

GREECE

THE TURKS OF WESTERN THRACE

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SUMMARY

This report examines the situation of the ethnic Turkish minority of Thrace, a region of Greece. It serves as a follow-up to two earlier reports issued by Human Rights Watch, *Destroying Ethnic Identity: The Turks of Greece* (August 1990) and "Greece: Improvements for Turkish Minority; Problems Remain" (April 1992).

Ethnic Turks have resided in Thrace since at least the fourteenth century, and they are Greek citizens. In 1923, under the Treaty of Lausanne, the Turkish minority of Thrace was granted a wide array of rights to ensure protection of their religion, language, culture, and equality before the law.¹ In addition, as Greek citizens, ethnic Turks also enjoy the protection of Greek law, as well as of the European Convention of Human Rights.

Despite such protections, however, ethnic Turks suffer a host of human rights violations. The Greek state has for the most part been unable to accept the fact that one can be a loyal Greek citizen and, at the same time, an ethnic Turk proud of his or her culture and religion. Turks are viewed by the state with suspicion, the strength of which largely reflects the state of Turkish-Greek relations.

Greece's attitude toward the ethnic Turkish minority is nowhere more evident than in its continued official denial of the Turkish identity of the community. Greece only accepts the existence of a "Muslim" minority in Thrace and aggressively prosecutes and bans organizations and individuals who seek to call themselves "Turkish." While it is indeed true that much of the minority is of mixed ethnic origins, it overwhelmingly claims an ethnic Turkish identity and wants to be referred to as such. The Greek government points to the Treaty of Lausanne which, it is true, speaks only of a "Muslim minority." Past state policy, however, negates such a justification. In the early 1950s, during a period of rapprochement between Greece and Turkey, the Greek government itself ordered the use of "Turk" and "Turkish" to refer to the minority, rather than "Muslim."

A number of discriminatory measures have been enacted either to force ethnic Turks to migrate to Turkey or to disrupt community life and weaken its cultural basis. The most egregious example was Article 19 of the Citizenship Law, which, until it was abolished in 1998, allowed the state to revoke the citizenship of non-ethnic Greeks unilaterally and arbitrarily. Between 1955 and 1998, approximately 60,000 lost their citizenship under the article. As a result of Article 19 and other discriminatory measures, the ethnic Turkish minority today numbers approximately 80-120,000.² In 1951, forty-seven years ago, the official census reported 112,665. Given an annual 2 percent growth rate, not high for a poorly-educated and rural community, the Turkish minority, using 1951 as a base, would have been expected to number closer to 300,000 today.³

Religion has been another battleground. A 1990 law granted the state wide-ranging powers in appointing the mufti, the community's religious leader who also serves as an Islamic judge in civil matters. The previous law, in contrast, had allowed the community to elect the muftis. In defiance of the 1990 law, which violates the intent of the Treaty of Lausanne to allow the minority to manage its own religious affairs, the community has continued to elect its religious leaders, who have been prosecuted and imprisoned by Greek authorities. In addition, the repair of mosques is sometimes blocked by state authorities, and those involved in the repair are prosecuted.

The state has also struck at private charitable foundations, known as *Vakıflar*, that support education and religious institutions. A law passed in 1980 and a presidential decree issued in 1990 effectively transferred management of the *Vakıflar* from elected committees—a right assured under the Treaty of Lausanne and preceding Greek legislation—to state officials, who were granted an iron hand over budgetary matters. More ominously, the 1980 law struck directly at

¹ The ethnic Greek minority in Istanbul was granted identical rights under the treaty.

² Informed outside observers put the number closer to the 80,000 range, while, paradoxically, both the Greek state and the minority community claim upwards of 120,000.

³ In 1923, the provisions of the Treaty of Lausanne left some 106,000 ethnic Turks in Thrace.

The ethnic Greek minority of Istanbul, also protected under the Treaty of Lausanne, has also shrunk in size because of state discrimination, from 110,000 in 1923 to an estimated 2,500 today. See *Denying Human Rights & Ethnic Identity: The Greeks of*

the financial holdings of the foundations by ordering that any property for which an official deed could not be presented would be confiscated by the state. While innocuous-sounding, the regulation presented insurmountable challenges to foundations that had holdings as old as 500 years.

Human rights violations in the education field affect the largest number of individuals and have done the most to foster the Turkish minority's relative underdevelopment. Schools are overcrowded and poorly funded compared to those attended by ethnic Greeks. The quality of teachers is low. Ethnic Turks educated in Turkish universities, which the minority believes are the best qualified to teach, have not been hired for a number of years. On the other hand, graduates of the Thessaloniki Pedagogical Academy (EPATH)—the job candidates preferred by the Greek state—are poorly educated and have a weak command of Turkish. Furthermore, community members claim, not without some justification, that the EPATH-trained teachers act as "ideological overseers." Textbooks are decades out of date because Greece and Turkey have been unable to implement a 1968 protocol that would have allowed each country to supply textbooks to their respective minority. The two Turkish-language high schools can provide only a fraction of the needed places, resulting in a disproportionate drop-out rate. Greek officials fall back on the Treaty of Lausanne, which only obligates them to provide primary education in Turkish, ignoring the fact that Greek law mandates a minimum of nine years of education. State repression takes other forms as well. Members of the ethnic Turkish minority also complain of police surveillance, discrimination in public employment, and restrictions on freedom of expression. Representatives from Human Rights Watch and the Greek Helsinki Monitor were trailed by police operatives in Thrace while conducting research for this report. Only a handful of Turks are employed by the municipal or state bureaucracies, almost always in the most menial tasks. A local journalist known as a community activist has become the subject of several prosecutions in an effort to limit his internationally-protected right to free expression.

Despite continued human rights violations, there have been some major improvements since Human Rights Watch began monitoring the situation in 1990. Several of the most egregious laws, such as those that deprived ethnic Turks of basic rights of property and occupation, have been repealed. Since our 1990 report, ethnic Turks can now buy and sell houses and land, repair houses, obtain car, truck and tractor licenses, and open coffee houses and machine and electrical shops. As noted earlier, the government abolished Article 19 of the Citizenship Law, though not retroactively. Restricted zones along the Bulgarian border inhabited by members of the Turkish minority have been opened up, although only to Greek citizens. There have also been efforts to improve education, such as creating a quota for ethnic Turks in the state university system. Finally, the 1994 decision to allow the election of provincial governors and municipal councils appears to be a positive step. These elected officials appear to be more responsive to the needs of the Turkish minority than their state-appointed predecessors. Unfortunately, the Greek state changed the boundaries of two provinces to prevent the election of an ethnic Turkish or pro-Turkish governor from an exclusively ethnic Turkish election list.⁴

⁴Human Rights Watch. Ethnic Turks ran—and continue to run—on the lists of other Greek parties and January 1990, Vol. 1, p. 114 (D)

RECOMMENDATIONS

While there have been some improvements since the publication of our last report in 1992, many of the major problems remain. As we did in 1990 and 1992, Human Rights Watch recommends that the Greek government abide by its obligations under international and national law, especially the Treaty of Lausanne, to protect the Turkish minority's fundamental rights.

To the government of Greece:

- Acknowledge the existence of the Turkish minority, as has been done in the past, most recently in the 1950s, and grant ethnic Turks all the civil and political rights enjoyed by other Greek citizens; this should include the right to call themselves and their associations and schools, if they so choose, "Turkish." End prosecutions and punitive actions against those who called themselves "Turkish";
- Accord the Turkish minority the freedom to leave Greece and return without hindrance or fear and immediately grant citizenship to those individuals deprived of their citizenship under Article 19 who reside in Greece as stateless individuals. Pending granting of citizenship, issue identification cards and travel documents to all such individuals;
- Return powers concerning the Turkish minority to the elected provincial governors (*Nomarc*s) that were removed from their authority in 1996 and transferred to the state-appointed secretary-general. Such powers included the right to approve land sales and to repair mosques;
- Guarantee the Turkish minority equal rights to business and professional life and equal access to civil service employment;
- Accord the Turkish minority freedom of expression, including full access to radio, television, and publications from Turkey; end the harassment of the Turkish minority press;
- Enforce international agreements forbidding degrading treatment of the Turkish minority, including harassment by Greek authorities;
- Guarantee freedom of religion to the Turkish minority, including the freedom to select muftis and the control of private charitable foundations (*vakıflar*). Repeal Law No. 1920 of 1990 concerning the selection of muftis as well as Law No. 1091 of 1980 and Presidential Decree No. 1 of 1991 concerning management of the *vakıflar*. Cease prosecution of the so-called "elected muftis." Allow the minority to repair and build mosques without state impediment.
- Accord the Turkish minority the right to control its schools, including the right to build, enlarge, and repair schools, to appoint teachers for the Turkish language curriculum, to set the class size for secondary schools, and to obtain and use current schoolbooks in the Turkish language. Institute a curriculum of teaching Greek as a second language in primary schools. Where needed and desired, institute the teaching of Turkish as a second language to Pomak and Roma children; and
- Ratify the Council of Europe Framework Convention for the Protection of National Minorities.

To the member states of the European Union:

- Raise the issue of the Turkish minority of Thrace, especially the Greek government's denial of their ethnic identity, in bilateral meetings with Greece and in the E.U. as a whole;
- Ensure that the annual E.U. transfer to Greece of 387 ecu per person (4.1 billion ecu or U.S.\$4.8 billion) is, in proportion to their numbers, invested in and used for the needs of the Turkish minority;

- Monitor the situation of the minority and publicly report on findings of discrimination or other human rights abuses; and
- Address the problems of discrimination against the Turkish minority in Greece identified in this report, in connection with the Council of Minister's monitoring procedure, the on-going monitoring and consultative activities of the European Commission against Racism and Intolerance, and current consideration of this subject by the Parliamentary Assembly Committee on Legal Affairs and Human Rights.

To the Organization for Security and Cooperation in Europe (OSCE):

- Through the High Commissioner on National Minorities and the Representative on Freedom of the Media, work with the government of Greece and the Turkish minority community in Greece to address problems identified in this report, including discrimination against the Turkish minority with respect to citizenship rights, employment, freedom of expression, religious practice, language, and education.

To the government of the United States:

- Raise the issue of the Turkish minority with the Greek government; and
- Continue to monitor the situation of the minority.

GREECE'S INTERNATIONAL LEGAL OBLIGATIONS

The Greek government's obligations to respect the rights of the Turkish minority, including its right to a nationality, are well established under international law. Numerous international conventions, resolutions, and declarations recognize and protect the rights of members of national minorities. Article 27 of the International Covenant on Civil and Political Rights (ICCPR), notable among these, accords specific protection to minority group members, declaring that they "shall not be denied the right, in community with the other members of their own group, to enjoy their own culture, to profess and practice their own religion, or to use their own language."⁵

An additional source for understanding the content and scope of minority rights is the U.N. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.⁶ Although the declaration lacks the binding legal force of a treaty, it constitutes an authoritative explication of existing treaty norms protecting the rights of minority group members. The declaration mandates, in particular, that states "protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity."⁷ Other provisions relevant to the situation of the ethnic Turkish minority in Greece are those stating that members of minorities have "the right to enjoy their own culture, to profess and practice their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination . . . the right to establish and maintain their own associations . . . the right to establish and maintain, without any discrimination, free and peaceful contacts . . . across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties."⁸

⁵Greece acceded to the ICCPR on May 5, 1997.

⁶G.A. Res. 47/135, U.N. GAOR, 47th Sess., 3d Comm., Annex, U.N. Doc. a/47/678/Add.2 (1992).

⁷U.N. Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, art. 1.

⁸Ibid, art. 2. Similar protections are contained in the Council of Europe's 1995 Framework Convention for the Protection of National Minorities, which Greece signed in 1997 but as of October 1998 had not yet ratified. The European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention), in contrast, does not include a specific provision on the protection of minorities, although it does contain a reference to the enjoyment of convention rights without discrimination on grounds of "association with a national minority." European Convention, art. 14. Greece ratified the European Convention in

Besides these international protections, Greece has, by ratifying the 1923 Treaty of Lausanne, acquired a number of specific obligations with respect to its Turkish minority. Articles 37 through 45 of the treaty, described as “fundamental laws,” set forth the obligations of the Greek and Turkish governments to protect the Greek and Turkish minorities on their territories.⁹ Each country has agreed to ensure:

- protection of life and liberty without regard to birth, nationality, language, race or religion;
- free exercise of religion;
- freedom of movement and of emigration;
- equality before the law;
- the same civil and political rights enjoyed by the majority;
- free use of any language in private, in commerce, in religion, in the press and publications, at public meetings and in the courts;
- the right to establish and control charitable, religious, and social institutions and schools;
- primary schools in which instruction is given in both languages; and
- full protection for religious establishments and pious foundations.

In 1951 and 1968, moreover, the Greek and Turkish governments signed additional protocols issued by a Greek-Turkish cultural commission. Among other things, the protocol guaranteed that each country would respect the religious, ethnic, and national consciousness of the Greek or Turkish minority within its borders and allow an exchange of textbooks and educators.

Finally, Greece is not free under international law to discriminate against members of the Turkish minority by depriving them of Greek citizenship. Although states enjoy considerable leeway in determining who their citizens are, the rules on citizenship and nationality are not entirely left to state discretion. Most fundamentally, Article 15 of the Universal Declaration of Human Rights bars states from “arbitrarily” depriving someone of his nationality, as does the European Convention on Nationality, which Greece has signed but not yet ratified.¹⁰ The deprivation of nationality on the basis of ethnicity is addressed in the Convention on the Elimination of All Forms of Racial Discrimination, which Greece ratified in 1970. Article 5 of the CERD, in particular, prohibits states from discriminating on the basis of ethnic origin with regard to the right to nationality.¹¹

HISTORICAL BACKGROUND

⁹G.A. Res. 47/135, U.N. GAOR, 47th Sess., 3d Comm., Annex, U.N. Doc. a/47/678/Add.2 (1992).

