

**Western Thrace Minority University Graduates Association**

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**OSCE  
HUMAN DIMENSION  
IMPLEMENTATION MEETING  
Warsaw, 29 September to 10 October**

Ms/ Mr. Moderator,

Thank you very much for giving this opportunity to me to emphasize briefly on Greece's policies and practices regarding the freedom of associations of Western Thrace Turks.

The right to freedom of association is a basic fundamental human right and it is stipulated by most of the fundamental human rights instruments, such as the 1948 Universal Declaration of Human Rights (Article 20) and the 1950 European Convention on Human Rights (Article 11). The right to freedom of association is now accepted as an inseparable and indispensable part of human rights. Furthermore, the right to freedom of association is considered commonly as an imperative aspect of diversity and pluralist democracy. The establishment of associations is significant in terms of preservation and transmission of the world's cultural richness and promoting diversity. In this context, there is a strong relation between the existence of minority associations and the validity of diversity and pluralist democracy claims.

In Greece, from the Military Junta regime in 1967 onwards naming minority and their associations and institutions with the term 'Turkish' has been forbidden and rejected. According to such policies, the term 'Turkish' then started to be considered as a treat to the unity and the public order of Greece. Finally the term Turkish was prohibited in the late 1980s. Consequently, in 1987, the Greek Supreme Court reached a verdict on dissolution of the Komotini Turkish Youth Union and the Union of Turkish Teachers of

Western Thrace on the basis that the term ‘Turkish’ in their titles referred to the citizens of Turkey and constituted a threat to the social cohesion and solidarity of Greece. Despite these statements, none of them was convicted with any offence until their termination. On the contrary, they had made significant contributions to the relationships between the minority and majority, to mutual understanding to all enriching and diversity.

In 2005, the Greek High Court approved the verdicts on dissolution of ‘the Xsanthi Turkish Union’ and on denial of request for registration by the ‘Cultural Association of Turkish Women of Rodopi’ based on aforementioned reasons, even though, that the association had never been registered and existed. Furthermore, the Greek state did not tolerate the term “Minority” in the title of the ‘Evros Minority Youth Association’. In 2007, the Greek High Court refused the establishment of the Evros Minority Youth Association on the grounds that the definition of Minority in this context, whether ethnic, religious or national, was not clear.

When these cases came before the European Court of Human Rights, the Court held unanimously that there had been a violation of Article 11 of the European Convention on Human Rights. The Court also dismissed the claims of Greece and found that the aims of the associations were not contrary to the Greek public policy. Moreover, the Court added that even if the members of associations claimed that there was an ethnic minority in Greece, this would not constitute a threat to democratic society. *Tourkiki Enosi Xanthis and others v Greece (no. 26698/05) and Emin and others v Greece (no.34144/05)*.

The Court interpreted the cases according to the meaning and framework of the right to freedom of association in conjunction with the founding principles of harmoniously plural societies. As it has been mentioned, that the right to freedom of association is a basic fundamental human right and it is stipulated by most of the fundamental human rights instruments both regionally and universally as an inseparable and indispensable part of human rights concept. According to international law, states are obliged to ensure the survival and continued development of the cultural, religious and social identity of minorities, so that cultural pluralism is maintained as an essential feature of humanity.

Article 27 of the International Covenant on Civil and Political Rights, *inter alia*, (it is a binding treaty for state parties including Greece) indicates that persons belonging to a minority shall not be denied the right to enjoy their own culture in community with the other members of their group. The Human Rights Committee of the United Nations (the HRC) has also emphasized on its Comment 23 that “states are obliged to protect the identity of a minority ...” and I believe that minority associations are keystone to provide this opportunity for the members of minorities.

Despite a range of positive steps taken by Greece during the last ten years in terms of diversity, such implementations indicate the existence of restrictions upon minority rights, broadly on human rights in Greece, a member of the EU. Furthermore, such policies reveal that there are some assignments to be done in order to reach diversity and I believe that the existence of such limitations based on ethnic base is not compatible with the main principles of pursuing a democratic, diverse and plural society.

#### Recommendations

- 1- We recommend that the Greek authorities should respect the collective usage of the right of self-identification and allow the minority to establish their own associations based on ethnic base.
- 2- We, also, recommend Greece to ratify the Council of Europe’s Framework Convention for the Protection of National Minorities that has signed in 1997 but not ratified yet.

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