims.

2. *Other Human Rights Violations*

- A. *Religion:* Religious rights of Turkish Minority of Western Thrace are being violated in Greece. Muftis are appointed by the state and elected muftis are not allowed by the state to officiate in Xanthi and Rodopis Prefectures where Turkish Minority lives. Even though European Court of Human Rights has decided to let elected muftis to officiate, Greece still does not take this resolution into practice. This is again violation of the United Nations Conventions. First article of 1981 the United Nations Convention says that “everyone has the right of free thought, conscience, religion and belief”, and the same article also says that “the right of free thought, conscience, religion and belief also imply election of leaders in comply with every belief”. As it is seen, this situation is violation of the United Nations Conventions and it is a clear human rights violation because of limitation of religious freedom.
- B. *Limitation on Political Representation:* Election laws in Greece limit independent representation of Turkish Minority of Western Thrace. According to the election law in Greece, there is a 3% hurdle for election of independent parliamentarians. There is not such a similar practice in another European Union member country and in another country in the world. Election barriers are only

[‡] International Helsinki Federation for Human Rights, Parallel Report on Greece Compliance, March 2000, p. 9.

for political parties. But 3% election hurdle in Greece is also for independent parliament candidates. This situation limits independent political representation of Turkish Minority of Western Thrace in Hellenic Parliament. While there is a quota for political representation of minorities in other European Union member countries and in modern democratic countries, there is a 3% election hurdle against independent parliament candidates in Greece. This is a limitation of political representation and a human rights violation because of limitation of reflection of free thought to the parliament.

- C. *Close-down of Minority Associations:* Non-governmental organizations belonging to Turkish Minority of Western Thrace are closed because of having the term “Turkish” in their names. Associations such as Komotini Turkish Youth Union, Xanthi Turkish Union, Komotini Turkish Teachers Union which are established in 1920s, are closed because of having the term “Turkish” in their names. These closes are limitation on freedom of thought and freedom of organization. So, they are clearly human rights violations.
- D. *Limitation on Education in Native Language:* Turkish Minority schools in Western Thrace region of Greece are very insufficient and under the standards of the European Union. Children of Turkish Minority have some difficulties to take education in their native language. Turkish teachers coming from Turkey are not appointed to Turkish Minority schools. So, Turkish children in Western Thrace can not find enough Turkish teachers to learn their native language. This situation is the violation of 13. and 18. articles of 1948 UN Convention and violation of Article 7 of the UN Convention on Prevention of All Forms of International Racist Discrimination. This is a clear human rights violation again, because of limitation on the right of taking education in native language.
- E. *Limitation on Turks in Public Bodies:* Turks in Greece can not work in public bodies because of their identity. Only a few people work in municipalities. But, Turks are not let work in other public bodies. For instance, Turks are the majority of population in Western Thrace region but there is not a Turkish policeman in Western Thrace, there is not a Turkish officer in public banks in Western Thrace and there is not a Turkish servant in other public bodies in Western Thrace. This is also a clear human rights violation because of reflection of racist discrimination to the public.