¹⁰Greece signed the European Convention on Nationality on November 11, 1997, the day that it opened for signature. As of November 1998, the treaty had not yet entered into force.

¹¹Article 9 of the 1961 Convention on the Reduction of Statelessness also bars states from depriving anyone of his nationality on ethnic grounds. Although Greece is not a party to this treaty, the principles embodied in it are authoritative in that they reflect Human Rights Watch basis on minimum legal standards on the question of nationality. January 1999, Vol. 11, No. 1 (D)

The areas referred to by Turks today as Western Thrace and by Greeks as Thrace came under Ottoman control in 1363-1364 with the rout of a combined Serb, Bosnian, and Hungarian army in 1364 on the Maritsa river near the city of Edirne.¹² Murat, the Ottoman Sultan of the period, settled Turkomans from Anatolia in the newly-won region while at the same time granting Christians a protected if inferior status under the traditional Islamic policy of tolerance towards *zimmis*, people of the book.¹³ Later, in the second half of the nineteenth century, Circassians and Tartars fleeing the Tsarist empire moved to the region. Thrace remained under Ottoman control until the First Balkan War of 1912-13, during which time the armies of Montenegro, Greece, Serbia, and Bulgaria attacked the Ottoman Empire and ejected it from almost all of its European holdings. In 1913, as a result of the war, the Treaty of Bucharest granted most of Western Thrace to Bulgaria, which administered the territory until the end of the First World War. From 1919-20, a mixed Allied-Greek administration ruled the area. In 1920, Western Thrace was granted to Greece, and the territory remains part of the Republic of Greece.

In January 1923, Greece and Turkey signed the Convention Concerning the Exchange of Greek and Turkish Populations.¹⁴ The convention was signed in the wake of Greece's failed invasion of Turkey's Anatolian mainland and Turkey's repudiation of the Treaty of Sèvres of 1920. The Treaty of Sèvres granted Izmir to Greece, then known as Smyrna, as well as a large tract of territory surrounding the city.¹⁵ To prevent further irredentist Greek claims, Turkey demanded repatriation of ethnic Greeks residing in the Anatolian areas of the former Ottoman Empire in exchange for the return of ethnic Turks living in the Kingdom of Greece.¹⁶ In exchange, Turkey allowed those ethnic Greeks residing in Istanbul before October 1918—some 110,000—to remain, along with the Orthodox Patriarchy; reciprocally, Greece would allow a similar number of ethnic Turks, estimated at between 105,000-120,000, to remain in Thrace.¹⁷

In November 1923, Turkey signed the Treaty of Lausanne, which put an official end to the Greco-Turkish War and secured international recognition, with minor changes, of Turkey's present borders. In addition, Articles 37-45 of the treaty obligated both Turkey and Greece to grant and respect a broad array of rights for the Greek minority of Istanbul and the Turkish minority of Thrace. Such rights included equality before the law, free exercise of religion, free use of its own language including in primary schools, and control over religious affairs.¹⁸

¹²Stanford J. Shaw, *History of the Ottoman Empire and Modern Turkey, Volume I: Empire of the Gazis: The Rise and Decline of the Ottoman Empire, 1280-1808* (London: Cambridge University Press, 1976), pp. 18-19.

¹³Ibid.

¹⁴For a full copy of the text, see Appendix A.

¹⁵Greece faced nationalist Turkish forces under the command of Mustafa Kemal in a three-year war (1919-1922) to oust the Greek army from Turkey. It had occupied Izmir in May 1919 and then pushed west in an attempt to create a Greek state in Anatolia, the so-called *Megali* idea. Turks refer to the conflict as the "War of Salvation" (*Kurtuluş Savaşı*).

¹⁶By 1923, many ethnic Greeks had already fled with the retreating Greek army. One scholar puts the number of ethnic Greeks repatriated from Turkey under the convention at 188,000. According to him, 388,000 ethnic Turks returned to Turkey from Greece. See Tozun Bahçeli, *Greek-Turkish Relations since 1955* (Boulder: Westview Press), 1990, pp. 11-13.

Another scholar cites figures of 638,253 ethnic Greeks and 348,000 ethnic Turks. See Ath. Angelopoulos, "Population distribution of Greece According to Language, National Consciousness, and Religion," *Balkan Studies*, Volume 20, 1979.

¹⁷Bahçeli, pp. 170-71.

¹⁸See Rights Watch for a full text of the relevant articles of the Treaty of Lausanne. January 1999, Vol. 11, No. 1 (D)

Since 1923, reciprocal treatment of the Greek minority in Istanbul and the Turkish minority in Thrace has largely reflected the state of Greco-Turkish relations. Despite some friction, both minorities benefitted from the rapprochement in inter-state relations, that was engineered by two former rivals, the Turkish leader Mustafa Kemal Atatürk and the Greek Prime Minister Eleftherios Venizelos. It lasted roughly from 1930 to 1955.¹⁹

In the face of possible aggression from fascist Italy, both countries signed a Friendship Pact in September 1933. After World War II, facing Soviet expansion, Turkey, Greece, and Yugoslavia joined together in a treaty of friendship and assistance, followed by the short-lived Balkan Pact one year later.²⁰ In 1954, while on a state visit to Greece, then Turkish President Celal Bayar called Greco-Turkish relations “the best example of how two countries who mistakenly mistrusted each other for centuries have agreed upon a close and loyal collaboration as a result of recognition of the realities of life.”²¹

Since 1955, however, the conflict in Cyprus has adversely affected the fate of the Turkish minority in Thrace and the Greek minority in Istanbul. Attempts by Greek Cypriots to break free of British colonial rule and unite with Greece, so-called *Enosis*, often resulted in bloody attacks against the minority Turkish Cypriot community, which numbered about 20 percent of the island's population and opposed union with Greece.²² These attacks triggered tit-for-tat countermeasures against the Greek minority in Istanbul. Wide-scale violence against the Greek community of Istanbul, believed to have been engineered by the Turkish government of then Prime Minister Adnan Menderes, destroyed an estimated 3-4,000 shops and precipitated the exodus of thousands of ethnic Greeks from the city in 1955.²³ Continued communal violence in Cyprus after independence in 1960—including massacres of members of the Turkish community in December 1963—led to the Turkish government's cancellation of residence permits for 12,000 Greek citizens living in Istanbul as well as the confiscation of their property. In July 1974, as a guarantor power under the Treaty of London, Turkey invaded Cyprus after a coup by Nicos Sampson ousted the elected Makarios government in an effort to unite the island with Greece. Turkey eventually occupied close to 40 percent of Cyprus.

In the post-1955 period, Greek pressure against the Turkish minority of Thrace was, if less violent, no less deleterious. Land held by ethnic Turks was illegally expropriated, professional licenses were denied, individuals were forced to emigrate by the unilateral revocation of their citizenship, and religious freedoms were curtailed—in short, a general policy of discrimination against the minority was implemented. By the mid-1980s, the discriminatory practices had resulted in a civil rights movement of the Turkish minority led by the late Dr. Sadık Ahmet.

DEMOGRAPHICS

¹⁹Bahçeli, pp. 14-15 and p. 171. The period was not without friction. Greece's settlement in Thrace of Greek refugees from Turkey, which disturbed the demographic balance to the detriment of the Turkish minority, and Turkey's institution of the so-called “wealth tax” (*Varlık Vergisi*), unsettled the situation. Introduced in 1942, the “wealth tax” was a misguided attempt to strike at war profiteers and speculators. The act, however, quickly degenerated into a campaign against businesses and wealth held by non-Muslims. In March 1944, under pressure from the United Kingdom and the United States, Turkey repealed the law.

²⁰Bahçeli, p. 16.

²¹Ibid.

²²The Greek guerilla group EOKA, led by George Grivas and Nicos Sampson, committed much of the violence against ethnic Turks. The Turkish-led TMT underground group also carried out attacks against ethnic Greeks.

Christopher Hitchens argues that British colonial authorities soured community relations in the island by employing a disproportionate number of ethnic Turks in the pre-independence security forces. See *Hostage to History* (London: Verso, 1997), p. 46-47.

²³See Human Rights Watch, *Human Rights and Ethnic Identity: The Greeks of Turkey*, Human Rights Watch, Vol. 9, No. 1 (D) (January 1999).

The discriminatory policies of the Greek state led to a general diminution of the Turkish population. Independent estimates in 1912, on the eve of the Balkan Wars, gave the Turkish-Muslim population in Thrace a slight majority of around 53.5 percent (120,000 out of 224,000).²⁴ Even after the population dislocations caused by the two Balkan Wars and World War I, a census conducted by the Allied administration in 1920 still granted the Turkish-Muslim population a clear plurality of around 42.4 percent (87,000 out of a total population of around 205,000), a drop of around 27 percent from the 1912 figures.²⁵ A special commission set up to determine the population of the Greeks of Istanbul and the Turks of Thrace under the 1923 Convention Concerning the Exchange of Greek and Turkish Populations determined the Turkish population of Thrace to be 106,000. The 1928 Greek census put the number of Muslim Turkish speakers at 126,017, a figure that grew to 140,090 in the 1940 census.²⁶ According to the 1951 census, there were 112,665 Turks, though many believe that decrease can be attributed to the fact that many Turks fled Greece, especially Thrace which was under Bulgarian control, during World War II, and did not return at war's end.²⁷

Today the Turkish minority of Thrace, depending on estimates, numbers between 80-120,000, roughly the same as the number in the 1951 census. Given a 2 percent growth rate—and some estimates have put the growth rate of the Turkish minority as high as 2.8 percent—the Turkish population today would be expected to number 291,472 using the 1951 census data as a base figure or 444,945 using the 1940 census data.

Trends in land ownership have followed demographics. Although no independent figure exists, it appears that most land in 1923 was owned by Turks in the form of estates held by Turkish nobles. Although believed to be somewhat inflated, figures from Turkish sources claim that 84 percent of the land was owned by Turks, 10 percent by Bulgarians, and only 5 percent by Greeks; there are no available Greek figures.²⁸ By the early 1990s, as a result of the expropriation of land for public works that was disproportionately targeted against ethnic Turks, the Turkish minority held between 20 and 40 percent of the land.²⁹ Since the majority of Turks are involved in agriculture, the loss of land equals the loss of their livelihood.

POSITIVE STEPS BY THE GREEK STATE

Since May 1990, when Human Rights Watch began monitoring the condition of the Turkish minority of the Thrace region of Greece, the Greek government has taken certain steps to address the human rights violations we documented in our first report, *Destroying Ethnic Identity: The Turks of Greece*, published in August 1990. In that study, we noted that,

²⁴Other groups in the region included Greeks (60,000), Bulgarians (40,000), and "others" (4,000). Even Greek estimates of the time admitted a Turkish-Muslim plurality of around 47 percent out of a total population of 239,000, while citing a Greek population of 87,000 (39 percent). Information provided by the Greek Helsinki Monitor, based on a 1994 study by Dalegre.

²⁵Ibid. The 1920 census reported 56,000 Greeks, a decrease of 10 percent compared with independent 1912 estimates, 54,000 Bulgarians, a jump of 35 percent, and 8,000 others, an increase of 100 percent. Bulgarian administration between 1913-1920 led to an influx of Bulgarians and an outflow of Turks and, to a lesser extent, of Greeks.

²⁶See Angelopoulos, p.126.

Under the 1928 census, 191,254 individuals stated that Turkish was their mother tongue, though 65,237 of these were Greeks from Turkey who arrived as a result of the population exchange. It appears that Angelopoulos arrived at the figure for Turkish Muslims by subtracting the number of Muslims in the 1928 census, 126,017, from the total number of Turkish speakers. According to the 1940 census, there were 229,075 Turkish speakers and 141,090 Muslims.

²⁷After the 1951 census, the Greek National Service of Statistics stopped asking questions concerning national/ethnic origin, language use, or religion. According to the 1951 census, there were 92,443 Turcophones, 7,429 Gypsies, and 18,671 Pomaks, for a total of 118,533. The difference between that figure and the 112,665 Muslim total can be explained by the fact that some of the Turkish speakers were probably ethnic Greek Orthodox who came to Greece from Anatolia as a result of the 1923 population exchange.

Figures from Christos L. Rozakis, "The international protection of minorities in Greece," in Kevin Featherstone and Kostas Ifantis, eds, *Greece in a Changing Europe: Between European Integration and Balkan disintegration?* (Manchester: Manchester University Press, 1996), p. 98.

²⁸Unpublished manuscript on the Turkish minority by the Greek Helsinki Monitor, data from Dalegre, 1994.

²⁹*Destroying Ethnic Identity: The Turks of Greece*, August 1990, pp. 2, 35-36 and Human Rights Watch, "Greece: Human Rights Watch Turkish Minority; Problems Remain," April 1992, p. 5. January 1999, Vol. 11, No. 1 (D)

The many abuses of human rights documented in this report reveal a pattern of denying the Turkish minority the rights granted to other Greek citizens; the pattern includes outright deprivation of citizenship; denials of the right to buy land or houses, to set up businesses or to rebuild or repair Turkish schools; restrictions on freedom of expression, movement and religion; and degrading treatment of ethnic Turks by government officials.³⁰

In a follow-up report two years later, however, we observed that,

Ethnic Turks can now buy and sell houses and land, repair houses and mosques, obtain car, truck and tractor licenses, and open coffee houses and machine and electrical shops. None of these was possible in past years, as Helsinki Watch reported in *Destroying Ethnic Identity: The Turks of Greece* in August 1990.³¹

But the Turkish community reports that important problems remain, chiefly involving education; expropriation of land; the selection of muftis, the religious leaders of the Moslem minority; and control of the wakfs (charitable foundations). Moreover, the Greek government continued during 1991 to deprive hundreds of ethnic Turks of their Greek citizenship. In addition, police harassment of ethnic Turks continues, although to a lesser degree. Associations and schools still cannot call themselves "Turkish," Turkish language newspapers, books and magazines cannot be brought from Turkey into Western Thrace, and Turkish television is still jammed. Moreover, ethnic Turks are discriminated against in employment and in the provision of services.

Improvements achieved came as the result of initiatives launched by the government of Prime Minister Constantine Mitsotakis.

In the intervening six years since publication of the last report, the Greek government has taken some additional positive steps, most importantly:

- The non-retroactive June 1998 abolition of Article 19 of the Citizenship Law, which used ethnic origin to deprive arbitrarily non-ethnic Greeks of their citizenship. Between 1955-1998, approximately 60,000 Greek citizens, the majority ethnic Turks, lost their citizenship as a result of the article;
- In 1995, restrictions for entry into zones along the Bulgarian border, areas where Muslim Pomaks reside, were abolished for all Greek citizens;³²
- In 1995, the government launched an initiative to improve education in minority schools and instituted a university quota for students from the Turkish minority. In 1997-98, 334 places were set aside, 120 members of the minority took the entrance exam, and 114 were accepted. In 1996-97, 74 minority members entered university under the program;

³⁰*Destroying Ethnic Identity: The Turks of Greece*, p. 1.

³¹"Greece: Improvements for Turkish Minority; Problems Remain."

³²Pomaks are Muslim ethnic Slavs whose native tongue is a form of Bulgarian. They, however, consider themselves culturally and linguistically part of the Turkish minority and most are bilingual, if they speak Pomak at all.

Border restrictions reportedly remain for foreigners, though a Human Rights Watch representative entered the region without
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- In 1994, to bring Greece in line with E.U. standards, the government instituted the election of previously state-appointed provincial governors and municipal councils. In meetings with Human Rights Watch, the elected governors appear more open to consider the needs and requests of the Turkish minority, upon whose votes they depend. More importantly, they recognize the mistake of the past state policy of discrimination against the Turkish minority and appear willing to use development funds to improve infrastructure in minority regions.³³

CONTINUING VIOLATIONS

Denial of Ethnic Identity

While many of the improvements that the Greek government has made are substantive and not merely cosmetic, the Turkish minority continues to face a number of serious problems. At the root of these problems is the Greek government's attitude toward the Turkish minority as somehow alien to Greece, as an outside threat that must be minimized or isolated. The most obvious sign of this is the continued state policy of denying the ethnic identity of the minority, which, whether acquired by birth or through acculturation, is undoubtedly Turkish. Greece officially recognizes but one minority, the Muslim minority as defined in the 1923 Treaty of Lausanne. Consequently, it has adopted a militant fear of any group, whether Macedonian or Turkish, that claims otherwise.

While it is indeed true that the minority is mixed on an ethnolinguistic basis, being made up of ethnic Turks, Pomaks (Muslim Slavs who speak a Bulgarian dialect), and Romas, the group overwhelmingly identifies itself as Turkish.³⁴ Indeed many Pomaks and Romas will, especially to outsiders, even deny their ethnolinguistic origin in the belief that being called "Pomaks" or "Romas" is merely a state artifice to suppress them.³⁵ One commentator noted that, "Due to the uniform way in which Greek authorities and local communities have treated Gypsies and Pomaks, the latter tend to identify with the stronger elements of the minority in Thrace, who are, of course, the Muslim Turcophones."³⁶

The government of Greece justifies its refusal to accept the Turkish identity of the minority on the Treaty of Lausanne, which only mentions a "Muslim minority." Others within the government point to the fact that "Turkish" refers to state identification, rather than to an ethnicity. Mr. Yannis Kranidiotis, the deputy foreign minister, stated that,

³³Unfortunately, the districts of Xanthi and Rodopi were joined to adjacent districts to prevent the election of a Turkish governor or pro-Turkish provincial councils. Furthermore, in 1996, the government diluted their power vis-a-vis the minority by transferring responsibility for oversight of rights guaranteed to the Turkish minority under the Treaty of Lausanne to a government-appointed secretary general;

Other elected officials also appear reform-minded. The mayor of Komotini, George Papadriellis, told Human Rights Watch that, "We have come to understand that economic development in particular is not possible without the cooperation of all of the communities living here." Interview, Komotini, September 1997.

³⁴While no exact figures exist, the minority, on an ethnic basis, is believed to be 65 to 75 percent Turkish, 15-25 percent Pomak, and 5-10 percent Roma.

³⁵Information based on an unpublished manuscript on Turkish minority of Thrace written by the Greek Helsinki Monitor.

In Greece we do not speak of a Turkish minority; we call it Muslim minority. We feel this term, Turkish, gives them an ethnic character of Turkish while downgrading other elements that are not Turkish [such as Pomaks and Gypsies]. We have ratified the code of ethnic self-identity. We will wait for the decisions of the European Court of Human Rights....We have been tolerant and are becoming even more tolerant. *Stricto sensus* if one wants to interpret the Lausanne treaty they must be called Muslims...We are respecting however the different elements of the Muslim minority. We would like to see what the Commission and what the Court of Human Rights will say, if we should call them Turks.³⁷

Mr. Stavros Kambellis, the state-appointed secretary general for Thrace, argued that the term "Turkish" refers to the Republic of Turkey, not a specific minority. He stated that,

A person is free to express himself in whatever identity he desires. No one has come to me to complain about the freedom to express one's religious or linguistic identity. The problem is raised with the use of the term Turkish. According to all international conventions they are Muslim. When they name their associations with the name of another state, this has no meaning here. It does not express anything.³⁸

The government's refusal to accept the minority's Turkish identity has ranged from banning civic organizations bearing the adjective "Turkish" in their titles to prosecuting individuals who publicly identified the minority as "Turkish."³⁹ Greek courts have outlawed the use of the word "Turkish" to describe the Turkish minority. In November 1987, the Greek High Court affirmed a 1986 decision by the Court of Appeals of Thrace in which the Union of Turkish Teachers of Western Thrace and the Union of Turkish Youth of Komotini were dissolved. The court held that the word "Turkish" referred to citizens of Turkey and could not be used to describe citizens of Greece, and that the use of the word "Turkish" to describe Greek Muslims endangered public order.⁴⁰ More recently, in August 1996, Mr. Raşim Hid, a teacher at a minority primary school, was transferred by the state-appointed secretary general of the region from the city of Xanthi to a mountain region of Rodopi for using the term "Turkish school" in a teachers' meeting.⁴¹ In June 1997, twelve ethnic Turkish teachers were given a suspended sentence of eight months, pending appeal, because they signed a union document that included the term, "Turkish Teachers of Western Thrace."⁴² They had been indicted under Articles 188 ("participating in an association the aims of which are contrary to criminal provisions") and 192 ("inciting citizens to commit acts of violence upon each other") of the Greek Penal Code.⁴³

³⁷Interview, Athens, September 1997.

³⁸Interview, Komotini, September 1997.

³⁹The state in recent years has come to accept that the group is "of Turkish origin" (*Tourkogeneis*). Information provided by the Greek Helsinki Monitor.

⁴⁰In spite of this holding, the courts have still on occasion used the word "Turkish" in relation to the Turkish minority. For example, a 1988 order from the President of the *Areios Pagos*, the Greek High Court, in File Number 473, refers to Dr. Sadik Ahmet as a "Turkish doctor" from the "Turkish minority."

⁴¹1997 *International Helsinki Federation For Human Rights Annual Report* (Internet Edition). Under Legal Decree 1109/72 and Laws No. 694 and 695/77, schools for the Turkish minority are to be officially called "minority schools."

⁴²*U.S. State Department Report on Human Rights for 1997* (Internet Edition).

⁴³Human Rights Watch Report.

The most notorious case in recent memory involves the late Doctor Sadık Ahmet, a former parliamentarian and communal leader. In January 1990, Dr. Ahmet was found guilty of disrupting public peace (*diataraxi koinis eirinis*) under Article 192 of the penal code. In October 1989, while campaigning for parliament, he had distributed leaflets that spoke of "Turks," "Turkish Muslims," and the "Turkish Muslim minority of Western Thrace."⁴⁴ Doctor Ahmet was imprisoned from January to March 1990, when the Court of Appeals of Patras upheld the sentence but converted it into a fine with time served. On February 15, 1991, the Court of Cassation (*Areios Pagos*) rejected Dr. Ahmet's appeal of this conviction. The court ruled that, "In this manner the appellants had deliberately attempted to describe as 'Turks' the Greek Muslims of Southern Rodopi....moreover, they knew that there was no Turkish minority in Western Thrace...."⁴⁵

Dr. Ahmet then applied to the European Commission of Human Rights, which declared his case partially admissible in 1994. In April 1995, the commission in its Article 31 report declared that Greece had violated Dr. Ahmet's right of free expression under Article 10 of the European Convention on Human Rights and forwarded the case to the European Court of Human Rights. On November 15, 1996, however, the court dismissed the case because Dr. Ahmet had not exhausted domestic legal remedies.⁴⁶

The Greek state's obstinate denial of the Turkish minority's ethnic identity short-circuits any hope of real reconciliation. Minority members consistently ranked the denial of their ethnic identity as the main stumbling block to improving their lot in Greek society and trusting the Greek state. In meetings with Human Rights Watch, the Turkish minority demanded nothing more than recognition of its Turkish identity and equal treatment within the framework of Greek citizenship and loyalty to Greece. Mr. Birol Akifoğlu, a deputy from The New Democracy party, stated that,

First of all there is the problem of the non-recognition of its ethnic identity, its Turkish origin, a problem from which derive all the other problems of the minority. The significance of the notion of a citizen is of course above the religious or the ethnic identity one may have. We are first of all Greek citizens. Our religious and ethnic identity should not be the reason that they see us as second class citizens. All of the minority is Turkish and the differentiations that are being made (Romas, Muslims, Pomaks) do not derive from the minority itself and consequently are not recognized by it. The name Turkish for associations is not being recognized and it is forbidden. In November 1987 we had the first restriction by a higher court when an association used the name Turkish. It must be understood that one thing is Turkism or Turanism and another thing is to be a Greek citizen and to have a Turkish identity.⁴⁷

Mr. Adem Bekiroğlu, president of the board of the Minority Scientists' Association, explained that,

We are denied our [right] of self-identity. "Muslim minority" does not mean anything to us. We speak and learn Turkish, we feel that we are Turks, therefore, we ought to be recognized as Turks. The Greek government after it agreed with Turkey about a Turkish minority ought to recognize us as a Turkish minority. We cannot accept the Greek President's position, who speaks of Turkish individual identity but who refuses to recognize a Turkish collective identity...During the registration of the minority, it was called Turkish in spite of the fact that in the Lausanne treaty of 1923 [the group] was referred to as a "Muslim minority."⁴⁸

⁴⁴European Commission of Human Rights, Application No. 18877/91, *Sadık Ahmet against Greece, Report of the Commission*, April 4, 1995, p. 11.

⁴⁵European Court of Human Rights, *Case of Ahmet Sadik v. Greece* (46/1995/552/638), Strasbourg, 15 November 1996, Internet edition, p. 11.

⁴⁶"Case of Ahmet Sadik v. Greece," *Greek Helsinki Monitor, Press Release*, July 13, 1998. Greece has been convicted ten times by the European Court of Human Rights for violating the rights of minorities living within Greece, including those of Jehovah's Witnesses, Catholics, Protestants, and Macedonians.

⁴⁷Interview, Xanthi, September 1997. Turanism is an ideology that arose at the end of the Ottoman Empire. It propounded the union of all Turks and Turkic peoples into one state.

⁴⁸Interview, Komotini, September 1997. Hülya Emin is now the president of the group, which voted in October 1998 to rename itself the "Turkish Scientists' Association."

Despite claims that the Treaty of Lausanne only allows reference to a “Muslim minority,” official Greek state policy has fluctuated regarding the identity of the minority and appears largely to be a function of Greco-Turkish relations. Professor Christos Rozakis, a former deputy foreign minister of Greece, commented that,

In Greece....two schools of thought have emerged on the semantics of the word “Muslim minority”....the one, which is enunciated mainly during periods of crisis in relations between the two States, attempts to limit the nature of the minority to its religious constitutive aspect....The other looks at the minority as an ethnic group....It is not surprising the latter school flourishes in the rare periods of rapprochement between the two countries...⁴⁹

After the rapprochement between Turkey and Greece in the 1930s, according to Rozakis, “the Greek Prime Minister Eleftherios Venizelos accepted that the minority was a secular and not only a religious one.”⁵⁰ This switch came as Greek policy began to favor Kemalists within the minority over Islamist traditionalists.⁵¹ During the early years of the Cold War up until 1955, the Greek state actually began to use the term “Turkish” to describe the minority in place of the generic “Muslim.” For example, Law No. 3065 of 1954, dubbed the “Marshal Papagos Law” by the Turkish minority, ordered the use of the term “Turkish” in naming primary schools.⁵² A December 1954 order sent by the General Administration of Thrace to mayors and other government bodies in the region ordered that, “Following the order of the President of the Government (Prime Minister), we ask you that from now on and in all occasions the terms ‘Turk-Turkish’ are used instead of the terms ‘Muslim- of Muslim.’”⁵³ In May 1955, the General Administration of Thrace again directed state agencies to use the term “Turkish” to describe the minority, explaining, “In spite of the strict orders of the government to replace the terms ‘Muslim-of Muslim’ and use from now on the terms ‘Turk-Turkish’, in the village Aratos on the public road connecting Komotene and Alexandroupole there exists a very prominent sign with the words ‘Muslim School.’”⁵⁴

For its part, the Turkish community has documented this politically motivated duality in government policy. It has gathered the following evidence:

- photographs of Turkish elementary schools showing:
 - a Turkish school in the village of Kalhandos in Komotini about thirty years ago, in which a sign identifies the school as a Turkish elementary school, and in which the name appears written in both Greek and Turkish;
 - a Turkish school in the village of Makre in Evros taken about twenty years ago, in which the school is called a Turkish school, but the name is written only in Greek; the Turkish Central elementary school of Xanthi, taken in 1967, in which the name is written only in Greek;
 - in contrast, a current Turkish elementary school, in which the name "Turkish" does not appear in either Turkish or Greek.
- A geography book dated 1933, written in Turkish, and described as a “Turkish book”;

⁴⁹Rozakis, p. 105. Mr. Rozakis, who became vice-president of the European Court of Human Rights in July 1998, puts himself in the latter camp, writing that, “These complex elements of origin, religion, and linguistic options, as well as of cultural and political ties, make this minority an ethnic minority, and not solely a religious or linguistic one.”

Mr. Rozakis wrote the article before he became deputy foreign minister, though the book was published during his tenure in the foreign ministry.

⁵⁰Rozakis, 1996, p. 116, cited in an unpublished manuscript on Turkish minority by the Greek Helsinki Monitor.

⁵¹Ibid. The Islamist traditionalist would, naturally, identify themselves in religious terms, while the Kemalists would see themselves in ethno-national terms, as Turks.

⁵²Baskın Oran, *Türk-Yunan İlişkilerinde Batı Trakya Sorunu (The Western Thrace Question in Turco-Greek Relations)*, (Ankara: Bilgi Yayınları, 1991), p. 120.

⁵³See Appendix C for a full text of the directive.

- protocols for the program in Turkish elementary schools for the school year 1957-1958, in which the schools are referred to as "Turkish schools";
- an elementary school diploma dated June 10, 1957, written in both Greek and Turkish, in which Hatice Iman, thirteen years old, is identified as a "Turk";
- two emergency orders dated 1954 and 1955 in which the chief administrator of Thrace orders municipalities to change all signs from "Muslim minority" to "Turkish minority" (see Appendix C).⁵⁵

Forced Deprivation of Citizenship: The Legacy of Article 19

Past Practices

In a positive step, the Greek government repealed Article 19 of the 1955 Citizenship Law (No. 3370) on June 11, 1998. The repeal, however, did not apply retroactively. It had been used arbitrarily to deprive ethnic Turks (and other non-ethnic Greeks) of their citizenship. Furthermore, the Greek government promised that all those made stateless under Article 19 who still resided in Greece would be granted citizenship.

However, for forty-three years, successive Greek governments, including the present one, used Article 19 in an attempt to alter the demographic balance in Thrace in favor of ethnic Greeks. In clear violation of the guarantee of equality before the law under Articles 1 and 2 of the Greek constitution and Article 40 of the Treaty of Lausanne, Article 19 differentiated between ethnic Greeks and non-ethnic Greeks:

A person of non-Greek ethnic origin leaving Greece without the 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 or the surviving parent have lost the same. The minister of the interior decides in these matters with the concurring opinion of the National Council.

One scholar noted that, "The Greek Constitution does not directly create distinctions on the basis of ethnic origin. Yet...one must examine the application of certain rules in the Code of Citizenship which facilitate the acquisition of Greek citizenship by those who belong to the nation (*omogeneis*) and its loss by those who do not (*allogeneis*)."⁵⁶

According to the Greek government, between 1955 and 1998, approximately 60,000 individuals were deprived of their citizenship under Article 19.⁵⁷ Of these 60,000, APPROXIMATELY 7,192 LOST THEIR CITIZENSHIP BETWEEN 1991 AND 1997.⁵⁸

Mr. Orhan Hacıbram, a lawyer in Xanthi who took on many cases of non-ethnic Greek citizens deprived of their citizenship, complained that,

⁵⁵This evidence was presented to Human Rights Watch in 1990 and first published in *Destroying Ethnic Identity: The Turks of Greece*, pp. 15-16.

⁵⁶Stephanos Stavros, "Citizenship and the protection of minorities," in Featherstone and Ifantis, *Greece in a Changing Europe*.

⁵⁷Greek Helsinki Monitor, *Press Release*, January 28, 1998. The government claims that most of the 60,000 "asked" to be deprived of their Greek citizenship.

⁵⁸Information provided by Deborah R. Mennuti, second secretary, United States Embassy, Athens, Greece, who received the data from the Greek government, and by the Greek Helsinki Monitor. According to the Greek Helsinki Monitor, 12,882 individuals lost their citizenship under Article 19 between 1976 and 1997. The Greek Helsinki Monitor bases its data on information released by Mr. Alekos Papadopoulos, minister of the interior.

According to the Greek Helsinki Monitor, the deprivation of citizenship peaked in the period 1976-79, as many ethnic Turks who had fled to Turkey after the Cyprus crisis had their citizenship revoked, and again in 1986, as an organized civil rights movement gained speed in the ethnic Turkish community.

The State Department Report on Human Rights for 1997 provided the following information: between 1981 and 1991, Human Rights Watch estimated an average of 570 times a year; between 1992-1996, an average of 1,641 times; and in 1999, Vol. 11, No. 1 (D)

It must be said here that the revocation of citizenship is not an administrative act of a public servant; it is a state policy implemented in Greece for citizens of Thrace since 1955 and applied by all the governments that came into power. The most massive revocation of citizenship took place in the 1980s, which led a lot of people to leave Greece or to remain in Turkey because they could not return. After 1989 the article has been less implemented than before.⁵⁹

The process of depriving an individual of his citizenship usually began when the police informed the Directorate of Citizenship that an individual and his family had purportedly moved away or had left the country for an extended period of time. There was no obligation to inform the individual in question of the effort to strip him of his citizenship, and consequently the person generally learned of it *ex post facto*. Mrs. Karagianidou, the director of the Directorate of Citizenship, asserted that,

To revoke their citizenship it has to be proven that they had also sold off all of their resources and holdings in Greece and that they had not left behind any members of their family. The police would inform the Directorate of Citizenship that they had sold all of their property. It is the police who confirmed such information....If there was insufficient evidence we requested further investigation. Even if one person rests behind we were reluctant to implement Article 19.⁶⁰

Mr. Mavrikas, a legal advisor on citizenship affairs to the Ministry of Internal Affairs, added that,

When we come to revoke the citizenship of some people it is because we consider that they have given evidence that they don't want any more the Greek citizenship. They have shown that they do not have any contact with Greece....Information where they may be is unavailable precisely because we do not know where they are. We simply inform all our embassies and if some day they decide to go to the local embassy they are informed about it.⁶¹

Although by law individuals deprived of citizenship had two months from the time of revocation of their citizenship to appeal to the Council of State, few managed to meet the deadline because, as Mr. Mavrikas points out above, it was often difficult to contact them. Mr. Hacıibram, the lawyer, noted that,

Nobody is warned that his citizenship will be revoked. People find out about it when they have to go ask for official documents from a state organization. Usually a letter follows to the state body making the request that it made an error. An appeal must be made (it must be done within two months of the revocation) while one is waiting for the minister's answer that no error is made.⁶²

⁵⁹Interview, Xanthi, September 1997.

⁶⁰Interview, Athens, September 1997.

⁶¹Interview, Athens, September 1997. When asked why the same criteria did not apply to the Greek diaspora, many of whose members spend decades outside of Greece, Mr. Mavrikas argued on purely ethnic terms, stating that, "The difference with Greek-Americans is that they keep their ties with Greece through the Orthodox religion, through their Greek associations, the Greek embassy, culture and the archbishop. On the contrary, with non-ethnic Greeks we have people who have no ties with Greek culture."

⁶²Interview, Xanthi, September 1997.

The case of the Ramadanoğlu family, barred from entering Greece in May 1996 after their Greek citizenship was secretly revoked in November 1992, clearly refutes explanations put forth by Greek officials on why citizenship is revoked.⁶³ In 1990, Mr. Husseyin Ramadanoğlu traveled to Frankfurt, Germany, along with his wife and new-born daughter Pelin to find work. In 1992, while in Germany, a son, Yusuf, was born. Mr. Ramadanoğlu twice renewed his passport at the Greek Consulate in Frankfurt; and his wife renewed her passport once. His daughter also held a valid passport, and his son's birth was registered with the Greek Consulate. The Ramadanoğlus regularly visited Greece, sent money back to family members, including their parents, who still live in the country. In short, they maintained regular and proper contacts with the Greek state and its offices abroad.

Despite this, they fell victim to Article 19. In April 1996, they arrived in Greece for a vacation, and then traveled to Turkey to visit relatives holding valid passports duly issued by Greek authorities. On their return to Greece in May, at the Ipsala border gate, Greek immigration officials confiscated their passports and refused to grant them "heimatslos" (stateless) documents so they could return to their homes in Germany.

Reports of large numbers of stateless individuals still residing in Greece—former Greek citizens deprived of their citizenship under Article 19—also refutes the claim by Mrs. Karagianidou of the Directorate of Citizenship that, "it was proven that they [those deprived of their citizenship under Article 19] have also sold off all of their resources and holdings in Greece and that they have not left behind any members of their family." Mrs. Karagianidou even contradicted herself, admitting that some stateless individuals were still residing in Greece under a "state of tolerance."⁶⁴ Estimates of the number of such stateless range from 1,000 to 4,000.⁶⁵

Remaining Problems: Stateless Persons

As noted, the repeal of Article 19 does not have retroactive force. Those who remain stateless within Greece (1,000-4,000) and those who adopted the nationality of another country after losing Greek citizenship and having left Greece (the vast majority) have no right under Greek law to regain Greek nationality. In August 1998, the Greek foreign minister, Mr. Pangalos, promised that within one year all former Greek citizens who had lost their citizenship under Article 19 and remain in Greece would be granted citizenship, yet no steps have been taken to date.

Stateless individuals have difficulty receiving social services like health care and education and—until December 1997—were even denied the protection of the 1954 U.N. Convention Relating to the Status of Stateless Persons, which Greece ratified in 1975. Mr. Hacıibram, the lawyer, outlined the legal no-man's land in which the Article 19 stateless find themselves:

The stateless are neither Greek nor foreign citizens nor refugees. They are registered nowhere. They cannot get a driver's license nor can they officially exercise a profession. Social security takes contributions from them, but when it has to give a pension to a stateless individual, of course, it refuses to do so because he does not have an identity card. When the father is stateless, like the grocery man of Ehinis, Huseyin Zeibek, the children's names cannot appear in the community's register. They can get married but the registration of their marriage is not possible. They cannot have a passport nor a stateless certificate. Legally these people do not exist.⁶⁶

⁶³Information in this paragraph comes from Greek Helsinki Monitor, *Press Release*, June 12, 1996.

⁶⁴Interview, Athens, September 1997.

⁶⁵Mr. Florentis, an advisor to the Ministry of Public Order, estimated that there were 2,000 such stateless individuals. Interview, Athens, September 1997. Mustafa Mustafa, an ethnic Turkish deputy from the Coalition of the Left Party, gave an estimate of 1,500-2,000, though he suggested that some calculations go as high as 4,000. Interview, Xanthi, September 1997. Mr. Panagiotis Saltouros, the Nomarc of Xanthi, estimated that there were 200-250 stateless in Xanthi. Interview, Xanthi, September 1998. Birol Akifoğlu, a deputy from the New Democracy Party, estimated that 800 stateless individuals resided in his district. Interview, Komotini, September 1997.

⁶⁶Human Rights Watch, September 1997.

Mrs. Karagianidou of the Directorate of Citizenship denied such a state of affairs existed. She argued that, "In our courts there has never been a case of a stateless person who claims to have been maltreated and his rights not recognized. They are treated exactly like foreigners, and they have a permit of residence and a work permit. On substantial legal basis the state of tolerance treats them as all non-E.U. foreigners residing in Greece."⁶⁷

Individuals whom Human Rights Watch interviewed paint a picture at odds with Mrs. Karagianidou's account. Mr. Mustafa, the Coalition of the Left deputy, acknowledged that since 1974 some of the stateless had been given temporary residence permits, but reported that such permits do not grant the right to work.⁶⁸ An elderly ethnic Turk interviewed by Human Rights Watch in Komotini, Mustafa Salioglu, reported that he had been able to work even after his citizenship was revoked on June 15, 1964. But without a national identity card, he is unable to collect his pension despite the fact that he paid premiums during all his adult working life. According to him,

My citizenship was revoked on the 15th of June 1964. In 1960-61, I went to Turkey to work, and I left and returned without a passport. Since 1961, however, I have never left Komotini. Now I cannot get my pension because I have no identity card of any sort to prove who I am, although I have paid into the system for thirty years. My appeal to get a disability pension was accepted by the board, but I am unable to get any money because I have no ID card as a stateless individual. In February 1997, I appealed this decision, but the appeal was rejected because I could not provide sufficient evidence of my identity.⁶⁹

The case of the Zeybek family highlights both the predatory nature of Article 19 as well as the plight of the stateless.⁷⁰ In January 1984, the Zeybek family went on a vacation to Turkey with valid passports. While there, the father, Huseyin Zeybek, lost his passport and went to the Greek consulate for a replacement. He was told to come back several times over the next three weeks. Finally, he was informed that he had lost his citizenship under Article 19. His family returned to Greece with their valid passports, and later Mr. Zeybek was smuggled back into Greece. Upon his arrival at home, however, police officials confiscated the passports of all family members, whose citizenship was eventually revoked as well. According to Mr. Zeybek,

I went to my village...The police chief took away all our passports. I tried to get a license to open a store. I got it, but then the police came and took it away because, as a non-citizen, I have no right to operate a business. I was constantly fined for running a shop without a license. This went on for almost fifteen years. They took away the license plates of my car. I have no property in my name...I don't have health insurance because I am not a citizen. The company that provides the service would not register me. My daughter wants to get married to a boy in Turkey. She cannot travel there because she has no passport. All but my youngest daughter could not study past primary school because we are not citizens. And all the while, I still pay taxes.

As a result of pressure from the Greek Helsinki Monitor, around one hundred ethnic Turks made stateless under Article 19 have received identity documents from Greek authorities in accordance with the 1954 Stateless Convention. In August 1998, Mr. Theodore Pangalos, the foreign minister of Greece, stated that within the year most or all of the stateless residing within Greece would be offered Greek citizenship, but to date the government has taken no steps to carry out this promise.⁷¹

Selection of Muftis

⁶⁷Interview, Athens, September 1997.

⁶⁸Interview, Komotini, September 1997.

⁶⁹Interview, Komotini, September 1997.

⁷⁰Interview with the family and its lawyer, Xanthi, September 1997.

Although the Treaty of Lausanne clearly grants the Turkish minority the right to organize and conduct religious affairs free from government interference, since 1985 the government of Greece has directly appointed—against the wishes of the overwhelming majority of ethnic Turks—the community’s religious leaders (mufti).⁷² In December 1990, this policy was codified by Law No. 1920. Greek officials argue that the mufti performs both religious and civil functions and consequently his appointment must be state regulated.

Article 38 of the Treaty of Lausanne, however, states that, “All inhabitants...shall be entitled to free exercise, whether in public or private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals.” Article 40 further outlines the right of the Muslim minority to exercise their religion: “In particular, they shall have an equal 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.”

In addition, earlier legislation, both an international treaty and Greek law, allowed the Turkish minority to choose its religious leaders. The Treaty of Athens of November 1913, which confirmed Greek sovereignty of former Ottoman territories in Epirus, Macedonia, and the Aegean, allowed muftis to be elected by the Muslim population.⁷³ Greek Law No. 2345 of 1920, which regulated matters pertaining to the mufti and the *vakıflar* (private charitable foundations), did so as well. Under Article 6 of Law No. 2345, the muftis were to be elected by the Muslim population after a list of candidates had been approved by both the head mufti, the Ministry of Religious Affairs, and the governor general and/or prefect of the region.⁷⁴ The chief mufti was to be appointed by the state from three candidates nominated by all Greek muftis “appointed or acknowledged by the Greek government.” In addition to carrying out Islamic law, the duties of the muftis under the law also included supervision, in conjunction with community boards, of education and the *vakıflar*.

In the past, the minority and the state had apparently worked out a *modus vivendi*, that, while not implementing fully Law No. 2345, generally respected the spirit of the Treaty of Lausanne. Leaders from the minority were consulted and nominated a candidate for mufti, which state authorities then confirmed in office.⁷⁵

In 1984, however, at the height of state pressure against the Turkish minority, the mufti of Komotini, Hüseyin Mustafa Efendi, died of a heart attack after a long illness. In his place the Greek government appointed Mr. Rüşti Ethem as acting mufti, without consulting the minority.⁷⁶ The minority objected to the appointment and, citing the 1913 Treaty of Athens and Law No. 2345, petitioned the governor, but to no avail. In 1990, the Turkish community held unofficial elections for mufti, electing Mr. Mehmet Emin Ağa in Xanthi and Mr. Ibrahim Şerif in Komotini.⁷⁷

On December 24, 1990, the Greek government countered with Decree No. 182. It ended the previously informal, if irregular, system of electing muftis, and repealed Law No. 2345. The decree was approved by parliament on January 26, 1991, and became Law No. 1920.

⁷²The mufti fulfills the role both of religious leader and Islamic judge, performing marriages and divorces and overseeing property disputes. Muslim Greek citizens, however, also have the right to deal with these matters in civil courts.

There are two muftis, one in Xanthi and one in Komotini, and an assistant in Evros.

⁷³Under the Treaty of Athens, the chief mufti was to be chosen by the state from among three candidates selected by the muftis. All muftis were civil servants under the treaty. The accord also promised respect for *vakıf* property. See Oran, pp. 159-161 and an unpublished manuscript on the Turkish minority written by the Greek Helsinki Monitor.

⁷⁴The chief mufti, however, was last in line in the vetting process, which was first conducted by the governor general and the Ministry of Religious Affairs. Article 6.3 states that the governor general forwards applications for the post he receives “along with his remarks” to the Ministry of Religious Affairs, which can “reject those deemed unsuitable for the position.”

⁷⁵A notable exception to this state of affairs occurred during the years of the military junta (1967-74), when in 1973 authorities appointed an unqualified Roma Muslim, Ahmet Damatoğlu, as the mufti of Dimotoka. See Hugh Poulton, *The Balkans: Minorities and States in Conflicts* (London: Minority Rights Publications), 1993, p. 184.

⁷⁶Oran gives a detailed account of the struggle over the muftiate after the death of the Mufti of Komotini in 1984. See pp. 160-72.

Law No. 1920 effectively removes selection of the mufti from the community and grants it to the state. Article 1.5 allows the state-appointed secretary general of the region to name an eleven-member commission, headed by the “relevant prefect” and including “Greek Muslim religious officers and outstanding Greek Muslim members of the district.” The committee then nominates a list of candidates, which is forwarded to the state-appointed secretary general of Thrace, who submits it to the Ministry of Education and Religious Affairs. The ministry makes the final appointment pending presidential confirmation. Clearly anticipating opposition and a possible boycott from the Turkish minority, a provision of the law states that, “The committee will convene legally with the president and any number of its members.” Furthermore, in Article 5 of the law, “Duties of the Mufti,” supervision of the vakıf property is omitted, a radical change from Law No. 2345. Finally, Article 7 of the new law stipulates that all written correspondence by the mufti must be conducted in Greek; Law No. 2345 had exempted from such provisions “correspondence with other Muslims and Muslim communities.”

The members of the Turkish minority continue to reject overwhelmingly the new system and the so-called “appointed muftis.” They support their own muftis, the so-called “elected muftis” and for the most part shun the appointed muftis. A leader of the ethnic Turkish community, Adem Bekiroğlu, stated that,

Because the government wouldn't arrange an election for the mufti, we were forced to make our own election. We set a date for the election—December 28, 1990. Just before our election, on December 24th, the government (the cabinet) announced a new law—Law No. 1920—that said that muftis are to be appointed by the government for ten-year terms. In February [sic] the parliament passed it. In accordance with the new law, the Nomarch of Xanthi appointed Mehmet Sinikoglu the new mufti, displacing Mufti Ağa. The Nomarch of Komotini appointed Mufti Cemali as the new mufti, but the Turkish minority elected İbrahim Şerif the new mufti on December 28, 1990. Now there are two muftis in each community—one appointed by the government and one elected by the Muslim community.⁷⁸

Most of the minority members recently interviewed by Human Rights Watch believe that the manner in which muftis are selected is undemocratic and deprives the minority of its voice. A member of the Minority Scientists Association summed up this feeling in stating that, “We feel that an expressed consensus of the minority is necessary in the selection of the mufti...the minority does not feel bound by the 1990 decree, for which it was never consulted.”⁷⁹ One of the elected muftis, Mehmet Emin Ağa, who was jailed for his role as an “elected mufti,” believes that the state should revert to the old system by which it consults the community and then *pro forma* appoints the community's choice. He stated that, “The government should consult the local people, and religious and political representatives of the people will recommend someone.”⁸⁰

The Greek government argues that the mufti must be appointed because he is paid by the state and, in addition to his religious duties, carries out official state duties.⁸¹ It also claims that the minority community is consulted before a mufti is appointed. Moreover, the appointed mufti for Komotini, Mr. Cemali, told Human Rights Watch that the old law on electing muftis was never applied. He stated that,

⁷⁸Quotation taken from, *Improvements for the Turkish Minority; Problems Remain*, p. 6.

⁷⁹Interview, Xanthi, September 1997.

⁸⁰Interview, Xanthi, September 1997.

One of the major problems is the ongoing controversy around the selection of the muftis. Law No. 2345 of 1920 relating to the selection of the muftis speaks about the election of all the muftis. However, never in Greek history was a mufti elected. In fact since 1400 in the Islamic world no mufti was ever elected....I think the law of 1990 is a very good one in fact. The old system was not so good although the law was good, but it was never applied. On the contrary the new law is good precisely because it is being applied.⁸²

Consequently, the Greek government has repeatedly prosecuted the elected muftis for “usurping authority” because they use the title of mufti. Mr. Mehmet Emin Ağa, the elected mufti of Xanthi, and Mr. İbrahim Şerif, the elected mufti of Komotini, have faced prosecution on the following occasions:

- Mr. Ağa was tried on December 14, 1998, in the single-member criminal court of Xanthi on charges of “usurping the title of mufti” for messages he released on Islamic holidays in 1997. He was sentenced to seven months of imprisonment, but was released pending his appeal of the verdict.
- On December 11, 1997, Mr. Ağa was sentenced to sixteen months of imprisonment by the single-member criminal court of Lamia on charges of “usurping the title of mufti” for releasing messages on the occasion of Islamic holidays in 1996. The decision has been appealed;
- On April 7, 1997, Mr. Ağa was sentenced to twenty months imprisonment by the single-member court in Lamia for “usurping the title of mufti” in messages he released on the occasion of religious holidays in 1995 and 1996. The three-member criminal court of Lamia upheld the conviction on appeal, but reduced the sentence to fourteen months, converted into a fine. Mr. Ağa paid the fine and appealed the case to the Court of Cassation.
- On October 21, 1996, İbrahim Şerif, was convicted in Thessaloniki for “usurping the title of mufti” because he had used the title of mufti. He was sentenced to six months, but was released on appeal.
- On June 28, 1996, Mehmet Emin Ağa was sentenced to twenty months of imprisonment by the criminal court of Agrinio on charges of “usurping the title of mufti”. The charges were brought because of messages he released on the occasion of Islamic holidays in January and April 1993 and in January and February 1994. Upon appeal, the criminal court of Agrinio upheld the conviction but reduced the sentence to six months of imprisonment, to be converted into a fine. Mr. Ağa paid the fine and appealed the case to a higher court;
- On May 7, 1996, Mr. Ağa was given a sentence of twelve months by the single-member criminal court of Thessaloniki for “usurping the title of mufti” for various messages he gave in 1994 and 1995 on Islamic holidays. On November 5, 1998, his sentence was reduced to eight months.
- On April 12, 1994, the three-member criminal court of Xanthi sentenced Mr. Ağa to ten-months of imprisonment for “usurping the title of mufti.” Upon appeal, the Court of Cassation upheld the conviction, and Mr. Ağa was sent to jail. After serving six months of the sentence, he was released because of health problems and the remaining four months of his sentence was converted into a fine.

Control of *Vakıflar* (Private Charitable Foundations)

In another violation of the Treaty of Lausanne, the government of Greece has interfered with the administration of *Vakıflar*, private charitable foundations used to support education, minority activities, and social welfare. Law No. 1091, passed in 1980, and Presidential Decree No. 1 of January 1, 1991, both aim to weaken the *Vakıflar* financially as well as dilute the community's control over them.

Article 40 of the treaty, however, clearly grants the right to control the foundations to members of the minority, stating that, “ In particular, they shall have an equal 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.” In addition, Article 12 of the Treaty of Athens of 1913 obligated the Greek government to respect *Vakıf* property. Furthermore, Article 10 of Law No. 2345 of 1920 stipulated that the muftis would supervise the *Vakıflar*, which would be, under Article 12 of the same law, administered by councils elected for three years by Muslim voters.⁸³

Attacks on the independence of the *Vakıflar* first began in 1967, when the Colonels' junta seized power in Greece, and have continued to the present. The coup leaders dismissed the members of the community boards that supervised the foundations and replaced them with individuals from government agencies; in 1973, a non-Muslim was even appointed as chairman of one such board.⁸⁴ Even after the return to civilian rule, the situation did not improve—in fact, it worsened. In August 1979, the Karamanlis government presented a bill to parliament further restricting the activities of the *Vakıflar* and the Turkish minority's right to administer them. The bill was enacted on November 12, 1980, as Law No. 1091, provoking widespread outrage in the minority community and from the Turkish government.

While Law No. 1091 preserves a facade of elections by the minority of the boards that run the foundations, in effect it arrogates to the state not only a greater hand in running the *Vakıflar*, but also undermines their very financial basis. Consequently, while Article 5 of the law provides for elections for members of the *Vakıf* boards, Article 11 allows the then state-appointed prefect of the region to create a single *Vakıf* board in an area where there is more than one foundation.⁸⁵

The law also struck at the financial existence of the foundations. Article 20.1 stipulates that, “The existing Managing Committees, boards or where lacking, the acting Mutawils, are obligated to submit a statement of the *vakıf*'s properties and those that it administers to their localities' Financial Tax Offices, within the revocation deadline of a year from the enactment of the present law.”⁸⁶ While such a requirement may seem innocuous, in reality it is a daunting task given that much of the property owned by the *Vakıflar* was acquired during the 500 years of Ottoman rule of the region, when book-keeping was primitive at best and records often destroyed during wars and dislocations. Furthermore, Article 16 of Law No. 1091 gives the prefect and his office wide-ranging control over budgetary matters. Article 16.1 and 16.2, for example, respectively state that, “Regardless of size, the budget and statement are approved by an instrument of the local prefect...,” and, “No modification or transfer of credit may be allowed without the Prefect's approval, and no expenditure may be allowed without being recorded in the approved budget.”

Faced with continued protest from the community, the law was never implemented. Consequently, the Greek government issued Presidential Decree No. 1 of January 3, 1991, that contained most of the fundamental provisions of Law. No 1091 but added loopholes allowing the state to appoint the members of the *Vakıf* managing boards in certain situations. Article 25 grants the state the right to make appointments outright if elections are not held. It states that,

In the case of a member of the managing committee's declination of appointment, death, resignation or dismissal and lacking a substitute member, the said member is replaced by another, selected by the prefect from the ranking table. If the table is exhausted or all recorded individuals refuse, the prefect appoints a

⁸³ Article 10.1 states that,

Apart from their purely religious duties in accord with Sharia, the Muftis will supervise the religious and educational officials of the Muslim communities in their prefectures, as well as supervise the administration of these communities' *Vakıf* property...

Article 12.1 states that,

An administrative committee of seven to twelve members will be organized in each Mufti prefecture for the purpose of governing and administering the Muslim communities' property....

The members of the committees were elected under supervision of the minister of religious affairs.

⁸⁴ See Bahçeli, p. 181; Oran, pp. 270-76; and Poulton, p. 184.

⁸⁵ Such was the case in many areas. While the prefect was bound to chose members of the remaining board from the elected board members, the end result was that the prefect, and not the voters, made the final decision. Furthermore, minority members complained about the reduction in the number of *Vakıf* boards.

⁸⁶ A Right Watch stipulated confiscation to the state if ownership could not be verified. January 1999, Vol. 11, No. 1 (D)

Greek Muslim citizen possessing the proper qualifications. In the case that the elections fail to produce a result or the appointment stipulated above does not occur for any reason or in the case of any appointed member's resignation, death or dismissal, the prefect appoints the local financial tax inspector as manager.

Ahmet Keyha Ihsan, a PASOK municipal councillor in Rodope province, sums up the situation in the following way:

The boards which manage the *Vakflar* are appointed by the Greek state and not elected by the minority in spite of the fact that we had restoration of democracy. The minority has refused to apply the new law of 1980 which limits the administration and financial autonomy of the *Vakflar*. Even the muftis were not informed when this law was established arbitrarily... Also all *Vakflar* had to submit papers to the revenue office stating their assets or else they would lose them; they have no such papers. This law eventually was not applied with few exceptions because the minority protested too strongly.⁸⁷

At present, according to the U.S. State Department Report on Human Rights for 1997, a 1996 presidential decree puts the *Vakflar* under the administration of a committee for three years pending a solution to the impasse.

Education

Of all the problems facing the Turkish minority, short-comings in the education system affect the largest number of individuals and have the greatest long-term impact on the community. According to the Greek government, there are officially 230 minority primary schools with 8,500 students; two minority junior high schools with 200 students; two minority senior high schools with approximately 400 students; and two Muslim religious schools (*Medrese*) with 200 students.⁸⁸ The curriculum in the minority primary schools is bilingual. Greek, history, geography, civics, and environmental education are taught in Greek. Mathematics, physics, chemistry, religion, Turkish, art, and physical education are taught in Turkish. If the school is large enough, English instruction is provided. The overwhelming majority of minority children attend minority primary schools.⁸⁹

⁸⁷ Interview, Xanthi, September 1997.

⁸⁸ Interview with Mihalis Lambakis, state coordinator of the minority schools in Thrace, Xanthi, September 1997. Information concerning the curriculum and the status of the schools was provided by Mr. Lambakis.

⁸⁹ According to Mr. Lambakis, about 98 percent of the minority youth attend minority primary schools. No more than 2 to 3 percent of minority children attended non-minority primary schools. Approximately 1,000 minority students, however, attended human rights Greek language high schools because of the limited number of places in the minority high schools. No. 1 (D)

Although Articles 40 and 41 of the Treaty of Lausanne grant the minority both the right to education in its native language as well as autonomy in managing educational institutions, Greece's respect for these provisions has been the exception, not the rule.⁹⁰ Mustafa Mustafa, an ethnic Turk and parliamentarian from the Coalition of the Left, summed up the educational dilemma of the minority as follows:

It is noteworthy to mention that most minority students have not even passed high school. There is an asphyxiating situation of controls by the Greek state over the minority schools. Education in minority primary schools is of a very low level and does not correspond at all to the requirements for their progress to secondary education. The idea behind the minority schools is to control them and to influence rather than to provide the appropriate education.⁹¹

Seventy-five years of spotty implementation of the Treaty of Lausanne has left a hodge-podge, neglected, and woefully inadequate educational system for the Turkish minority. The Cultural Agreements signed in 1951-2 and 1968 have, like the Treaty of Lausanne, been largely violated or not implemented by Greek authorities. Major problems include a mixed system of administration, a poorly-educated teaching staff, a lack of secondary schools, inadequate and outdated textbooks, and the absence of a curriculum to teach Greek as a second language.

Mixed Administration

Under the Treaty of Lausanne, the minority has the right to run its own educational institutions. In practice, however, the Greek government, through the Ministry of Education and Religious Affairs, has wide-ranging control over all schools, whether it concerns hiring teachers, distributing textbooks, or building or repairing schools. Mihalis Lambakis, the coordinator for minority schools in Thrace, noted that,

All primary schools are private schools. They belong to the school boards elected every two to three years by the parents, which then function as owners of the schools. Nevertheless, it must be recalled that all schools in Greece are under the responsibility of the Ministry of Education. Here the Christian teachers are paid by the Greek state; some have organic posts and others are hired on a temporary basis. Also the Greek Muslims who come from the Thessaloniki Pedagogical Academy are paid by the Greek state. They have organic or temporary posts. The rest of the Muslim teachers are paid by the school board—we are not interested where they get their money from. The Greek state subsidizes the functioning of these schools to a large degree; for the rest they are responsible. Often in fact when the Greek state authorizes subsidies for various repairs, the minority refuses them.⁹²

According to Mr. Lambakis, a similar situation exists regarding high schools:

⁹⁰Article 40 grants the Turkish minority "an equal right to establish, manage and control at their own expense . . . 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." Article 41 further states that, "As regards public instruction, the [Greek] Government will grant in those towns and districts, where a considerable proportion of [Muslim] nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such [Greek] nationals through the medium of their own language. This provision will not prevent the [Greek] Government from making the teaching of the [Greek] language obligatory in the said schools."

⁹¹Interview, Komotini, September 1997.

⁹²Interview, Xanthi, September 1997. The system is so mixed, however, that even Greek education officials were unclear of the status of the minority schools. Mr. Dimitris Chalkiotis, the executive secretary for education of Greeks abroad and intercultural education, reported that the primary schools were state schools and only the high schools were private. Interview, Athens,

The Xanthi high school is private while the Celal Bayar high school of Komotini has a mixed system. All Christian teachers are paid by the Greek state and have automatically renewable contracts (*monimoi*). The Muslim teachers are paid according to a private law contract (*symvasi idiotikou dikaiou*). So all teachers coming from Turkey are paid by the Turkish state; the Muslim staff who are Greek citizens are paid by the school board. In Xanthi, where the high school is entirely private, the Christian staff is paid by the state and the Muslim staff is paid by the owner of the school. In fact the school is a private enterprise. You have in fact two legal situations in the administration of the minority high schools: some function completely as a private business, others are in a bastard situation.⁹³

The minority, however, views this mixed status as a major detriment: it allows the state to manipulate affairs to its liking without providing the necessary means of support. Birol Akifoğlu, an ethnic Turk and parliamentarian, complained that,

Minority schools in practice have the status of half state-managed schools and half private schools. For the hiring and the firing of school personnel, these Muslim private schools are under the same stipulations concerning all permanent/organic public servants working in public schools (Article 32-1566). Therefore the minority cannot hire qualified teachers as it would like to do. Yet, it must be noted that the spirit of the article is contrary to the Lausanne Treaty. What happens in fact is that the teachers selected by the state all come from the EPATH and are not qualified for teaching Turkish minority students. It is necessary that the minority children enjoy the right to learn correctly their mother tongue, about their civilizations, religion....According to the law minority schools should be private schools but they have come to acquire a kind of mixed status - both private and public; this permits the state's intervention on matters of minority education. Consequently, the state never asks the minority when it decides to build a school, whose status in fact ought to be private; they build it and then they intervene.⁹⁴

Teachers

Members of the Turkish minority were nearly unanimous in their belief that the quality of most teachers in the minority system was woefully inadequate.⁹⁵ No uniform standard exists for hiring teachers, reflecting the fact that the development of the minority educational system has been driven as much by political calculations as by sound pedagogical methodology. One member of the Minority Scientists' Association complained that, "There are five or six different kinds of teachers. There are those who are graduates of educational universities in Turkey, or from the Thessaloniki Pedagogical Academy (EPATH), or of the Muslim religious schools (medreses), or high school and even only elementary school graduates. In the last years all new teachers come from the EPATH."⁹⁶

⁹³Ibid.

⁹⁴Interview, Komotini, September 1997.

⁹⁵An exception to this was teachers who had been educated at Turkish universities.

⁹⁶Interview, Xanthi, September 1997. In his study, Oran categorizes into four groups the non-ethnic Greek teachers working in the minority system: teachers without formal pedagogical training (formasyonsuz öğretmenler); quota teachers, and i.e. Turkish nationals sent from Turkey; ethnic Turks of Greek nationality trained in Turkey; teachers from the pedagogical academy in Thessaloniki.

The sharpest criticism, in fact, was directed at graduates of the Thessaloniki Pedagogical Academy (EPATH), which was founded in 1968 to train members of the minority as teachers in minority schools.⁹⁷ Many in the minority believe—not without some justification—that the EPATH was founded to control the minority and push it away from its Turkish roots. Prima facie evidence of this, many claim, is the fact that the language of instruction at the EPATH is Greek, even though the teachers will be providing instruction in Turkish.⁹⁸ Ahmet Emin, a New Democracy Party prefecture councilman of the Orgoni community, complained that,

Primary schools—if they are truly to deserve that name—must be upgraded and the teachers there, who come from the Thessaloniki Pedagogical Academy (EPATH), should stop practicing a policy of assimilation through education. In fact, the ideology which was transmitted for so many years is that they should forget Turkish and speak only Greek because they are Islamized Greeks. Only recently has the EPATH become a little more tolerant and recognizes the Pomaks as an indigenous population of Thrace. If any teacher, they explain, says something that is beyond what is written in the books he can in fact be denounced. The teachers from the EPATH give the general impression that they are willing to play the politics of assimilation. Most of them come from lower class and poor families who are ready to play this role in order to get a post.⁹⁹

A graduate of a minority high school who had attended a minority primary school echoed this opinion. He quipped that, “The quality of our teachers was very low and most of them tried to do propaganda in the school. During the composition lesson our teachers would do history and mythology. Besides, most of them were unqualified to teach in Turkish.”¹⁰⁰ Even Dimitris Chalkiotis, the executive secretary for education of Greeks abroad and intercultural education, admitted that the EPATH teachers were not among the best qualified.¹⁰¹ A Western scholar who has studied the educational system of the minority commented that efforts like founding the EPATH constituted an “effort to create an incompetent Hellenised teachers’ corps isolated from the mainstream of Turkish culture and civilization.”¹⁰²

Greek officials, on the other hand, argue that the minority does not accept the EPATH-trained teachers because it views them as traitors to the minority. Mihalis Lambakis, coordinator of the minority schools of Thrace, acknowledged the low level of the teaching staff in the minority schools presented a problem, but added that,

The minority does not accept those teachers who are not of Turkish origin because it considers them unqualified to teach. I don't think this is the problem because in fact teachers of Turkish academies have ten years of education, Greek Muslim teachers have eleven and the EPATH teachers have fourteen. All candidates at EPATH are now senior high school graduates. The EPATH graduates are attacked by the minority because apparently they do not know sufficiently well Turkish in order to teach, but also for being organs of the Greek state. The Turkish consul of Thrace fought against them relentlessly. When the Greek Muslim teachers started teaching in the minority schools they were viewed as minority defectors.¹⁰³

Most minority members whom Human Rights Watch interviewed believe that ethnic Turks from Thrace who have studied at Turkish universities should be the primary teaching staff in the minority schools. A cultural protocol signed

⁹⁷Oran, p. 124. Birol Akifoğlu, a deputy from the minority, states that the EPATH was founded because the mufti of Xanthi was displeased with the Kemalist and leftist orientation of many teachers trained in Turkey in the 1950s and 1960s. He reported that, “The mufti of Xanthi and his son protested at the time because apparently these teachers had been inculcated with a Kemalist secular education and Marxist tendencies. So Muslims wanting a Muslim education rather than a Kemalist education request the protection of the Greek state. With a royal decree, the Greek military regime of that period established the well known EPATH. The intention was to create additional minority schools which would provide a Muslim education, a religious education.”

⁹⁸The school recruits many Pomaks, whose mother tongue is often not Turkish.

⁹⁹Interview, Komotini, September 1997.

¹⁰⁰Interview with members of the Union of the University Youth of Thrace, Xanthi, September 1997.

¹⁰¹Interview, Athens, September 1997.

¹⁰²F. De Jong, “The Muslim Minorities in Western Thrace,” in Georgina Ashworth, (ed.), *World Minorities*, Volume 3, (Sunbury, England: Quartarmaine House, Ltd., 1980), p. 98.

¹⁰³Interview, Xanthi, September 1997.

between Turkey and Greece on April 20, 1951, was intended to foster educational exchanges between the two countries and allow the mutual recognition of diplomas received in each others countries. Consequently, many ethnic Turks from Greece went to Turkey, received teaching degrees, and then returned to work in minority schools. Birol Akifoğlu, the parliamentarian, stated that,

I believe the education of the teachers in minority schools should be based on the interstate cultural agreement of 1951 which allows minority members to study in Turkey and to prepare as teachers for the minority schools. Already there are such teachers who have studied in Turkey. Celal Bayar High School is a product of this agreement. In 1958 the Turkish consul had notified them that whoever wanted could register to study in Turkish schools. By 1963-4, many of them had completed their studies and returned; they were immediately hired by the Greek state. There is a total number of 500 such teachers who studied in Turkey and who then returned to teach in the minority schools. By 1970 the last ones came back....¹⁰⁴

While many teachers in the system presently have such a background, no new hires from this pool have been made in recent memory despite the fact of willing and qualified candidates.¹⁰⁵ One member of the Minority Scientists' Association complained that, "there is a constantly rising number of "not appointed teachers" even though there is a strong need for more teachers. Presently there are twenty-seven teachers who are waiting to be appointed and every day they hear promises which are not realized."¹⁰⁶ Mr. Akifoğlu added that he knew of at least one hundred individuals trained as educators in Turkey who were qualified to teach in the minority system. The state-appointed secretary general of the region, Mr. Stavros Kambellis, agreed that there was a shortage of teachers in minority schools but denied that qualified teachers from the minority were not being hired. He stated that,

I agree that there is a need for more teachers for the minority schools.... At the moment all teachers coming from the minority who are unemployed, if they have the qualifications of Greek teachers, they may follow the process followed by all Greek teachers and apply to be accepted in Greek schools.¹⁰⁷

Ethnic Turkish teachers working in minority schools need not follow the same procedures for other schools nor have the same qualifications, so the secretary general's suggestion is somewhat misleading and not really a solution to their plight.¹⁰⁸

Teachers who come from Turkey on a yearly basis, the so-called "quota teachers," are another source of educators.¹⁰⁹ Over the past several years, however, their numbers have been declining. Under a 1951 education protocol and the 1968 cultural protocol, Greece and Turkey may each exchange thirty-five teachers to provide instruction in minority schools. Greece, however, has limited their number to sixteen, the number of teachers needed by the Greek minority schools in Istanbul.¹¹⁰ The secretary general of the region explained that, "The agreement which exists stipulates that there must be a balance between those teachers who come here and those we send to Turkey for the Greek minority."¹¹¹ Tacan İldem, minister counselor at the Turkish Embassy in Athens, argued that need, not numbers, should set the criterion for reciprocity. He explained that,

¹⁰⁴Interview, Xanthi, September 1997.

¹⁰⁵Oran states that according to one source, no new teachers have been hired since 1973. In addition, some ousted during the Colonels' junta that ruled Greece from 1967-74 were not reinstated. See Oran, p. 144.

¹⁰⁶Interview, Xanthi, September 1997.

¹⁰⁷Interview, Xanthi, September 1997.

¹⁰⁸In a letter to the Greek Helsinki Monitor dated October 15, 1998, Minister of Education Arsenis stated that all ethnic Turkish teachers with recognized degrees would be hired immediately for employment in minority schools and those without recognized degrees would benefit from an accelerated recognition of their degrees.

¹⁰⁹These individuals, Turkish citizens, should not be confused with the ethnic Turks of Greece who studied in Turkey and returned to the region to teach.

¹¹⁰Article 4 of the law creating one of the two minority high schools, the Celal Bayar High School in Komotini, also states that, "Instructors of Turkish descent who are not Greek Citizens may teach...classes...during the present Legal Decree's initial period of execution and for a renewable period of five years for lack of instructors who are Greek citizens of Turkish descent."

¹¹¹Interview, Xanthi, September 1997.

Thirty-five more teachers are necessary. Because, however, only sixteen are needed in Istanbul, Greeks allow only sixteen in spite of the population difference. There are here 150,000 as against 2,500 persons in Turkey. There are six high schools in Istanbul. Given the number of the minority, you cannot stick to numbers in order to establish the principle of reciprocity. The implementation of reciprocity is a concept and not a number.¹¹²

Human Rights Watch was also told that teachers coming from Turkey, i.e. Turkish citizens, rarely came before the academic year had commenced—and often several months after that—because of work and residency permit problems. Ahmet Faikoğlu, a PASOK deputy from 1985-1989, complained that, “the fact...that these teachers are able to get a visa to come only in December can not be explained by objective reasoning; obviously the reason is political.”¹¹³

Secondary Schools

The low level of minority education is also evident in the number of high schools that provide a bilingual curriculum. There are only two minority high schools, one in Komotini and one in Xanthi. They provide places for approximately 400 students despite the fact that there are 8,500 pupils attending minority primary schools.¹¹⁴ The Greek government argues that under the Treaty of Lausanne it must only provide a bilingual education through primary school; the secretary general of the region stated that, “I must clarify that we are required to provide minority education, according to the treaties signed, only at the primary school level. Whenever, however, there is demand for minority higher education we subvert [the treaty] and support the creation of such schools.”¹¹⁵

Despite the fact that Article 2 of the law regulating Celal Bayar High School states that “entering, promotional, and graduating examinations of the High School...will be conducted in the same manner and date as those of other Private High schools,” the state determines how many students can attend that school as well as the Xanthi high school.¹¹⁶ Upon a recommendation of the coordinator of minority schools, the secretary general determines the number of students that both high schools can receive in any given year. For the 1997-98 school year, approximately one hundred places were recommended, a modest increase over the year before, and three rooms were added to the Celal Bayar school in Komotini.

The shortage of spaces in the two minority high schools has effectively resulted in many children of the community not completing the mandatory nine years of education, not to speak of graduating from high school. Adem Bekiroğlu, the chairman of the Minority Scientists' Association, argued that the situation regarding secondary schools is worse than in primary schools, stating that,

¹¹²Interview, Athens, September 1997.

¹¹³Interview, Xanthi, September 1997.

¹¹⁴Data on school attendance provided by Mihailis Lambakis, state coordinator of the minority schools in Thrace, Xanthi, September 1997. According to Oran's study published first in 1986 and updated in 1991, the two minority high schools have a capacity of 637. See Oran, p. 145.

The high school in Xanthi is privately owned, though it is regulated by the Greek state. The school in Komotini, named in honor of the then Turkish president, Celal Bayar, was founded in 1952 as a result of the Cultural Accord of 1951. The school has teachers sent yearly from Turkey, as well as teachers who are Greek citizens paid by the state of Greece. A special law, Legal Edict 2203 of August 1952, regulates the operation of the school.

¹¹⁵Interview, Xanthi, September 1997. Greek law stipulates nine years of mandatory education. In 1923, a primary school education was the norm in most of the industrialized world. In 1998, a high school education is considered the standard in the United States, Japan, and Europe.

On the other hand, the coordinator of minority schools in Thrace, Mihalis Lambakis, believed that the capacity of minority secondary schools should correspond to that of minority primary schools.

¹¹⁶Article 1 of the law, however, gives the state the right to “oversee” the school. The school in Xanthi is private. See section

The situation at the secondary level of minority education is even worse. There are first of all only two of them, [and] students are chosen after their name is drawn from a lottery. There are forty-five places in Xanthi and forty-five to sixty-five in Komotini....So we have more than 1,000 children graduating every year from the primary minority schools of Xanthi and Komotini. Of these, only 150 in Komotini and one hundred in Xanthi can apply to go to minority high schools. Most of the others stop their education, very few go to Greek high schools and a few more go to ones in Turkey. As a result the nine year mandatory education for all children in Greece is not applied for most of the minority children....In the past many more were able to enter high school. Since the secretary-general of the region determines the number of those who will be able to enter minority high schools, in the last years he justifies the limited number of students entering by arguing that there are not enough classes available. But in the past we had the same building functioning both in the morning and in the afternoon and thus accommodating a larger number of students.¹¹⁷

Ahmet Emin, a New Democracy Party prefecture councilman for the Orgoni municipality, stated that the shortage of spaces in minority high schools disproportionately affected girls. He stated that, "because there are only two minority high schools, those who want to continue in many cases must go to Christian schools because there are not enough places in the minority high schools for all. In most cases they choose to drop out. This is a rule in the case of girls, since a Muslim minority family rarely would allow the female child in the family to attend a non-Muslim school."¹¹⁸

Textbooks

The 1968 "Protocol of the Ankara and Athens Meetings of the Turkish-Greek Cultural Commission" regulates the production and use of textbooks in minority schools for both the Turkish minority of Thrace and the Greek minority of Istanbul. Under the protocol, each country has the right to publish textbooks for its respective minority in the other country, dependent on the review and final approval of the other country. Article 15 of the protocol regulates the process by which books are to be exchanged. It states that,

- a) By September 30, books or drafts of books will be forwarded through diplomatic channels to the respective authorities....
- b) Books or drafts of books must not contain any subjects that cause harm to relations between the two countries. The relevant authorities will remove every subject that conflicts with this principle from the drafts of texts or from pictures;
- c) The examination of the texts will be completed by February of the following year and the relevant parties will be informed of which subjects are to be removed....
- d) Two copies of the printed books will be sent by diplomatic channels no later than the end of July for the process of final approval;
- e) Final approval will be announced by September 1;

¹¹⁷Interview, Xanthi, September 1997. Mr. Lambakis, the minority school coordinator, confirmed that there is a very high level of students among the minority who never complete the nine-year mandatory schooling and drop out after primary school.
¹¹⁸Human Rights Watch, Komotini, September 1997.

f) Books that are approved will reciprocally, by means of the respective consulates, be sent to relevant authorities and after they place an approval stamp on them, the books will be sent for the use of all minority schools no later than September 15....¹¹⁹

The protocol is also based on the principal of reciprocity.

The protocol has largely not been implemented, and consequently the Turkish-language textbooks used in the minority schools are old and out-of-date, some dating from the 1950s. Human Rights Watch was given photocopied editions of old books used in primary schools. Mihalis Lambakis, the coordinator of minority schools in Thrace, reported that of recent memory only one book had been exchanged under the protocol. According to him, "The only book approved of which I am aware is that of mathematics. It is a recent book which was updated and approved in 1993-4. All the other books are still editions of the 1950s. They are the books approved in 1954."¹²⁰

Each side blames the other for the failure of the protocol. Mr. Lambakis argues that the textbooks Turkey sends are inappropriate for Greek citizens and should be rejected. He reported that, "The Turkish texts are retrograde and old-fashioned....the Turkish books are for students in Turkey; they contain several nationalist tones which of course could never be accepted."¹²¹ The minority and Turkish officials, on the other hand, argue that the books that Greek officials rejected were corrected and sent back for final approval. Ahmet Faikoğlu, a former deputy from PASOK between 1985 and 1989, reports that he personally transported the books from the Turkish consulate to Greek authorities:

I believe with some good will the problem of the school books may be quickly resolved. There are books which have been sent from Turkey; they must be distributed. In fact it was myself who took the books from the Turkish embassy and gave them to the Greek government when I still was a deputy of PASOK. I believe that Greece does not approve them in the same way it does not implement the 1968 Protocol because it wants to cut all links between Turkey and the minority.¹²²

A member of the Association of Minority Scientists relates a similar story. According to him, the last time the cultural protocol was activated was in 1989-1990, when Turkey sent fifty-six books for the Turkish curriculum; the Greek government requested that some changes be made, and the corrected books were sent a long time ago but are still not available.

In the absence of new textbooks provided within the framework of the protocol, two attempts were made to alleviate the shortage. First, a Greek author, Zegiris, produced several books, but these were in large part rejected by the minority community as assimilationist and as not reflecting their ethnic and religious heritage. More recently, some within the community proposed that they themselves prepare the textbooks, an idea that Mr. Lambakis, the minority schools coordinator, seemed to give conditional support. One ethnic Turk complained that, "New books should be prepared by the minority in order to fill the needs until new official school texts can become available once the Greek-Turkish conflict is resolved. If they cannot finally agree then they should come and ask us to take this on: On the one side we have Greeks who argue that they never received them and on the other Turks argue that Greeks did not distribute them."¹²³ But some within the minority believe that the issue is bilateral, and must be solved under the protocol.

Teaching Greek as a Second Language

At present, Greek is not taught as a second language in minority schools. In fact, the curriculum does not differ from that taught to Greek students whose mother tongue is Greek.

¹¹⁹Protokol, Türk-Yunan Kültür Komisyonu Ankara ve Atina Toplantıları (Protocol of the Ankara and Athens Meetings of the Turkish-Greek Cultural Commission), Milli Eğitim Basımevi, 1969.

¹²⁰Interview, Xanthi, September 1997. Minority leaders agreed with this assessment, though Takan İldem of the Turkish Embassy in Ankara believed that nine books had been distributed.

¹²¹Interview, Xanthi, September 1997.

¹²²Interview, Xanthi, September 1997.

¹²³Interview, Xanthi, September 1997.

One student who successfully graduated from a Greek high school noted that, "A major problem is that when you finish primary school and you go to high school the Greek you have been taught is inadequate. We are taught Greek as if it is our mother tongue."¹²⁴ Consequently, many minority students who are forced into the mainstream Greek system often fail because of poor preparation due to the low standards of minority primary schools and because of language difficulties. The problem is even more acute for Pomaks, who often have to learn two languages when they enter school: Turkish and Greek.

Greek authorities seem slowly to be realizing the shortcomings of this method and appear to be taking steps to introduce the teaching of Greek as a second language in the minority school system. Dimitris Chalkiotis, the executive secretary for education of Greeks Abroad and for cross cultural education, stated that, "The new educational policy for minorities is to demarginalize minority students by improving their knowledge of Greek. [We will] produce new text books so the Greek language is taught as a second language."¹²⁵ He even suggested teaching Turkish to Pomaks as a second language. The secretary general of Thrace also seemed to support efforts to begin teaching Greek as a second language to minority students.

Police Surveillance

Community leaders from the Turkish ethnic minority reported being under clandestine police surveillance. Birol Akifoğlu, a deputy from the New Democracy party, reported that police officials called him to inquire when he was meeting with members from Human Rights Watch and the Greek Helsinki Monitor in September 1997. Mr. Akifoğlu reported that he does not feel that he is followed all the time, but thinks it "very possible" that his phone is tapped. Mr. Mehmet Emin Ağa, the elected mufti of Xanthi, was of the strong belief that he is followed by the police on a regular basis. A representative of Human Rights Watch and two members of the Greek Helsinki Monitor experienced such surveillance first hand while conducting interviews in Thrace in September 1997. The three were followed for two days in the area around Komotini by two separate Greek security organizations. When a Human Rights Watch representative confronted the surveillance teams, the operatives became angry. Only after both groups complained to uniformed police officials and Interior Ministry officials were the police tails removed.¹²⁶ Given state suspicion of the ethnic Turkish minority, such surveillance is not surprising.

Restrictions on Freedom of Expression

Apart from the restrictions on self-expression concerning identity, the small Turkish-language press in the Thrace region has also suffered state persecution. Most of the state's efforts have been targeted against Mr. Abdulhalim Dede, who has operated a radio station and a newspaper. Oddly enough, Mr. Dede is known for his opposition to both official Greek and Turkish state policy toward the Turkish minority of Thrace.¹²⁷ Repression against him has included the following:

- In 1997, Mr. Dede was put on trial for the illegal operation of his Turkish-language radio station, Işık [Light], based in Komotini, between August 1, 1994, and September 15, 1995. According to the Greek Helsinki Monitor, all private radio stations were forced to operate without a license because of the failure of authorities to issue proper licenses, but Mr. Dede was the only individual prosecuted. The case ended in acquittal.

¹²⁴Interview, The Union of the University Youth of Thrace, Xanthi, September 1997.

¹²⁵Interview, Athens, September 1997.

¹²⁶Oddly enough, the Human Rights Watch representative was not stopped from going to the restricted border zone, but was informed that the visit was "tolerated" and should not be repeated.

¹²⁷Until recently, Mr. Dede was barred from entering Turkey by Turkish authorities. Likewise, his brother, who resides in Istanbul, was barred from entering Greece by Greek officials. 31
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- In 1997, Mr. Dede was given a six-month suspended sentence in a trial for an article that appeared in his now defunct Turkish-language newspaper, *Trakya'nın Sesi (Voice of Thrace)*. For alleging that ethnic Greeks from Turkey were carrying out a campaign against Turks in Thrace with the connivance of local authorities, he was charged with “spreading false information that may cause public unrest or shake the people’s faith in the Greek state.”¹²⁸
- In September 1998, Mr. Dede was sentenced by a Xanthi court to eight months of imprisonment for trying to install a radio antenna in his backyard. He was kept overnight in prison, which, according to the Greek Helsinki Monitor, is a rarity in such cases. The sentence has been suspended pending appeal.

Discrimination in Public Employment

Although they comprise a substantial minority in Thrace, few members of the ethnic Turkish community work in the civil service, either at the municipal or state levels. While low education levels and poor Greek may explain part of this, outright discrimination plays a large role. In our 1990 report, we pointed out that, according to official admission, no ethnic Turks worked in the governorships of Komotini or Xanthi.¹²⁹ In our follow-up report two years later, the situation had remained largely the same, with only a handful of ethnic Turks hired as street cleaners.¹³⁰ In September 1997, state-appointed secretary general of Thrace, Mr. Stavros Kambellis, stated that,

There existed an expanded discrimination policy at all levels except in the last years where one observes a general improvement. My policy and the instruction that I give is to apply complete equality before the law. This will expressed by the government is visible to all the citizens. As for the mountainous areas, whether they are inhabited by the minority or not, a special program of steady development is implemented.... We have elaborated a special program for the development of the mountainous areas of Rodope which covers the infrastructure, public works, securing job opportunities.¹³¹

While Human Rights Watch welcomes the secretary general’s admission of past discrimination, the situation largely remains unchanged. The elected governor of Xanthi, Mr. Panagiotis Saltouros, stated that only one ethnic Turk, the president of the Oraio community, is employed by the governorship, in the veterinary services department.¹³² The mayor of Komotini, Mr. George Papadreilis, told Human Rights Watch that, “There is no one in the municipality besides the seasonal workers who are from the minority.”¹³³

Repair of Mosques

The Turkish minority continues to face trouble repairing and/or building mosques despite the fact that Article 40 of the Treaty of Lausanne clearly grants them this right. It states that they “shall have an equal right to establish, manage, and control at their own expense, any...religious institution.” In our 1990 report, we presented several cases in which the community was unable to obtain permits to repair mosques and, in one case, the state destruction of a six-hundred-year-old house of worship.¹³⁴ The situation had improved somewhat by 1992, and in a follow-up report issued that year we noted that one new mosque had been built and three repaired.

¹²⁸Interview with Mr. Dede, Komotini, September 1997.

¹²⁹*Destroying Ethnic Identity*, p. 37-8.

¹³⁰*Greece: Improvements for Turkish Minority*, p. 12-13.

¹³¹Interview, Xanthi, September 1997.

¹³²Interview, Xanthi, September 1997. He added, however, that all hiring is done through competitive examination for which all Greek citizens are eligible.

¹³³Interview, Komotini, September 1997. He noted that the deputy mayor was an ethnic Turk.

¹³⁴*Human Rights Watch, Destroying Ethnic Identity*, pp. 27-8.

Despite these positive steps, the community still must navigate a bureaucratic maze and overcome serious obstacles, including state prosecution, to repair or build mosques. Often, they fail. The case of the Kimmeria mosque is illustrative of this painful process.¹³⁵

In September 1996, the Xanthi Urban Planning Directorate (UPD) issued a building license for “an annex to a mosque (extension of ground floor and minaret).” As soon as work started, however, ultra nationalists and the local media criticized the height of the minaret. Shortly thereafter, the UPD ordered a work stoppage because it decided that a “technical soil study” was necessary.¹³⁶ In December 1996, twenty-three individuals were arrested by the police for “arbitrary construction with violations.” According to Greek sources, “arbitrary construction” is rampant in Greece and almost never results in arrest. On January 3, 1997, the Kimmeria imam was sentenced to two four-month prison sentences and seventeen workers from the minority were each given 35-day sentences. All were released on appeal. Later, the state-appointed secretary general of the region announced that the UPD had no right to issue a building permit without his approval.

The elected prefect of Xanthi, Mr. Panagiotis Saltouros, told Human Rights Watch that,

The problem with the Kimmeria mosque is that although the prefecture and the urban planning office (UPD) gave them a license to expand and build a minaret, it turned out to be illegal. Since May 1996 a new law, which we also ignored, stipulated that any development or work on the *vakf* holdings requires the permission of the secretary general of the region (SGR). Nevertheless, it must be specified that the denouncements made by the inhabitants of Kimmeria led to the discovery of this law. Their denouncements were based on the argument that the constructions that were going on in the mosque were violating what was described in the license. Thus they had to stop for two reasons, because of the alleged infractions and because they needed the permission of SGR. What followed was that the committee of the *vakf* refused to submit a new request. When our offices gave them a license to go ahead and expand, we did it with very liberal intentions in mind.¹³⁷

In mid-1997, however, upon an oral directive, the imam and his crew were allowed to finish the mosque repair, though not to build the new minaret to the desired height. The act underscores the political nature of the stop order, as no mention was made in the oral directive about a “technical soil study.”

¹³⁵Information from Greek Helsinki Monitor, *Press Release*, January 1, 1997, and meetings with community leaders. Human Rights Watch also visited the site of the mosque in September 1997.

¹³⁶The mosque sits next to a small stream.

¹³⁷Human Rights Watch, Xanthi, September 1997.

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*Human Rights Watch
Europe and Central Asia Division*

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APPENDICES

Appendix A

Convention Concerning the Exchange of Greek and Turkish Populations. Signed at Lausanne, January 30, 1923.

The Government of the Grand National Assembly of Turkey and the Greek Government have agreed upon the following provisions:

Article 1.

As from the 1st May, 1923, there shall take place a compulsory exchange of Turkish nationals of the Greek Orthodox religion established in Turkish territory, and of Greek nationals of the Muslim religion established in Greek territory.

These persons shall not return to live in Turkey or Greece respectively without the authorization of the Turkish Government or of the Greek Government respectively.

Article 2.

The following persons shall not be included in the exchange provided for in Article 1:

- a) The Greek inhabitants of Constantinople
- b) The Muslim inhabitants of Western Thrace.

All Greeks who were already established before the 30th October, 1918, within the areas under the Prefecture of the City of Constantinople, as defined by the law of 1912, shall be considered as Greek inhabitants of Constantinople.

All Muslims established in the region to the east of the frontier line laid down in 1913 by the Treaty of Bucharest shall be considered as Muslim inhabitants of Western Thrace.

Article 3.

Those Greeks and Muslims who have already, and since the 18th October, 1912, left the territories the Greek and Turkish inhabitants of which are to be respectively exchanged, shall be considered as included in the exchange provided for in Article 1.

The expression "emigrant" in the present Convention includes all physical and juridical persons who have been obliged to emigrate or have emigrated since the 18th October, 1912.

Article 4.

All able-bodied men belonging to the Greek population, whose families have already left Turkish territory, and who are now detained in Turkey, shall constitute the first installment of Greeks sent to Greece in accordance with the present Convention.

Appendix B

Treaty of Lausanne

Section III. Protection of Minorities

Article 37.

Turkey undertakes that the stipulations contained in Articles 38 to 44 shall be recognized as fundamental laws, and that no law, no regulation, nor official action shall conflict or interfere with these stipulations, nor shall any law, regulation, nor official action prevail over them.

Article 38.

The Turkish Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion.

All inhabitants of Turkey shall be entitled to free exercise, whether in public or private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals.

Non-Muslim minorities will enjoy full freedom of movement and of emigration, subject to the measures applied, on the whole or on part of the territory, to all Turkish nationals, and which may be taken by the Turkish Government for national defense, or for the maintenance of public order.

Article 39.

Turkish nationals belonging to non-Muslim minorities will enjoy the same civil and political rights as Muslims.

All the inhabitants of Turkey, without distinction of religion, shall be equal before the law.

Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employments, functions and honors, or the exercise of professions and industries.

No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the press, or in publications of any kind or at public meetings.

Notwithstanding the existence of the official language, adequate facilities shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the Courts.

Article 40.

Turkish nationals belonging to non-Muslim minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular, they shall have an equal 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.

Article 41.

As regards public instruction, the Turkish Government will grant in those towns and districts, where a considerable proportion of non-Muslim nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision will not prevent the Turkish Government from making the teaching of the Turkish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Turkish nationals belonging to non-Muslim minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may

be provided out of public funds under the State, municipal, or other budgets for educational, religious, or charitable purposes.

The sums in question shall be paid to the qualified representatives of the establishments and institutions concerned.

Article 42.

The Turkish Government undertakes to take, as regards non-Muslim minorities, in so far as concerns their family law or personal status, measures permitting the settlement of these questions in accordance with the customs of those minorities,

These measures will be elaborated by special Commissions composed of representatives of the Turkish Government and of representatives of each of the minorities concerned in equal number. In case of divergence, the Turkish Government and the Council of the League of Nations will appoint in agreement an umpire chosen from amongst European lawyers.

The Turkish Government undertakes to grant full protection to the churches, synagogues, cemeteries, and other religious establishments of the above-mentioned minorities. All facilities and authorization will be granted to the pious foundations, and to the religious and charitable institutions of the said minorities at present existing in Turkey, and the Turkish Government will not refuse, for the formation of new religious and charitable institutions, any of the necessary facilities which are guaranteed to other private institutions of that nature.

Article 43.

Turkish nationals belonging to non-Muslim minorities shall not be compelled to perform any act which constitutes a violation of their faith or religious observances, and shall not be placed under any disability by reason of their refusal to attend Courts of Law or to perform any legal business on their weekly day of rest.

This provision, however, shall not exempt such Turkish nationals from such obligations as shall be imposed upon all other Turkish nationals for the preservation of public order.

Article 44.

Turkey agrees that, in so far as the preceding Articles of this Section affect non-Muslim nationals of Turkey, these provisions constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of the majority of the Council of the League of Nations. The British Empire, France, Italy and Japan hereby agree not to withhold their assent to any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Turkey agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction or danger of infraction of any of these obligations, and that the Council may thereupon take such action and give such directions as it may deem proper and effective in the circumstances.

Turkey further agrees that any difference of opinion as to questions of law or of fact arising out of these Articles between the Turkish Government and any one of the other Signatory Powers or any other Power, a member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Turkish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

Article 45.

The rights conferred by the provisions of the present Section on the non-Muslim minorities of Turkey will be similarly conferred by Greece on the Muslim minority in her territory.

Appendix C

Kingdom of Greece
General Administration of Thraka
Interior Office
Number of Protocol A1043

Komotene, 27/12/1954

URGENT

TO: The Mayors and Presidents of the Communes of the Prefecture of Rodope.

Following the order of the President of the Government (Prime Minister) we ask you that from now on and in all occasions the terms "Turk-Turkish" are used instead of the terms "Muslim- of Muslim".

The General Administrator
of Thraka

G. Fessopoulos

Kingdom of Greece
General Administration of Thraka
Interior Office
Number of Protocol A202

Komotene, 5/2/1955

In spite of the strict orders of the government to replace the terms "Muslim-of Muslim" and use from now on the terms "Turk-Turkish", in the village Aratos on the public road connecting Komotene and Alexandroupole there exists a very prominent sign with the words "Muslim School".

It, as well as any other such signs that might exist in the area of the Prefecture of Rodope, should be replaced immediately.

The General Administrator
of Thraka

G. Fessopoulos